Chairman Nargiso brought the regular planning board meeting for **June 15, 2017** to order followed by a Pledge to the Flag. The Chairman stated that this meeting is being held in conformance with the Sunshine Law Requirements having been duly advertised and posted at Borough Hall.

**ROLL CALL:**

Present: Donnelly, Roche, Veneziano, Brown, Grygus, Finelli, Vath, Nargiso

Absent: Hauck (excused), Alviene (excused), Fox (excused)

Mr. Barbarula stated there was a verbal request from an applicant who is second on the agenda to be considered to be moved up, however the pending application before the board has been carried and has gone thru allot to get to this point and because it is a carried application, it would not be appropriate to ask them stand down since they have waited months to get on the agenda and it is a carried application so therefore the request cannot be honored.

SP16-71 Monica Kafil – (C-Store and gas station)

 1455 Route 23

 Block 54 Lot 2.05

Mr. Brown will be stepping down from this application

The notice is in order and applicant can proceed

Mr. Dixon representing the applicant

Mr. Dixon stated the application before the board is for the following:

* Amend preliminary and final major site plan approval
* Amend parking variance/waiver
1. Min. aisle with
2. Min parking setback from property line
* Amended landscaping and buffer variance waiver
1. Min. buffer width
* Amend bulk variance/waiver
1. Front yard setback

Board engineer’s report dated March 31, 2017

1. The curbing along the common property line with lot 1.08 to the north has been constructed approximately 1’-0 off said property line. The approved plans indicate the curb to be constructed 10’-0 off the said property line and the area between the property line and curb landscaped with 60 blue pacific shore juniper shrubs. The plan actually shows 70 shrubs to be installed. As of the date of the report no landscaping has been installed in this area. The reduction of available space for landscaping now makes this impossible.
2. The same curb listed above is shown to continue towards Route 23 and bump out to go around a new gas station identification sign proposed to be installed. The curb or sign was never constructed / installed.
3. Final paving was never installed indicating that ponding of rainwater occurs because final grades were never established to ensure positive drainage towards storm inlets. **Applicant states curbing will be completed**
4. Light pole bases along the common property line with lot 1.08 to the north, that were shown to be installed 8’-0 off said property line are now located on or just over the property line. A light pole that was supposed to be installed near Route 23 and the proposed new identification sign was never constructed

 **Applicant stated will be brought into compliance**

1. The driveway leading up to the 4 car employee only parking area was designed to be 20’ wide. Relocating the curb to within 1’-0 of the property line has increased the width of this driveway to approximately 28’-0. In addition to eliminating the landscaped area, this change increases the amount of storm water runoff on site. No calculations were submitted to support this change. The change now requires a variance from the minimum parking setback of 10’ from property line

**Applicant states will be restored to prior condition**

1. The enclosure around the dumpster area pad is currently constructed with chain link fence only. The approved plans indicate three sides of the enclosure would be constructed with block to match the building. Across the front would be 12’-0 wide double swinging gates. The back of the enclosure would have 3 4”dia. Pipe bollards filled with concrete. Construction of the dumpster enclosure fails to adhere to the approved plans.

**Applicant states will be in compliance with construction is complete**

1. In the area of the employee parking spaces, towards the rear of the site, there was a construction trailer and a dumpster. During a site inspection conducted on 3/30/17 it was noticed the construction trailer had been removed, however, there is debris remaining that requires removal from the site. The dumpster located in this area was not approved for use in its current location and shall be removed

**Applicant stated dumpster will only remain during construction.**

1. The approved plans call for a 10’-0 wide sidewalk between the parking area and the entrance to the store. Immediately west of the store the sidewalk is dimensioned as being 6’-0 wide to accommodate any overhang of vehicles parked in these spaces. The sidewalk was constructed 4’-0 wide in this area. In addition a drop curb was installed to accommodate the gravel driveway that now exists behind the building. The approved plans show no concrete aprons being constructed or details to coincide with same. Absent these details it can be assumed the sidewalk crossing the gravel driveway fails to meet the standards for concrete apron construction.

**Applicant stated it will be reconstructed to 6’-0**

1. The approved plans show the slop behind the building as being graded off and landscaping installed. The approved plans also call for a landscaped berm adjacent to the south east side of the building. Currently a 15’-0 wide gravel driveway was constructed in this area from the 8 bay parking area on the north side of the building and proceeds behind the building then wraps around the southeast corner of the building. Landscaping has been eliminated in these areas due to this change. The grassed slope created between the curbing and the property line in this area has eroded in some spots. The purpose of this gravel driveway needs to be explained. The presence of this unapproved driveway lends itself to be utilized as another means to exit the side, albeit an unsafe alternative.

