**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting 7:30pm

December 11, 2024

**CALL TO ORDER @7:35pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of December 11, 2024 adequate advance notice of this meeting has been provided by publication in the Herald and News and also posted on the bulletin board at the Council Chamber entrance in the Municipal Hall of the Borough of Bloomingdale, Passaic County, in compliance with the New Jersey Open Meetings Act, N.J.S.A. 10:4-6 seq.

**FIRE CODE**

Per State Fire Code, I am required to acknowledge that there are two “Emergency Exits” in this Council Chamber. The main entrance through which you entered and a secondary exit to the right of where you are seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out of the building. If there are any questions, please raise your hand now.

**ROLL CALL MEMBERS/ALTERNATE MEMBERS PRESENT (\*denotes alternate)**

James W Croop Barry Greenberg Mayor D’Amato Maggie Covert

Mark Crum Craig Ollenschleger Brian Guinan

Bill Steenstra Edward Simoni Wayne Hammaker

Bill Graf

**MEMBERS ABS/EXCUSED**

Dominic Catalano – ex

Robert Lippi – ex

**BOROUGH OF BLOOMINGDALE – DEED PERFECTING LOT LINE ADJUSTMENT/SUBDIVISION FOR Block 5105 Lot 14.01 merging to Block 5105 Lot 51**

Borough Administrator, Mike Sondermeyer is sworn in. He states that the council is looking to merge a portion of Block 5105 lot 14.01to Block 5105 lot 51. Both properties are owned by the borough of Bloomingdale.

A motion is made by Comm. Crum, 2nd by Mayor D’Amato, to open meeting to public for questions or comments on lot line adjustment. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Crum, 2nd by Mayor D’Amato, to close meeting to public for

questions or comments on lot line adjustment. Voice vote shows all in favor.

A motion is made by Comm. Graf, 2nd by Comm. Greenberg, to approve lot line adjustment and recommend council perfect the deed. Roll call shows 8-0 in favor.

**COMPLETENESS/WAIVER REQUESTS**

**#704** 8 First Street LLC – 15 Hamburg Tpk Block 3032 Lot 3

Michael Rubin, the attorney representing applicant states that they are here before the board to request some waivers.

Mr. Rubin asks to go through board engineer Tom Boorady’s report of checklist items that they are requesting waivers.

A motion is made by Comm. Graf, 2nd by Comm. Croop, to grant checklist waivers for item #24 Topography, items #28-31 Stormwater Management, and item #40 Soil Erosion and Sediment Plan with all stipulations and requirements of the board engineer being adhered to. Roll call shows 8-0.

**PUBLIC HEARING**

**#717** 46 Star Lake Road, LLC 46 Star Lake Road Block 3035 Lot 33

(7-member board. Seated: Croop, Crum, Graf, Greenberg, Ollenschleger, Steenstra & Simoni)

This application is for a site plan and D & C variance relief.

James P Cutillo, Architect, 593 Newark Pompton Turnpike, is sworn in.

Mr. Cutillo summarizes the plans and shows a rendering marked as exhibit A-4 consisting of 5 pages, latest revision date of 11/19/24. These pictures show all four sides of the building.

He states that the footprint of the building will remain. They look to add a 2nd floor to include 13 units.

The 1st floor will remain with 2 uses. He shows all four sides and their elevations. There is a high ceiling on the 1st floor.

They will be putting stucco and siding on the outside of the building.

They designed a new entry to access apartments into a lobby. For emergency reasons there will be 2 stairwells, one in the front and one on the left side of the building. Page 4 of exhibit A-4 shows the full 2nd floor layout. There are corridors to both sets of stairs. No dead-end hallways.

There will be a trash room for the residents. There will be eight 1-bedroom units, four 2-bedroom units and one 3-bedroom unit.

All A/C units will be located on the flat roof. The height measured to the eaves is 23’ 1”. The height measured to the top of the roof deck is 27’.

They will be using the Hardy plank top with colored stucco and stone. They are trying to make a high-quality ascetically pleasing building.

Chairman Simoni wants to clarify that the new stucco and siding and new windows applies to the entire building.

Mr. Boorady refers to sheet 3 showing the trash room. He asks if there will be a service for carrying out the garbage.

Mr. Cutillo states that there will be a service for the trash and there will also be trash and recycling bins in each room.

