**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting 7:30pm

March 22, 2023

**CALL TO ORDER @7:40pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of March 22, 2023 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 Brian Guinan\* Dominic Catalano Mayor D’Amato

Mark Crum Edward Simoni Robert Lippi\*

Bill Steenstra Wayne Hammaker\* Margaret Covert\*

Bill Graf Craig A Ollenschleger Barry Greenberg

**MEMBERS ABS/EXCUSED**

Brian Guinan - ex

**MINUTES**

2-22-23

A motion was made by Comm. Crum, 2nd by Comm. Croop to approve minutes of 2/22/23 meeting. Voice vote shows all in favor with one abstention by Comm. Greenberg.

**PUBLIC HEARING**

**#688** Two Thirty Seven, LLC 237 Hamburg Turnpike Block 3012 Lot 9

(seated – Graf, Greenberg, Ollenschleger, Steenstra, Croop, Crum, Simoni)

The applicant’s attorney, Donald Matthews, that before they begin testimony, they would like to amend the application to include a Use Variance so as to permit trucks. The public notice included “any and all variances”.

Board attorney, Richard Brigliadoro states that the notice appears satisfactory and allows the addition of the use variance request.

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to deem application #688 Complete.

Voice votes shows all in favor.

Arthur Szproch, property owner (applicant), Jeffrey Egarian licensed engineer and James Cutillo licensed architect are all sworn in at this time.

Mr. Matthews gives an overview and states that the applicant is preliminary and final site plan approval of a 2-story office/ storage building in the B-1 zone for the use of a hardscape construction company. A 2’ x 7’ luminated sign is also being requested.

At this time, the applicant describes his business, stating that he handles outdoor living spaces. Hardscape means patio spaces, pavers, retaining walls, landscaping, etc.

He proposes to build a 2 -story building with a garage on 1st floor and an office on 2nd floor. The site would be used as a hub site with the main site located in Lincoln Park. No public with be using the site. They propose 5 garages on site. There will be no trailers on site and all equipment will be stored inside. No exterior storage. There will be no storage of materials or hardscape materials, only office type garbage. No waste materials from jobs will be brought and stored on site. There will be no storage of hazardous or flammable materials.

Recycled materials will be handled personally. The largest truck entering site would be the size of a UPS truck, there would be no tractor/trailer deliveries. Only small packages would be delivered but very seldom.

There is no forklift. There would be 4 employees, 7 exterior parking spaces. No employees would remain overnight. Some days all 4 employees may be there and others none. They will only come to pick up the necessary equipment and might be at site for 30-40 minutes in the morning and returning around 5:00pm. The hours would be Monday through Friday 7:00am to 5:30pm.

The lighting on the building would be over the garage to illuminate garage doors. Lighting and illumination is lower because there is no public will be on site when it’s dark.

Applicant states that as a condition of approval, any spillage lighting would be adjusted to meet

requirements.

The vehicles kept in the garage will have room to maneuver.

The sign is stationary and will be white with purple lettering as per logo.

Chairman Simoni asks where extra materials from jobs are stored.

Mr. Szproch states that they are thrown in the garbage, no extra materials are brought back to garage.

Comm. Ollenschleger asks if the will be tool storage.

Mr. Szproch states they would only have demo saws, shovels, etc.

Comm. Ollenschleger asks if they work in extended daylight.

Mr. Szproch says they end their day between 5-5:30pm.

Comm. Crum asks if there will be anyone in the office.

Mr. Szproch states that he would be the only one in the office.

Comm. Greenberg asks where small tractors, diggers, etc be stored?

Mr. Szproch states that they stay on construction site or otherwise at the Lincoln Park site.

Comm. Croop confirms that the garage will be used for normal use and in the winter months for storage.

Mr. Szproch states that is correct.

Comm. Graf states for the record that a two-story building has been mentioned multiple times so why does it say one story when two story is proposed.

Mr. Szproch states that at one time is was a one story building but needed an extra garage, so an office had to be put upstairs. The second story does not go all the way across the building, only above one garage.

Comm. Graf states that there doesn’t seem to be any lighting on entrance and exits, would it be something that could be considered for safety purposes.

Mr. Szproch states that it is not currently planned to have lighting unless needed.

Chairman Simoni notes that the submittal to the county states that it is a one story.

Board Engineer, Tom Boorady states that when resubmitting, the applicant might want to change wording to mention two story and it might be helpful to the board for lighting and turn radius to be answered by the professionals.

Comm. Ollenschleger wishes to follow up on an observation that when moving office upstairs is there intention to use extra space for storage.

Mr. Szproch states he does not, it will be an office.

A motion is made by Comm. Steenstra, 2nd by Comm. Croop to open meeting to public for questions and comments of Mr. Szproch.

Seeing no public, a motion is made by Comm. Croop, 2nd by Comm. Crum to close meeting to public for questions and comments of Mr. Szproch. Voice vote shows all in favor.

At this time, Jeff Egarian, licensed engineer for the applicant states that he prepared the preliminary and final site plan dated 11/29/19 with a latest revision date of 12/30/22. He describes where lot is located and the condition of the site.

