

**TOWNSHIP OF MAHWAH PLANNING BOARD  
REGULAR /WORK SESSION MEETING MINUTES  
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.  
MONDAY, JULY 23, 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 7:32 p.m. by Mr. Donigian. 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. Donigian  
Mr. Ervin  
Ms. Galow  
Mr. Howard  
Ms. Steinberg

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

The following individuals were absent:

Mayor Laforet  
Mr. Crean  
Mr. Grewal  
Mr. Lo Iacono  
Mr. Sherer  
Mr. Van Duren

**III. APPROVAL OF BILLS: None to Present**

**IV. APPROVAL OF MINUTES:**

1. June 9, 2018

A motion to approve the above minutes was made by Mr. Ervin and seconded by Mr. Howard. A roll call of members present revealed 5 aye votes by Mr. Donigian, Mr. Ervin, Mr. Howard, 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. Howard, seconded by Ms. Steinberg and declared unanimously carried by Mr. Donigian.

Mr. John Fesen of 20 Falcon Court approached. Mr. Fesen explained that there was a Chestnut Ridge Public Hearing scheduled for July 24, 2018 regarding their House of Worship zoning requirements. Mr. Fesen discussed their proposed zoning ordinances. Mr. Fesen shared a handout regarding the meeting with the Board and invited them to join him.

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

**VII. PUBLIC HEARING(S):**

**1. Docket #587 – Bolla Operations 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. Whitaker of McDonnell & Whitaker approached stating that he was representing the Applicant. Mr. Whitaker summarized the application stating that the Applicant is seeking Site Plan approval along with various variances and waivers. Mr. Whitaker reviewed the history of the application and the expert testimony that was previously presented. Mr. Whitaker explained that revisions to the site plans were made based on the Board's comments and concerns as well as feedback from the Professional Engineering and Planning Reports. Mr. Whitaker discussed background history of convenience stores and the Applicant's proposed offering of "branded" products. Mr. Whitaker discussed the Township's code definition of restaurant and outlined how this offering does not meet that definition.

Mr. Whitaker called Mr. Frank Filiciotto of Stonefield Engineering and Design, LLC, at 92 Park Avenue, Rutherford, NJ 07070. Mr. Filiciotto was previously sworn in as a traffic expert and was still under Oath. Mr. Filiciotto agreed that he and his staff had created a revised plan addressing the concerns expressed by the Board and its Professionals. Mr. Filiciotto presented Exhibit A-15 which was a Colorized Site Plan (sheet C4). Mr. Scandariato pointed out that on the list distributed from the Planning Department, Exhibit A-15 was described as the Township Code introduced during previous testimony. Mr. Whitaker agreed to provide a comprehensive list of all Exhibits and documents presented. Mr. Filiciotto continued outlining two major Board concerns related to parking and truck circulation. Mr. Filiciotto described the two tandem, employee only parking spaces that were added to bring the total proposed parking spaces to twelve (12). Mr. Whitaker re-introduced the previously discussed idea to "bank" these tandem parking spots. He

explained that this approach would leave the maximum amount of green space initially while planning for additional parking if it is needed. Mr. Filiciotto also pointed out that a sidewalk was added to the plan that extends from Franklin Turnpike to the walkway on the side of the building. Mr. Filiciotto introduced the Truck Circulation Exhibit A-16 dated 3/13/18. Mr. Filiciotto discussed the concerns that the Board had regarding the driveway radii that would apply to the WB-50 tractor trailer. Mr. Filiciotto introduced the Truck Circulation Plan (Exhibit A-18) last revised 5/24/18. This new plan depicts the larger turning radius that allows the WB-50 truck to exit the site without crossing over the center yellow line.

There was discussion about the employee parking and how the site would manage the movement of the cars providing access to the fuel tank. Discussion included the restriction of deliveries to off-peak hours that would be outside the commuter peaks. (7:00 am - 9:00 am and 4:00 pm - 6:00 pm).

Mr. Scandariato asked about the impact of the requests from the Bergen County Planning Board. Mr. Kelly explained that he had no issue with the change in the curbing. Mr. Filiciotto stated that the Applicant would be able to comply with all the Bergen County requests.

Ms. Steinberg and Mr. Kelly asked questions about how customers would be prevented from parking in the tandem parking spaces. There was discussion about striping and/or textured surfacing to identify the parking spaces. Mr. Kelly suggested a dropped curb in this area to help define the spaces as employee use only. He also suggested that grass pavers be used to help increase the green space and differentiate the look from a normal parking space.

Mr. Donigian suggested that a straw poll be taken to determine if the tandem parking would be required initially or if the future spaces would be “banked” for a later time if needed. It was specified that at a later date, the Township Engineer would be able to determine whether the tandem parking spaces were needed. All Board Members present preferred the option of maintaining the maximum amount of green space while planning for the possible use of the tandem parking spots at a later date.