Comm. Ollenschleger refers to the color rendering of exhibit A-4. Asks if the pictures show each of the four sides as they will be represented.

Mr. Cutillo states that the 1st and 4th pictures show 2 fronts; 2nd picture shows left side; and 3rd picture shows the rear. The right side is not shown in the color rendering. The rear and the right side are similar, we’ve carried the stonework around with some windows.

Comm. Graf states for clarification, that this building looks, in its entirety, like a residential building. It looks good.

Mr. Cutillo states that in looking at the pictures, it will be textured, and the color palate will be uniform. Whatever is currently block on the 1st floor will be stucco and from windowsill down will be stone. Clarifies that there will be stucco on all four sides.

Mr. Boorady asks that they make sure all of this is on the plan.

The board planner refers to comments on his report and asks if the applicant could provide testimony related to the residential entrance.

Mr. Cutillo states that the prominent entrance depicted is a 19’ x 19’ covered area with a door into vestibule will be for residents only. The stairwells go to residential units only. The side stairwell is where the bulk of the parking is. The front stairwell can also be used, but it is a longer walk to the parking area.

Mr. Cutillo refers to the windows and states that they are not able to replace them with larger windows, the size will stay the same.

Comm. Croop states that on sheet A-3 it shows existing doors to the lst floor and separate doors to the tenant area.

Mr. Cutillo responds that there is no combined door that will go to residential and commercial areas.

Comm. Croop asks if they know the division of the 1st floor spaces?

Mr. Molica states that there are 2 spaces of use.

Chairman Simoni states that there is a sign shown on frontage of the property.

Mr. Cutillo states that it is a 3’ x 4’ freestanding sign, which he believes is conforming.

Chairman Simoni asks what the sign will say.

Mr. Steimel, owner of the property, still under oath, states the sign will say:

Shippee Commons with the address.

All commercial signs will be on the building. Approximately 12” x 12”

Comm. Graf states that his view is that this is a residential neighborhood and should look residential. The commercial uses are secondary. He concurs that a variance should be allowed for 12’ x 12’ signs to be on the building for 2 commercial tenants.

Chairman Simoni states that maybe the signs be a little bigger.

Mr. Cutillo points out on plans where the main door is to each business entrance.

Comm. Croop suggests 18” x 24”.

Comm. Ollenschleger states that given a choice in the residential zone, he thinks a nice-looking free-standing sign would be good.

Comm. Covert adds that it should be uniform in color.

Mr. Molica suggests identification on the windows of the 2 businesses and a monument sign at road entrance.

At this time, traffic engineer, Craig Peregoy of Dynamic Traffic, LLC is sworn in.

He refers to his report dated 11/3/24 with a latest revision of 11/25/24.

Mr. Peregoy looked at the impact to Star Lake Road with 13 units added. He projects volumes during AM and PM is less than 10% of threshold allowed.

Mr. Peregoy also states that there will be an improvement of access and egress. They are proposing 39 parking spaces on site.

The board planner asks if there will be any designation of spaces.

Mr. Peregoy states not at this time. But that it would make sense to assign spaces to residents if he chooses.

The board planner asks if there will be bicycle parking on the premises.

Mr. Peregoy responds that he is sure a bike rack could be accommodated.

Comm. Croop states that in the past it was asked to provide 1 parking space per unit.

Comm. Greenberg states that the parking spaces are slightly undersized at 9’ x 18’.

Mr. Boorady states that they are sufficient.

Comm. Ollenschleger asks if the traffic study was done during covid,

Mr. Peregoy responds that none were done during the covid period.

Comm. Ollenschleger states that there were two commercial uses in the building, and one stopped.

Mr. Peregoy states that when the traffic study was done, there were 3 businesses operating.

Comm. Ollenschleger confirms that the estimates are based on an industrial park.

Mr. Peregoy responds that it was the closet use they could come up with.

Chairman Simoni speaks to Mr. Molica and asks to clarify that there will be one parking space per unit and that the 6 parking spaces in the rear will be for the owners’ trucks and vans.

At this time, David Troast, Land Use and Affordable Housing Planner is sworn in.

Mr. Troast states that he prepared a revision to the planning report dated 11/20/24.

He summarizes by stating that the existing commercial portion of the existing building will be renovated and will keep the commercial use with apartments above.

One 3-bedroom and one 2-bedroom will be COAH.

