**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting 7:30pm

August 11, 2021

**CALL TO ORDER @7:30pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of August 11, 2021 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 (\*denotes alternate)**

James W Croop Barry Greenberg Wayne Hammaker\*

Mark Crum Craig A Ollenschleger Brian Guinan\*

Bill Steenstra Edward Simoni Robert Lippi\*

Bill Graf Margaret Covert\*

**MEMBERS ABS/EXCUSED**

Ray Yazdi

**APPROVAL OF MINUTES**

**6-17-21**

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to approve minutes of 6/17/21. Voice vote shows all in favor with two abstentions by Comm. Graf and Comm. Croop.

**7-14-21**

A motion is made by Comm. Graf, 2nd by Comm Croop to approve minutes of 7/14/21. Voice vote shows all in favor with two abstentions by Comm. Greenberg and Comm. Guinan.

**PUBLIC HEARING**

**#673** Tilcon/Finbar Block 5105 Lot 84 & 14.02

(seated: Steenstra, Croop, Crum, Graf, Greenberg, Ollenschleger and Simoni)

John Marmora, attorney representing Tilcon/Finbar states that they are here for preliminary and final site plan approval.

Board attorney, Richard Brigliadoro states that he has reviewed the notice and the applicant can proceed.

The applicant first presents the waiver requests.

Wayne Ingram is accepted and sworn in as a professional engineer.

He goes through the requested waivers listed on board engineer’s report.

Waivers requested are #9, 10, 24, 25, 29-38 & 43.

Comm. Graf states for the record that where there is discussion of lots involved, he makes note that Block 5104 Lot 84 is not in the affordable housing zone, it’s in the M-1-Q zone, which was omitted. He also adds that it is important for the board to know the pre-requisite for quarrying on lot 14.02 and would like that to be addressed by the applicant.

A motion is made by Comm. Graf, 2nd By Comm. Steenstra to grant partial waivers on items 9 and 24. And full waivers on items 25, 29-38 & 43. Voice vote shows all in favor.

Another motion is made by Comm. Graf, 2nd by Comm. Crum to deem application #673 complete. A voice vote shows all in favor.

Mr. Marmora states that the conditional use in the affordable housing overlay zone is 72 units of affordable housing on 14.01. This was originally approved in 2008. There is a fully executed agreement with the borough and pursuant to the agreement there had to be a commitment in order for quarrying to be permitted.

On 3/16/21 the Borough adopted Finbar as owner of 14.01 and the land was donated to the Borough for affordable housing.

Mr. Marmora enters a copy of the fully executed “Land Donation Agreement” dated 5/10/21 as exhibit A-1.

He states that there is no proposal of any re-location of production area and that 14.02 will remain as is. There will be no access from Van Dam for trucks. All access will be within quarry using the haul road. When the affordable housing develops Tilcon will make stone from quarry and use haul road to transport. Mr. Ingram’s report shows no traffic increase during production, all hauling will be onsite.

Comm. Graf recollects that when this was discussed years ago there were conceptual phases. He asks if it would be fair to say that what’s being discussed is phase 1 of 3?

Mr. Marmora states that is correct. Tonight’s discussion is in the 1st phase.

Mr. Ingram marks Quarry Exhibit dated 8/9/21 as A-2. He describes the quarry as it exists today and shows the lot lines for the three parcels.

They are proposing a 5 year mine plan operation working just south of the existing mining pit. No permits are required for this phase as it’s just a continuation of expansion of quarry operations.

He states that there is a 300’ buffer to residential development shown on the plans.

Nothing will even be close to the buffer. Just trees and wooded areas.

The haul road is constructed and will be maintained. Tilcon is up to date with all permits and licenses and they will continue to be maintained and updated.

There will be no increase to traffic in residential as all traffic will remain on site.

How fast this phase is accomplished will be market driven.

At this time, Mr. Ingram refers to comments on Mr. Boorady’s report dated 8/3/21.

Items 3-10 are addressed and applicant will comply and provide all that is asked for.

Mr. Marmora states that the applicant will also comply with the maintenance of their mining license.

All revisions will be provided before signature of plans.

Mr. Brigliadoro states for the record that the 300’ buffer easement sunsets on completion of quarrying.

Comm. Croop states at that time the applicant would come back with any reclamation plan.

