

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

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

The combined public/worksession 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 7:31 p.m. by Mr. Sherer. 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:

Mr. Crean
Mr. Donigian
Mr. Ervin
Ms. Galow
Mr. Howard
Mr. Lo Iacono
Mr. Sherer
Ms. Steinberg

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Debbie Alaimo Lawlor, P.P.

The following individuals were absent:

Mayor Laforet
Mr. Grewal
Mr. Van Duren

III. APPROVAL OF BILLS:

Maser Consultant P.A.	03/12/18	Meeting Attendance	\$200.00
Maser Consultant P.A.	03/26/18	Meeting Attendance	\$200.00

A motion to approve the above bills was made by Mr. Crean and seconded by Mr. Howard. A roll call of members present revealed 8 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Howard, Mr. Lo Iacono, Mr. Sherer, Ms. Steinberg and Ms. Galow.

IV. APPROVAL OF MINUTES:

1. March 12, 2018

A motion to approve the above minutes was made by Mr. Lo Iacono and seconded by Mr. Donigian. A roll call of members present revealed 4 aye votes by Mr. Donigian, Mr. Lo Iacono, Mr. Sherer and Ms. Steinberg.

2. March 26, 2018

A motion to approve the above minutes was made by Mr. Donigian and seconded by Mr. Howard. A roll call of members present revealed 6 aye votes by Mr. Donigian, Mr. Ervin, Mr. Howard, Mr. Lo Iacono, Mr. Sherer and Ms. Steinberg.

V. RESOLUTION FOR MEMORIALIZATION:

1. Resolution of The Township of Mahwah Planning Board Review of Proposed Amendment To Chapter 24 of the Code of the Township of Mahwah, Ordinance #1830.

A motion to adopt the resolution was made by Ms. Galow and seconded by Ms. Steinberg. A roll call of members present revealed 7 aye votes by Mr. Crean, Mr. Ervin, Mr. Howard, Mr. Lo Iacono, Mr. Sherer, Ms. Steinberg and Ms. Galow. Mr. Donigian abstained.

**2. Docket #586 – Greg Della Penna
28 Turners Lake Drive, Block 156, Lot 8,
Minor Subdivision Application with variances**

A motion to adopt the resolution was made by Mr. Crean and seconded by Mr. Donigian. A roll call of members present revealed 6 aye votes by Mr. Crean, Mr. Donigian, Mr. Howard, Mr. Lo Iacono, Mr. Sherer, and Ms. Steinberg.

VI. OPEN TO THE PUBLIC – 15 MINUTES:

A motion to open the meeting to the public was made by Mr. Ervin, seconded by Mr. Crean and declared unanimously carried by Mr. Sherer.

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

VII. PUBLIC HEARING(S):

**1. Docket #587 – Bolla Operating N.J. Corp (Continued from March 26, 2018)
62 Franklin Turnpike, Block 68, Lots 14 and 14.01**

Application for Preliminary and Final Site Plan Approval to upgrade the existing site for a service station and convenience store with associated improvements.

Mr. Sherer announced that the hearing for Docket #587 was rescheduled for June 11, 2018, with no further notice required. Mr. Whitaker confirmed that the Applicant agreed to extend the time for decision.

**2. E-BD-216-3051 – Anthony Errico
Campgaw Road, Block 147, Lot 8**

Township of Mahwah Soil Movement Permit Application
Soil Movement of more than 1,000 cubic yards.

Mr. Anthony Errico of 609 Alacci Way, Rivervale, NJ 07675 and Mr. Joseph Vince of Schwanewede Hals Engineering at 9 Post Road, Suite M11, Oakland, NJ approached. Mr. Vince gave his qualifications and was accepted as an expert Professional Engineer. Mr. Vince described the property attributes. Exhibit A-1 dated May 8, 2018 was presented depicting the site plan. The wetlands and proposed development area were identified. Mr. Vince provided details on the soil that needs to be imported. He described the route of travel and how the soil would be spread.

Mr. Kelly explained that the Applicant was before the Board because the amount of soil movement exceeded one thousand (1,000) cubic yards. Mr. Kelly stated that the plans would need to be updated reflecting drainage measures such as seepage pits. He specified that swales will be constructed at the north and south sides of the properties to prevent run off onto the adjacent properties. Mr. Kelly stated that imported soil must be tested prior to the import. Mr. Kelly reviewed requirements regarding the DEP wetlands delineation and designations. He discussed marking of the wetlands area during construction and tree removal procedures.

There was discussion about the origin of the soil, how the soil will be compacted and the new state soil compaction/erosion rules. The Applicant stated that they will meet any requirements that the Township Engineer requires.

Mr. Crean asked if they would use monuments to identify the wetlands area. After discussion, the Applicant agreed to establish these monuments so the wetlands area that should not be disturbed is marked.

A motion to open the meeting to the public was made by Mr. Crean, seconded by Mr. Ervin and declared unanimously carried by Mr. Sherer.

Mrs. Helen G. Chalier of 1 Vail Place approached. She was concerned about the volume of soil and the creation of slope and flooding. Mr. Vince explained that there will be a gradual slope created by the imported soil. Mr. Kelly explained that the required swale would direct the water away from the neighboring properties. It was explained that the Applicant would have to prove that they do not increase the amount of water going onto the adjacent properties.