He states that current conditions of the steep slope give challenges. A retaining wall is needed. There are a lot of DEP regulations and restrictions due to the Pequannock River barrier. As far as development of the site, had to work closely with the environmental and DEP.

Proposed is a two-story building with 5 garages 2760 sq ft and small office space of 246 sq ft. which meets the requirements of the B-1 zone. There would be a southerly entrance and a northerly exit 18’ wide. The parking lot would be asphalt and curbed. A 6-foot wall would be constructed along wall to obstruct view of Waterfall Village. There would be a 4’ x 6’ dumpster enclosed by an 8’ by 6’ chain link fence enclosure. There would be landscaping on the east side of lot with two shade trees planted along frontage. They propose a small septic for one bathroom.

Stormwater: As for stormwater drainage, 8 seepage tanks and 5 recharge systems are proposed with trench drainage on the east side and Type B catch basins. We are proposing large detention basins all maintained on site which is well above what is required by Bloomingdale. A perk test will be performed, and it will be designed as governed by the county criteria. All of which is included in the recently submitted plan.

The retaining wall will have a guide rail for safety and a privacy fence to screen from adjacent property.

Lighting: The lighting was discussed, and the plans only depict lighting in the rear of building by the garage doors. Since the hours are dusk to dawn there was no reason for other lighting. Motion lights should not be a problem to add. All lighting will be compliant to regulations.

Landscaping: Not sure of feasibility of providing landscaping and shrubbery behind fence by railroad tracks because of DEP limitation of disturbance in area.

Utilities: Utilities can be designed upon any approval.

Mr. Boorady responds to all items mentioned in his report stating that the building height is not revised on the current plans.

He states that a 40’ turn radius should be adequate for a fire truck.

Comm. Croop states that Bloomingdale’s longest fire truck is currently 37’. He agrees 40’ turn radius should be adequate.

Mr. Boorady asks if the utility pole will create a site distance issue.

Applicant does not feel it’s a problem.

Mr. Boorady states that the site seems dark and there are no foot candles proposed. Would applicant consider installing four 2’ candles for safety and security.

The applicant will propose some additional lighting as a stipulation of approval.

A revised lighting plan will be submitted.

As for the landscaping, Mr. Boorady stands with his recommendation to provide some buffer.

Comm. Greenberg states that the applicant might want to change the American Arborvitae to Green Giant Arborvitae 8’ with 16’ spacing is good. Recommends Red Bud ornamental for the 2 shade trees proposed. He recommends between sidewalk side where there is 2 ½’of green space, putting some shrubs in bed.

Mr. Boorady asks the applicant to submit a revised landscape plan.

Comm. Greenberg asks if the applicant could stipulate to make vinyl fencing either gray or beige as a condition of approval.

Mr. Boorady continues with his review and asks applicant to include utilities when updated final revisions to the plans. He also states that a final inspection and review would need to be done subject to approval.

Comm. Ollenschleger states that in reference to the color rendering in appears that the first building in Waterfall Village will be facing the rear of the subject property and has concerns to what residents will be seeing, hearing and smelling. Asks to what degree the garage doors will be shielded.

Mr. Egarian states that given the topography, the elevation that runs along the railroad is 20’ lower than the building and with the retaining walls and six-foot vinyl and mature tree line, he doesn’t feel there will be any major impact to any of those buildings. They might just see the fence and the landscaping is taller than the fence.

There will be no noise or smell from the building.

Comm. Croop adds that he believes on the south side of the railroad tracks that the residents will be lucky to see the roof. He also feels that it would be an enhancement considering what they are currently seeing.

There was discussion about the fencing around the dumpster area and it was stated that instead of chain-link, the applicant could use matching vinyl fencing to enclose dumpster area.

At this time a motion is made by Comm. Croop, 2nd by Comm. Crum to open meeting to public for questions or comments of Mr. Egarian. Voice vote shows all in favor.

Seeing no public, a motion is made by Comm. Croop, 2nd by Comm. Crum to close meeting to public for questions and comments of Mr. Egarian. Voice vote shows all in favor.

At this time, Mr. James Cutillo, qualified architect representing the applicant, comes forward. He states that he is familiar with the site and the building to house the construction vehicles.

They originally had four bays with one small office on the first story, but plans were revised to show five bays with office above two bays. They are planning to use a standard roof with shingles, Hardy plank for the siding with stone around the bottom of the building so as to create an aesthetically pleasing structure.

He states that there will be a sign on the building and would be agreeable to lower the height of the sign to eliminate the variance if the board would like.

Chairman Simoni stated that he sees no reason to lower the sign.

Mr. Graf agrees that the sign is more attractive on the 2nd level even though it requires a variance.

Mr. Cutillo concurs and states that the sign would be internally illuminated.

Mr. Boorady asks if the plans could be revised to show the color scheme.

Comm. Crum asks why they wouldn’t want the toilet upstairs by the office.

Mr. Cutillo states that they can always add and obtain a permit to put a toilet upstairs if needed.