Comm. Graf responds pertaining to the easement that the AH-1 indicates that anything in the 300’ buffer would be subject to planning board approval to plan for what vegetative screening is planned.

He also states that at the last hearing a reclamation plan was presented, and it was very informative and helpful. He asks if it would be possible to do an update for the board.

Mr. Marmora states that the 300’ buffer is already so heavily wooded that there is no plan to do any screening. A reclamation plan would also be so far out that it wouldn’t be accurate to do one at this point. It’s hard to plan 80-90 years out.

Comm. Croop recollects that the most important part was that the topsoil be maintained onsite which is already a part of the application.

A motion is made to open meeting to public for questions of Mr. Ingram or any testimony given tonight on this application.

**PUBLIC**

* Linda Huntley, 86/88 Van Dam Avenue

Asks questions about the buffer and wanted to know if the 70 year plan is now accelerated and was the same as the 5- year plan.

Mr. Ingram answered that they are here today for the 5-year plan not the 70 year plan. The lot lines will change gradually as necessary but they are no where near the buffer zone and won’t be for quite some time.

* Dolores Maharg, 219 Union Avenue, Bloomingdale

Concerns of trucks digging and going onsite close to her home. She states there has been a lot going on the last couple months and she has concerns living across from the busy access road.

Mr. Ingram states again for the record that the haul road is internal and all quarrying for the AH site will be done through the haul road.

* Rich VanKampen representing the Passaic Coalition.

Brings up that there was no mention of pre-historic rock shelter/buffer and wants to know if an architectural survey has ever been conducted.

Mr. Ingram states that they are well aware of the area and have no intention of disturbance in these sensitive areas.

Mr. VanKampen offers suggestion that the planning board consider subdividing property again to create even more buffer and protection of sensitive areas.

He thanks Tilcon for preserving and protecting the sensitive areas.

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to close meeting to public for questions and comments on application #673. Voice vote shows all in favor.

Comm. Croop states that the previous application showed lines for various plans. It would be helpful to see what was approved 5 years ago to what is proposed today to create a timeline.

Mr. Marmora responds that they can show the next 5 year plan from what is proposed today now that 14.02 is part of the quarry it would be a fair point.

In closing he adds that they are sensitive to the public comment that was given. They are working in a limited area right now and can discuss further plans in the future.

A motion is made by Comm. Graf, 2nd by Comm. Steenstra to approve application #673 that applicant meets all requirements in Mr. Boorady’s letter dated 8/3/21 and that all conditions are met, all numbers of yardage points, all permits and licenses are provided.

Roll call shows 7-0 in favor.

**PENDING APPLICATIONS**

**#686** David Fierro 587 Glenwild Avenue Block 2004 Lot 52

**#688** JBA Landscape LLC 237 Hamburg Turnpike Block 3012 Lot 9

**#692** Daniel Mahler89 Main Street Block 5060 Lot 21

**#694** Albert R Miller 7 Mary Street Block 3027 Lot 3

**#695** Leanne & Benjamin Scaturro 1 West Shore Road Block 2004 Lot 49

**#696** Damian & Edelmira Rodriguez 21 Union Ave Block 5064 Lot 16

**#697** Robert & Jacqueline Rickard 9 Birch Road Block 4085 Lot 5

**#698** Van Grouw, Anthony & Karen 4 Anna Rose Court Block 2004 Lot 16

**NEW BUSINESS**

* **Review Ord. # 16-2021 & make recommendation to Mayor & Council**

A motion is made by Comm. Graf, 2nd by Comm. Steenstra to recommend that Mayor and Council adopt Ord. 16-2021 as it is written as it is fully consistent with the Master Plan and has no detrimental affect to zoning ordinance. Voice vote shows all in favor.

**BILLS**

*Darmofalski –* ***Tilcon App #673 $2,000***

*Brigliadoro-* Mtg attend 7/14/21 $500, ***App #693 Mastria $240, Tilcon App #673 $416***

***(\*escrow account)***

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to pay bills as listed. Roll call shows 11-0 in favor.

**PUBLIC DISCUSSION**

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

**ADJOURNMENT**

A motion is made by Comm. Crum, 2nd by Comm. Greenberg to adjourn meeting at 9:20pm. Voice vote shows all in favor.

Respectfully submitted,

Barbara Neinstedt Adubato

Planning Board Secretary