Applicant is seeking a use variance to retain the commercial use.

They are requesting a D-1 Variance and several existing bulk variances and some new bulk variances.

Providing affordable housing meets D-1 criteria as well as providing and maintaining jobs.

The new development is suited to the area, staying within the original footprint and adding 13 residential apartments above.

D variance criteria:

* Does variance relate to a particular property? – Yes
* Is it an appropriate use of the land? – Yes
* Does it promote a desirable environment? – Yes
* Can it be granted without detriment to the public good? - Yes

C variance criteria:

* Small recreation area, tables in frontage by Star Lake Road
* Providing indoor amenities (activity space)
* The property has a lot of environmental challenges
* Identifying the building by address and name is critical to public safety.

Negative Criteria:

* All issues addressed
* Need to consider if it would be a better place and the answer is yes
* It provides housing while retaining commercial uses, provides affordable housing.

It is Mr. Troast’s professional opinion, the positive outweighs the negative. It is consistent with the master plan and there is no detriment to the public.

Mr. Troast discusses the re-zoning of the property. He states that back in 2020 when they looked at the property, they asked that it be re-zoned for all apartments. Residential housing seemed appropriate at that time. The property was on the market with no interest for a long time.

Mr. Molica stated that there was no interest in the property and if they knew Mr. Steimel at that time, they would not have asked for re-zoning.

We have a new opportunity to make a big improvement. He feels that they did a nice job making it look residential.

Mr. Troast states that ½ of the use is permitted and has been for many years. In Planning today, mixed use is the way to go. If this were a brand-new site, it might be different.

Chairman Simoni remembers being the chair in 2021 when zone changed was asked for.

The property was not marketable.

Comm. Graf states for the record that in regard to the variance to include 3-bedroom in affordable housing, the variance is not necessary. The Governing Body modified it to include affordable housing. Each residential zone was modified to include one 3-bedroom for affordable only. So, the 3-bedroom is permitted use.

Comm. Graf continues saying he would like to crystalize something. He states that in his view, the D-1 is in play solely because of the commercial use. Feels we need to look at in a positive way for special reasons for D-1 commercial.

The applicant’s planner responds that the master plan goals are to create a neighborhood of environments while maintaining balance of a mixture of land uses and increasing tax revenue and providing a mixed-use project in a zone serves that goal. As for a D-1 purpose under D-2 you can go to purpose “A” - This is a suitable site and appropriate to allow commercial use. Then there is purpose “G”- provide sufficient space and appropriate location for a variety of agricultural, residential and commercial and industrial development of all lands. This site is suitable for this based on the existing building. And there is purpose “I”- visual environment/fits in the neighborhood. So, based on this criteria, I feel the use variance can be granted.

Chairman Simoni states that before the uses are discussed, he’d like to hear from the applicant’s engineer again.

Eric Wilson, previously sworn in as licensed engineer of Darmstatter, Inc. and remains under oath.

Mr. Molica states that revised plans were submitted by Darmstatter, Inc.

Mr. Wilson would like to put on the record the changes and revisions of the plans

with latest revisions dated 11/26/24:

* Added additional notations
* Revised general notes to provide more clarity
* Added recreational area
* After discussion of turn radius, widened the turn radius
* Added notation of sign variance
* Expanded trash enclosure
* Added more detail on stormwater/drainage/roof leaders
* Landscaping changes
* Intend to change color of lights
* Re-worked landscaping plans providing for fence buffer
* Added truck turning exhibits

Mr. Boorady states that they showed a reduction in coverage. What’s missing is there was work that was unlawfully performed that you probably did not know about . The area was cleared and paved over. There needs to be some type of detention for stormwater, maybe underground containers.

Mr. Molica states that as a condition of any approval, the applicant would be happy to work with the engineer on a detention system subject to flood and wetland permits to DEP.

Comm. Greenberg states that in reference to the sign, the shrubs and plantings will cover the sign, suggests relocating for a better view.

Mr. Molica states that sign relocation will be a condition of approval.

Mr. Boorady states that the parking calculations show 3 uses, it should be 2 uses.

Mr. Molica states that they will revise the site plan as a condition of approval.

Mr. Molica states that they are here to discuss 1st floor uses.

