

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR /WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, OCTOBER 22, 2018 AT 7:30 P.M.**

I. CHAIRMAN’S OPENING STATEMENT, ROLL CALL, AND FLAG SALUTE

The combined public/work session meeting of the Planning Board of the Township of Mahwah held at the Municipal Building, 475 Corporate Dr., Mahwah, N.J. was called to order at 7:42 p.m. by Mr. Crean. The Opening Statement was read according to the Sunshine Law followed by the flag salute.

These minutes are a synopsis of the meeting. A verbatim audio recording is on file at the Planning Board Office, 475 Corporate Dr., Mahwah, NJ. Copies may be purchased for a fee.

II. Roll Call:

The following individuals were present:

Mayor Laforet
Mr. Crean
Mr. Donigian
Mr. Grewal arrived at 7:47
Mr. Lo Iacono
Ms. Steinberg
Ms. Galow

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Geraldine Entrup, A.O.

The following individuals were absent:

Mr. Ervin
Mr. Howard
Mr. Sherer
Mr. Van Duren

III. APPROVAL OF BILLS:

Maser Consulting	August 13, 2018	Meeting Attendance	\$200.00
Maser Consulting	August 27, 2018	Meeting Attendance	\$200.00
Peter Scandariato	September 24, 2018	Meeting Attendance	\$250.00

A motion to approve the above bills was made by Ms. Galow and seconded by Ms. Steinberg. A roll call of members present revealed 6 aye votes by Mayor Laforet, Mr. Crean, Mr. Donigian, Mr. Lo Iacono, Ms. Steinberg and Ms. Galow.

IV. APPROVAL OF MINUTES:

1. September 24, 2018

A motion to approve the above minutes was made by Mr. Lo Iacono and seconded by Ms. Steinberg. A roll call of members present revealed 3 aye votes by Mr. Lo Iacono, Ms. Steinberg and Ms. Galow.

V. RESOLUTION FOR MEMORIALIZATION: None to Present

VI. OPEN TO THE PUBLIC – 15 MINUTES:

A motion to open the meeting to the public was made by Mr. Donigian, seconded by Ms. Galow and declared unanimously carried by Mr. Crean.

No one wishing to be heard, a motion to close the meeting to the public was made by Ms. Steinberg, seconded by Ms. Galow and declared unanimously carried by Mr. Crean.

Mr. Crean explained that the Work Session items would be heard before the Public Hearing.

VII. WORK SESSION:

A) NEW BUSINESS

1. **Docket #579 – Daniel J. Barteluce**
179 Island Road, Block 61, Lots 55 & 56
Request for Extension of Minor Subdivision

Mr. James Jaworski of Wells, Jaworski & Liebman LLP at 12 North Route 17, Paramus, NJ, approached stating that he was representing the Applicant. Mr. Jaworski explained that the Applicant has been working with Mr. Kelly to finalize the deeds for the minor subdivision originally approved January 22, 2018. A ninety-day extension was requested in order to obtain Mr. Kelly's approval and complete the filing of the deeds.

A motion to approve a ninety-day extension was made by Mr. Donigian and seconded by Mayor Laforet. A roll call of members present revealed 6 aye votes by Mayor Laforet, Mr. Crean, Mr. Donigian, Mr. Lo Iacono, Ms. Steinberg and Ms. Galow.

- B) OLD BUSINESS - None
- C) COMMITTEE REPORTS – None
- D) ITEM FOR DISCUSSION:

1. 2019 Tentative Planning Board Meeting Dates

Ms. Entrup explained that there were a few months when the schedule was changed to meet the first and third weeks of the month, due to Monday holidays. There was discussion regarding the Columbus Day holiday and it was decided that the Board would meet since the Municipal Building is open.