**Applicant states landscaping will be completed as per original plan**

1. Signs proposed to be installed are missing from the site

Applicant stated will be done when construction is complete

1. Curbing shown to be constructed from the northeast corner of the building to concrete apron is missing

**Applicant states curbing will be installed**

1. Curbing shown to constructed directly in front of the building was eliminated in favor of a concrete slab

**Applicant states the slab is preexisting**

1. The northeast corner building setback shown is 19.3’ on the as built that was prepared on November 4, 2014. The approved plans show a setback of 19.86’

**Applicant stated setback did not change**

1. The approved plans show a canopy setback from Route 23 of 6’-0 which required a variance. The as built shows this setback at 4.2’

**Applicant states – did not change it was a surveyor error**

1. The installed site lighting in the parking area is different than the details shown on the approved plans.

**Applicant stated different LED’s were installed similar to the ones that were approved**

1. The area directly in front of what appears to be an exit door on the west side of the building is littered with debris. This debris presents a hazard and shall be removed from the site.

**Applicant stated area will be maintained.**

1. Gas pricing signs will be modified
2. Detention system can handle additional asphalt,

Mr. Darmofalski stated they are proposing to put back to the original plans a significant part of the site. The rear curbing, eliminate that driveway around the back, that was a construction driveway, finish up the project with paving and curbing as shown on the plans, but the sign in the right spot, and they are also proposing to keep the curb along the common property line of lot 1.08 which is the Roserns site, to keep that where it is so there would not be a 10 foot buffer there, there would be a one foot buffer. There is no problem with upgrading to an LED fixture, the dumpster they are going to fit in the right location

Board members questioned the witness on various aspects of his testimony

Public portion opened by motion

Bob Norman 31 Cascade Way

Question the witness regarding the curbing in between the c-store and the retail

Public portion closed by motion

Motion to approve

Motion: Finelli

Second: Grygus

Voted Aye: Donnelly, Roche, Veneziano, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

17-189V – James Snyder

 15 Stoneyhill Road

 Block 74 Lot 31

Notice is in order and applicant can proceed

James Snyder – Oath Given

Gary Hipp – 37 Spring Valley Road, Paramus, NJ

Licensed Contractor

Company is GTFM LLC

Mr. Darmofalski stated this application is for the following

The applicant is proposing a 224 sf addition to the first floor for a den/office. The variance application is for a right side yard of 12.54 proposed where 25 is required. The existing non-conforming side yard is 16.54. the variance request is due to site conditions of rock in the rear yard. The proposed addition will be elevated above the exiting grades.

Existing non-conforming conditions are:

* Right side yard – 16.54 where 25’ is required in the R1 Zone
* Lot area – 14,500 sf where 17,500 sf is required
* Front yard – 39.88’ where 50’ is required
* Min. floor area required is 1500sf; 1382sf existing. This non-conforming area will be satisfied with the 224sf addition (1606SF total)

The board questioned the witness on various aspects of the applicants testimony

Public portion opened by motion

Public portion closed by motion

Motion to approve the application as submitted

Motion : Donnelly

Second: Veneziano

Voted Aye: Donnelly, Roche, Veneziano, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

**RESOLUTIONS:**

**NC17-59** Linda Havrilla

 158 Boonton Avenue

 Block 33 Lot 9

Motion to approve as presented:

Motion: Donnelly

Second: Grygus

Voted Aye: Donnelly, Roche, Veneziano, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

**17-188V** Brian Stackhouse

 35 N. Western Avenue

 Block 53 Lot 23

Motion to approve as presented:

Motion: Donnelly

Second: Grygus

Voted Aye: Donnelly, Roche, Veneziano, Grygus, Vath, Nargiso

Abstain: Finelli

Voted Nay: None

**SP16-70** Johan Kafil

 1465 Route 23

 Block 54 Lot 1.08

Motion to approve as submitted:

Motion: Donnelly

Second: Grygus

Voted Aye: Donnelly, Grygus, Finelli, Vath, Nargiso

Voted Nay: None

**APPROVAL OF VOUCHERS**

Motion: Donnelly

Second: Roche

Voted Aye: Donnelly, Roche, Veneziano, Grygus, Finelli, Vath, Narghis

Voted Nay: None

MOTION TO ADJOURN – All Ayes

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chairman – Planning Board

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Secretary – Planning Board ADOPTED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_