Mr. Cutillo addresses the positive and negative criteria, stating that they are dealing with a vacant site with steep slope which has been poorly used in the past. He feels they will be positively developing the site. With Hamburg Turnpike being a narrow roadway, you wouldn’t want a retail business. This would be a less active use and beneficial to low impact on the surrounding area. The great use of the area is a positive criteria. You would only be dealing with a small group of employees on a day-to-day basis. No negative criteria.

Comm. Graf believes the use is suited to this property.

Mr. Cutillo states that it is more suitable than a high impact use due to the low impact of traffic an also because the vehicles will be stored inside the building.

Comm. Graf states that based on the surrounding area and visual impact of the building and considering what’s there today, it will certainly have a positive impact to the area.

Mr. Cutillo agrees that it will have a positive impact.

Mr. Graf states that this use will have a much lower impact than the previous use granted for public storage units. And that it will have minimal impact on the county road.

Mr. Brigliadoro states that when an applicant attempts to obtain a use variance, positive criteria needs to be proven. The site, with the proposed 19,000 sq. ft. building would still provide adequate light, air and space. There was testimony given that in regard to Waterfall Village shows that they are adequate distance away. It would propose smart growth to fit within the community and the variance could be granted without being detrimental to the public good and could be granted without substantial impact to the B-1 Zone.

At this time Mr. Matthews gives closing statements. He concludes by saying that there is testimony that the development of this site as a storage for vehicles and the office to be used by just the owner is a low impact use of this site. It is not a use that anticipates public traffic and no materials or equipment will be outdoors. The trucks will be out by 8:00am and back in early evening. There would typically be no traffic during the day.

The building is being built with quality materials and will pop in terms of color and window treatments which will be aesthetically pleasing. The property will be well maintained.

Based on this, we feel that this application meets all the positive and negative criteria required.

At this time a motion is made by Comm. Graf, 2nd by Comm. Greenberg to open meeting to public for questions or comments related to application #688. Voice vote shows all in favor.

Seeing no public, a motion is made by Comm. Croop, 2nd by Comm. Crum to close meeting to public for questions or comments related to application #688. Voice vote shows all in favor.

A motion is made by Comm. Graf, 2nd by Comm. Steenstra to approve the use variance for application #688 with applicant having satisfied positive and negative criteria and grant variance for storage on 2nd level. This motion is conditioned upon applicant receiving all county approvals prior to issuance of permits and subject to revisions discussed and all elements from Mr. Boorady’s letter be met unless otherwise stipulated. Also conditioned upon any and all stipulations made by applicant during this proceeding. Roll call shows7-0 in favor.

**PENDING APPLICATIONS**

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

**#708** 38 Main Street LLC 38 Main Street Block 5088 Lot 5

**#709** Stumble Inn 231 Hamburg Turnpike Block 3012 Lot 8

**#711** CGMACCH LLC 338 Glenwild Ave Block 2003 Lot 6

**#713** Canna Group of NJ LLC 44 Hamburg Tpk Block 3046 Lot 30

**#715** Gjoni Construction, LLC 120-124 Main Street Block 5059 Lot 12,13,14

#716 46 Star Lake Road, LLC 46 Star Lake Road Block 3035 Lot 33

**BILLS**

*Darmofalski –*Mtg attend 2/22/23 $520, ***App #715 Gjoni Construction LLC $650, App #688 Two thirty Seven LLC $1820, App # 699 Martini $650 & $130***

*Brigliadoro-* Mtg attend 2/22/23 $660, ***App #715 Gjoni Construction LLC $64***

***(escrow account)***

A motion was made by Comm. Greenberg, 2nd by Comm. Graf to pay bills as listed. Roll call shows 7-0 in favor.

**NEW BUSINESS**

* **RESOLUTION**

Extension of Time for App. #696 for Damian & Edelmira Rodriguez

21 Union Ave Block 5064 Lot 16

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to adopt and memorialize Resolution for App. #696 granting extension of time for “c” variance relief. Roll call shows 6-0 in favor.

* **RESOLUTION 2023-3.34**

Amending proposed study area identified in Resolution 2023-1.104

A motion is made by Comm. Graf, 2nd by Comm. Steenstra to recommend adoption by the Mayor and Council of Resolution 2023-3.34 which amends Resolution #2023-1.104 to be inclusive of additional lot 5105 Lot 53. Roll call shows 7-0 in favor.

* **REQUEST OF FUNDS FOR MASTER PLAN**

A motion is made by Comm. Steenstra, 2nd by Comm. Ollenschleger to request a $90,000 special emergency ordinance for Master Plan work from Mayor & Council. Roll call shows 7-0 in favor.

**PUBLIC DISCUSSION**

A motion is made by Comm. Greenberg, 2nd by Comm. Croop to open meeting to public for questions or comments. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Greenberg, 2nd by Comm. Croop to close meeting to public for questions and comments. Voice vote shows all in favor.

**ADJOURNMENT**

A motion is made by Comm. Greenberg, 2nd by Comm. Croop to adjourn meeting at 10:22pm.

Voice vote shows all in favor.

Respectfully submitted,

Barbara Adubato, Secretary

Bloomingdale Planning Board