A motion to approve the 2019 Planning Board Meeting Schedule was made by Mr. Donigian and seconded by Ms. Steinberg. A roll call of members present revealed 7 aye votes by Mayor Laforet, Mr. Crean, Mr. Grewal, Mr. Donigian, Mr. Lo Iacono, Ms. Steinberg and Ms. Galow

VIII. PUBLIC HEARING(S):

1. Docket #595 – Lithia Northeast Real Estate LLC

440 Franklin Turnpike, Block 110.01, Lot 1

Amended Preliminary and Final Site Plan Application

Mr. James Jaworski of Wells, Jaworski and Leibman at 12 North Route 17, Paramus, NJ approached, representing the Applicant. Mr. Jaworski presented an overview of Lithia Northeast Real Estate LLC, explaining that they have purchased five of the local Prestige entities. Mr. Jaworski gave an overview of the previous conditional uses for outdoor storage that were previously approved for Ramsey Automobile. Mr. Jaworski explained that the Applicant is seeking that same use of outdoor storage of vehicles. Mr. Jaworski stated that there would be no customers at this site. He continued to explain that Lithia is the owner of the property and looking to bring the office currently at 50 Williams Drive, Ramsey, to this facility. The offices will be located on the Franklin Turnpike side of the building. There will also be interior storage for some vehicles with one door for cars to enter and leave the building. Mr. Jaworski explained that there would be an interior area for preparation of new vehicles. The area on the west side of the building will contain the service bays and parts storage area. Parking will include vehicle storage and employee parking. Mr. Jaworski stated that there will be a maximum of 120 employees on site. Mr. Jaworski specified that the footprint of the building will remain the same. He explained that the landscaping was going to be increased and improved. Mr. Jaworski mentioned that he did meet with the Township's Construction and Fire Code Officials and that emergency vehicles would be able to maneuver through the parking lot and around the building without problem. Mr. Jaworski explained that there were some waivers requested but no new variances would be needed. Mr. Jaworski reviewed the hours of operation and proposed delivery procedures. The Applicant anticipates that approximately 100 services per day will be completed at this location while the tire rotations and quick lubes will remain at the Ramsey location.

Mr. Jaworski presented the following exhibits:

Exhibit A-1 Bergen County Soil Conservation District Approval Letter of August 9, 2018

- Exhibit A-2 Documentation of Easements for both Tennessee Gas Pipeline and Rockland Electric
- Exhibit A-3 Site plan set for Offsite Toyota Service Center including Soil Movement Plan, prepared by Lapatka Associates, Inc., dated June 11, 2018.
- Exhibit PB1 Boswell Engineering Review Letter of October 16, 2018
- Exhibit PB2 Maser Consulting Review Letter October 15, 2018

Mr. Jaworski clarified that no customers would be at this location.

Mr. Daniel Lamothe, P.E., of Lapatka Associates at 12 N. State Route 17, Paramus, NJ approached and was sworn in. Having previously testified before the Board, Mr. Lamothe was accepted as an expert in Professional Engineering.

Mr. Lamothe agreed that he had worked on the preparation of the site plan for the Applicant. Mr. Lamothe presented Exhibit A-3 the site plan set of 6 sheets dated June 11, 2018. Mr. Jaworski explained that his exhibit list inaccurately listed the site plan as 7 sheets. Mr. Lamothe explained that sheet 7 was the Soil Movement Plan. Mr. Lamothe presented Exhibit A-4 which was a colored rendering of the site plan.

Mr. Lamothe gave an overview of the existing conditions including the utility easements on the site. The locations of the Tennessee Gas Easement and the Rockland Electric Easement were highlighted on Exhibit A-2. Mr. Lamothe stated that grading would be corrected so that water accumulation and puddling would be resolved. He discussed the increased landscaping and changes to the driveway. Mr. Lamothe offered testimony regarding the requested parking space waiver. He stated that employees with parking experience would be moving and parking vehicles and that there would be no customer parking. Mr. Lamothe also reviewed truck circulation. He stated that the existing drainage system would remain with updates to the drain and basin at the west side of the building. Mr. Lamothe discussed the internal service bays and the area where cars would be washed when prepped for the dealership. Mr. Lamothe stated that an oil/water separator would be installed along with a system for reclaiming water. He discussed that there was no need for loading spaces within their operation. A waiver is requested for this as the code requires three loading spaces. Mr. Lamothe reviewed the lighting plan. He explained that there would still be setback requirements that would not be met due to the location of the existing building. Mr. Lamothe stated that the Applicant would provide and comply with all the requirements in the Township Engineer's report. He also specified that Knox boxes would be used for emergency access.