Mr. Steimel explains that his two businesses, LA Design Construction and Restore 360 occupies more than ½ of the 1st floor. His operation requires storage of construction vehicle, parking for his vans and pick up trucks, some assembly of cabinets, some assembly of veneering, light manufacturing, shipping & receiving, storage of dehumidifiers and fans, some bagged materials and a small office for couple employees.

In looking for a tenant for other part of building. He was thinking of the following:

* Light manufacturing, textile, clothing shipping
* Storage of goods and materials
* Home improvement business
* Cabinet manufacturing
* Plumber/electrician
* Contractor
* Food packing/preparation/storage

Chairman Simoni verifies that the 2nd area is 7500 sq ft.

Comm. Crum asks if Restore 360 involves chemicals.

Mr. Steimel states that they are nonhazardous chemicals that are properly stored.

Comm. Croop feels that if light manufacturing includes mill working and cabinet working that won’t mix well with residential. And packaging will require trucking in and out.

Mr. Steimel states that when purchasing he saw the Central Shippee operation, and it was very cool. The business was a lot of storage.

Chairman Simoni states that it ultimately comes down to right tenant to be agreed on by the board and the applicant.

Comm. Graf states that we are basically writing and ordinance, and while all intentions are well received, when we put uses together, they will outlive you. We have to be extremely careful of the narrow scope of uses. We can’t be too loose. His view is that there be no outside storage external to the buildings. Nothing that creates noise levels that would penetrate the walls of the buildings. He feels these are the types of uses to address. No noise, clean and no outside storage.

Mr. Steimel states that is exactly why he would like to stay with the previous use.

At this time, Mr. Steimel’s list of uses is marked as exhibit A-5.

The board discusses potential uses.

Mr. Molica feels it best to give the board consent to extend time.

Mr. Brigliadoro asks Mr. Molica to submit a draft ordinance governing the use.

At this time a motion was made by Comm. Greenberg, 2nd by Comm.Steenstra, to open meeting to public for questions or comments pertaining to testimony given on application #717. Voice vote shows all in favor.

PUBLIC

Karin Pilaar of 23 Sally Street asks if there will be any lighting in the back of the building.

Mr. Wilson states that there will be lights on the back of the building for safety purposes.

A motion was made by Comm. Croop, 2nd by Comm. Crum, to close the meeting to the public on application #717. Voice vote shows all in favor.

At this time, the applicant grants extension to January 30, 2025. The notice will carry. No further notice will be necessary.

**RESOLUTIONS**

**#724** **David Sulski 45 Lakeside Avenue** Block 3045 Lot 5

A motion is made by Comm. Greenberg, 2nd by Comm. Croop, to adopt & memorialize Resolution for application #724. Roll calls shows 7-0 in favor.

**Minor Subdivision/Lot Line Adjustment Approval** Block 5105 Lot 14.01 and Lot 51

A motion is made by Comm. Steenstra, 2nd by Comm. Greenberg, to adopt & memorialize

Resolution for minor subdivision/lot line adjustment approval for Block 5105 lots 14.01 and lot 51. Roll call shows 8-0 in favor.

**PENDING APPLICATIONS**

**#702** Tri Boro Dental (Sluka) 40 Main Street Block 5088 Lot 4

A motion is made by Comm. Croop, 2nd by Comm. Steenstra, to dismiss application #702 without prejudice due to lack of prosecution. Roll calls shows 8-0 in favor.

**#704** 8 First Street LLC – 15 Hamburg Tpk Block 3032 Lot 3

**#725** Nicholas Waller 23 Poplar Street Block 5099 Lot 8

**BILLS**

*Brigliadoro- Meeting Attendance 11/13/24 $676,* ***App #716 46 Star Lake Road LLC $768, App #724 $400***

*Darmofalski -Meeting Attendance 11/13/24 $520*

*Kyle McManus – App #717 $375*

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to pay bills as listed. Roll call shows 8-0 in favor.

**NEW BUSINESS**

None

**PUBLIC DISCUSSION**

A motion is made by Comm. Crum, 2nd by Comm. Croop, to open meeting to public. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Crum, 2nd by Comm. Greenberg, to close meeting to public. Voice vote shows all in favor.

**ADJOURNMENT**

A motion was made by Comm. Crum, 2nd by Comm Greenberg, to adjourn meeting at 11:20pm. Voice vote shows all in favor.

Respectfully submitted,

Barbara Adubato, Secretary

Bloomingdale Planning Board