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

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

Mr. Matthew Seckler of Stonefield Engineering and Design, LLC, 92 Park Avenue, Rutherford, NJ 07070 approached. Mr. Seckler was sworn in, gave his credentials and was accepted as an expert planner. Mr. Seckler agreed with Mr. Whitaker’s statement that he had been a part of the team that created the proposed plans and that he had visited the site. Mr. Whitaker asked Mr. Seckler to review the application from a planning perspective.

Mr. Seckler re-introduced Exhibit A-11, an aerial view of the site. Mr. Seckler gave a brief overview of the existing conditions of this B-12 Zone. Mr. Seckler re-introduced Exhibit A-13 which depicted the unique buildable envelope of the property. Mr. Seckler reviewed the advantages of expanding the front setbacks while decreasing the rear setbacks. Mr. Seckler discussed the enhanced curb design to promote safety while improving pedestrian safety and green space. Mr. Seckler stated that the proposed improvements were in alignment with the Township Master Plan. Mr. Seckler explained that Purpose I is also being promoted by the proposed improvements as the site is being cleaned up and green space is being added while the design is updated. Mr. Seckler stated that no negative impacts were found. He discussed the variance related to the proximity of the southern driveway's location to Ward Lane. Mr. Secker stated that both the traffic engineer and the County saw no negative impacts related to Ward Lane. Mr. Seckler reminded the Board that currently the entire street front is a driveway as there is no curb. The remaining variances regarding signage were briefly reviewed. Mr. Seckler explained that if the building were turned, the signage would be within the requirements. Mr. Seckler continued discussion of the waivers. He referenced the previous discussion on parking spaces and the additional parking at the pumps summarizing that he felt justification of the waiver had been properly testified. Mr. Seckler also reviewed the waiver to use the existing sign that is on site. Mr. Seckler reiterated the positive impacts of the proposed improvements. Ms. Galow asked for clarification regarding the size of the letters on the canopy. Mr. Seckler didn't have the exact numbers at that time.

Mr. Whitaker asked Mr. Seckler to discuss the process of selling a "Brand" product. Mr. Seckler specified that the "Grab & Go" process described in previous testimony was better described as "Order & Go". Mr. Seckler described the process at the Ramsey Bolla on Route 17 North. He ordered a burger, the employee gave him a slip and went to make/get his food. Mr. Seckler got a drink and gum and proceeded to pay at the convenience store checkout. His order slip was stamped as paid and he returned to the ordering location. Mr. Seckler gave them the slip and was given his food. Ms. Steinberg described the "Grab & Go" with heat lamps that is used on the NJ Turnpike. Mr. Seckler stated that there was no "Grab" area with premade food to select from. Mr. Whitaker reiterated that it would not be a "Grab & Go". After further questions and discussion, Mr. Donigian suggested that a representative from Burger King provide testimony regarding the process. Mr. Whitaker said he will bring in a Bolla representative that will present how the operation currently works at these locations along with empirical data regarding customer traffic at these current stores. Mr. Scandariato suggested that Mr. Whitaker provide more testimony as to how the food is prepared and presented to the customer. Mr. Whitaker agreed that he would provide this testimony. Mr. Kelly discussed the Board's hesitancy of having fast-food branded products at the site. Mr. Seckler testified that the number of parking spaces would support the fast-food offering. Ms. Lawlor asked that the subsequent testimony include how many parking spots are available, how many pumps customers can park at, the transaction time, the size of their building, how the product is being prepared and how the product will be offered inside the store.

Mr. Ervin reminded the Board that there are other facilities in the Township that have branded fast-food offerings. An example of the Valero stations offering Subway products

was given. Ms. Lawlor clarified that the question/concern is how long it takes to get the branded fast-food product and if there is sufficient parking to support it.

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

Mr. John Fesen of 20 Falcon Court approached. Mr. Fesen asked what the hours of operation would be. Mr. Whitaker stated that the proposed hours are twenty-four hours, seven days a week. Mr. Whitaker thought this was also the current hours of operation.

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

Mr. Whitaker requested that the Public Hearing be continued. The application was carried to August 27, 2018. Mr. Whitaker stated for the record that the Applicant was granting an extension for the decision. Mr. Scandariato stated that the application would be carried with no further public notice needed.

**VIII. WORK SESSION:**

A) NEW BUSINESS –

1. Ms. Steinberg discussed the idea of a “Visioning” workshop regarding the public views and preferences on development within the Township. Ms. Lawlor discussed getting public opinion on what they would like to see and what would go into an updated Master Plan. It was agreed that a discussion about a possible workshop would be added to the agenda for a subsequent meeting.

B) OLD BUSINESS – None

C) COMMITTEE REPORTS - None

**IX. ADJOURNMENT:**

A motion to adjourn the meeting at 9:01 p.m. was made by Ms. Galow, seconded by Ms. Steinberg and declared unanimously carried by Mr. Donigian.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on August 22, 2018 for approval at the Regular Meeting to be held August 27, 2018.