Mr. Donigian asked a question from the Environmental Commission's review, concerning the storage of gasoline or oil. Mr. Lamothe stated that no gasoline or oil would be stored on site. Mr. Donigian asked about landscaping over the easements as was proposed for a previous application. Mr. Kelly specified that the previous application included protections that are not needed for this application because the current Applicant proposes to use the existing drainage system.

There was discussion about the how the operation would work without the use of loading spaces. Mr. Jim Weingarten, Director of Design and Construction for Lithia Motors, 955 Route 9 North, South Amboy, NJ, approached and was sworn in. Mr. Weingarten agreed that he was familiar with the building and the proposed operations for this site. Mr. Weingarten explained that parts would be delivered on an as-needed basis. He explained that the current McKee Drive, Mahwah operations are proposed to move to this location.

Mr. Donigian asked about the trees on Franklin Turnpike. The Applicant agreed to review the health of the existing tress with the Township Engineer.

There was discussion about the truck turning radius, signage changes and traffic impact. Ms. Galow asked if special consideration was needed to alert pedestrians to the traffic crossings. Mr. Kelly thought that there was already sufficient warning that there is a crossing.

Mr. Crean asked about the additional fire hydrant that was requested by the Township Fire Official. Mr. Jaworski explained that this was covered in a prior meeting the Applicant had with the Township Officials and that the Applicant had agreed to place an additional hydrant in the northwest corner of the site.

There was discussion about the customer service process. Customers will bring their cars to the dealership. Quicker service jobs would be handled at the dealership while more time consuming work would be serviced at this proposed site.

Mr. Mark Wiedmann, R.A, of Wiedmann-Zelig Group, LLC at 482 North Wayne Avenue, Wayne, Pa 19087 approached and was sworn in. Mr. Weidman provided his qualifications and was accepted as an expert Professional Architect.

Mr. Jaworski labeled the following exhibits:

Exhibit A-5 Survey by Gallas Surveying Group dated 4/18/18

Exhibit A-6 The two plans submitted with the application:

A1.1 Ground floor plan – Area Calculations dated 4/27/18

A2.1 Building Elevations, dated 4/27/18

Exhibit A-7 A colorized version of Exhibit A-6 with additional descriptions

Mr. Wiedmann presented Exhibit A-7 to the Board. He testified that there would be no changes to the footprint of the building. Mr. Wiedmann discussed current work being done to the building such as mold remediation and asbestos abatement. Mr. Wiedmann stated that a new roof is being installed. He discussed the type of roof and the insulation that will help with water drainage, preventing the pooling of water on the roof.

Mr. Wiedmann discussed the minor changes to the exterior of the building. The Applicant is adding garage doors and installing energy efficient windows. Mr. Wiedmann reviewed the proposed interior layout, including vehicle storage, the PDI prep bay which prepares cars before they are sent to the dealership, the 58 service bays (including car wash and PDI

bays), and the part storage area. Mr. Wiedmann reviewed the building openings. He testified that there would be a fire suppression sprinkler system, an oil/water separator and a water reclamation system installed. Each bay is proposed to have a tail pipe ventilation system. Mr. Wiedmann discussed lighting and Mr. Jaworski presented the lighting plan and the following was marked:

Exhibit A-8 Sight Lighting Plan by Pacific Energy Concepts, LLC dated 6/28/18.