Mr. Lionel Chalier of 1 Vail Place approached. He stated that they have never had flooding on their property. Mr. Sherer discussed that the Applicant does have to let the neighbors, the Board and the Engineer know that existing conditions will not be exacerbated. Mr. Lionel asked how the Township would make sure that work was complete as planned. Mr. Kelly discussed how the Township monitors the project and how performance guarantees are used to ensure that the Applicant completes the work to specification. Mr. Kelly explained that precautions would apply to water management procedures during construction as well.

Ms. Rachel Yorke of 392 Campgaw Rd approached. She asked if the foundation would be dug at the same time that the soil is imported. The Applicant explained that there would be little digging for the basement. Ms. Yorke asked how much higher the house would sit than her house. She was also concerned about the existing rock wall. Mr. Vince explained that the rock wall would remain and that the soil level would be the same at the property line. There was more detailed discussion regarding existing and proposed elevations.

Mrs. Helen G. Chalier approached again. She asked about the soil level at her property line. Mr. Vince explained that the soil level will remain the same at the property line and incline two (2) feet to the proposed house location.

Mr. Adam Gilbert of 24 Vail Place approached. Mr. Gilbert discussed the trees that were planted and asked if more would be planted. It was determined that Mr. Gilbert was referring to another property.

Ms. Caressa Keyser of 401 Campgaw Road approached and asked for the square footage of the first floor of the proposed home. Mr. Vince said it is a footprint of approximately 3,400 square feet.

Mr. Giovanni D'Angelo of 14 Vail Place approached. He asked if the runoff would accumulate in the wetlands in his backyard. Mr. Vince explained they would have seepage pits of approximately 1,000 gallons that would retain and dissipate the run off. Mr. Vince explained that they would also store three (3) inches of rainfall on the roof and disperse it in a controlled manner. Mr. Vince suggested that the run off should actually be reduced.

A motion to close the meeting to the public was made by Mr. Ervin, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Mr. Vince explained that the swales would be grass. There was discussion about the development of property in the area of Vail Place and the condition of the street. Mr. Kelly stated that they are monitoring the situation.

A motion to approve the application as made by Ms. Galow and seconded by Mr. Crean. A roll call of members present revealed 8 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Howard, Mr. Lo Iacono, Mr. Sherer, Ms. Steinberg and Ms. Galow.

VIII. WORK SESSION:

A) NEW BUSINESS:

1. TA #18-0014 – Direct Building Products Corp. 63 Ramapo Valley Road, Block 41, Lot 1 Tenant Application

Mr. Crean recused himself at 8:08.

Mr. Bruce Whitaker of McDonnell & Whitaker, LLC of Ramsey, New Jersey approached representing the Applicant. Mr. Whitaker described the property associated with the Tenant Application. He explained that the space will be used for the storage of building materials with no retail. There will be three trucks coming and going to make deliveries. Operation will be Monday through Friday, 7:30 am to 5:00 pm.

Mr. Whitaker discussed the site plan that was submitted after the tenant application was originally submitted. He stated that the fire suppression system would need be installed as well as all construction requirements met, as a condition of any approval.

Mr. Abraham Ekstein, of 56 Francis Place, Monsey, NY also approached and identified himself as one of the Principles of the Corporation. He stated that he is very familiar with the operations and evaluated the site. Mr. Ekstein confirmed that there was ample room for the trucks to turn around and that there will be no outdoor storage. Mr. Ekstein also clarified that there was no retail and that all product is delivered to the customer. There was discussion about the type of trucks delivering to the site and how often they will receive deliveries. The delivery trucks will be parked onsite overnight. There will be a maximum of 10 employees. Mr. Ekstein agreed that they will have at least 10 percent office space and that this will be demonstrated to the building department when submitting for the building permit. Mr. Kelly clarified that the Applicant will have to meet all of the construction codes.

There was discussion about parking and how it is monitored at this location.

A motion to approve the application as made by Mr. Donigian and seconded by Ms. Steinberg. A roll call of members present revealed 7 aye votes by Mr. Donigian,

Mr. Ervin, Mr. Howard, Mr. Lo Iacono, Mr. Sherer, Ms. Steinberg and Ms. Galow.

B) OLD BUSINESS:

1. Mr. Ervin asked about the review of the Zoning Ordinances. Mr. Kelly stated that he hoped to complete his work in a week or so and it would then go to Ms. Lawlor.
2. Mr. Donigian asked about the status of the Board identification badges. Ms. Wood explained that an email would be sent outlining the process.
3. There was discussion about problems with email. Ms. Wood said she would provide some additional information on a software application that was previously suggested to be used on mobile devices.

C) COMMITTEE REPORTS: None

IX. ADJOURNMENT:

A motion to adjourn the meeting at 8:24 p.m. was made by Ms. Galow, seconded by Ms. Steinberg declared unanimously carried by Mr. Sherer.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on June 6, 2018 for approval at the Regular Meeting to be held June 11, 2018.