Mr. Donigian asked about possible shielding of the mechanical units. The Applicant agreed to meet the zoning code and will consider what can be done to best block the view of the mechanical units from Franklin Turnpike.

Ms. Steinberg asked about environmental issues and Mr. Wiedmann stated that there will be a less intensive use at this facility than the current operation on McKee Drive in Mahwah.

Mr. Scandariato noted the need to open the meeting to the public in order to field any questions for either Mr. Weingarten or Mr. Wiedmann.

A motion to open the meeting to the public was made by Mr. Donigian, seconded by Ms. Steinberg and declared unanimously carried by Mr. Crean.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Lo Iacono, seconded by Mr. Donigian and declared unanimously carried by Mr. Crean.

Mr. Hal Simoff of Simoff Engineering Associates at 2 Shunpike Rd, Madison, NJ approached and was sworn in. Mr. Simoff provided his qualifications and was accepted by the Board as an expert in Professional Planning and Professional Traffic Engineering. Mr. Simoff discussed traffic counts for the nearby intersections. He projected 62 movements in the morning and 71 in the afternoon which provided a relatively small increase in traffic. He explained that this traffic is one-half to one-third of the traffic at this site during previous uses. Mr. Simoff discussed that there is not a need for a left-turn only lane from Franklin Turnpike. Mr. Simoff reviewed the radius and aisle widths in the storage parking spaces. Mr. Simoff explained why a loading dock was not needed. He also discussed the tractor trailer and fire truck circulation capabilities.

Mr. Simoff discussed the positive impacts regarding the Master Plan and Zoning. He included the less intensive use of the existing building in the GI80 Zone. Mr. Simoff explained that it fits well with the surrounding uses from a planning point of view.

Addressing outstanding items from the Maser Planning Report dated October 15, 2018, the Applicant confirmed that Prestige Toyota will be the only auto dealership utilizing the site. Mr. Kelly asked that the mounting height of the lights be provided. Mr. Kelly stated that the witness did provide sufficient planning testimony in support of the variances and waivers being sought in this application. Mr. Simoff agreed to provide the traffic report

once it is complete. There was additional discussion stating that when cars are turning left into the building, other northbound cars have room to pass on the right.

Mr. Kelly confirmed that a variance is needed for the sign setback. There was discussion about the timing of the move. Mr. Jaworski explained that the Applicant is decontending the current site, anticipating a move towards the end of the year.

A motion to open the meeting to the public was made by Mr. Donigian, seconded by Mayor Laforet and declared unanimously carried by Mr. Crean.

No one wishing to be heard, a motion to close the meeting to the public was made by Ms. Steinberg, seconded by Ms. Galow and declared unanimously carried by Mr. Crean.

Mr. Kelly provided a list of the conditions of approval:

1. Only parking in designated spaces.
2. No unloading of vehicles on Franklin Turnpike.
3. Reserve right to require changes to lighting for a period of six (6) months and lighting will be appropriately shielded.
4. Will add hydrant at north side of site.
5. Landscaping will be reviewed by Board Engineer for dead/diseased and provide additional landscaping as required.
6. Knox box/gates and "No Parking" striping will be reviewed and approved by EMS.
7. Consider measures to screen rooftop units.
8. Replace damaged curbs along Franklin Turnpike.
9. Will comply with all ADA requirements along with providing certification.

Mr. Kelly clarified that this site was not in the area with street scape requirements.

A motion to approve the application was made by Mr. Laforet and seconded by Mr. Donigian. A roll call of members present revealed 7 aye votes by Mayor Laforet, Mr. Crean, Mr. Donigian, Mr. Grewal, Mr. Lo Iacono, Ms. Steinberg and Ms. Galow.

IX. ADJOURNMENT:

A motion to adjourn the meeting at 9:33 p.m. was made by Ms. Galow, seconded by Ms. Steinberg and unanimously carried by Mr. Crean.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on November 30, 2018 for approval at the Regular Meeting to be held December 3, 2018.