

**WYCKOFF PLANNING BOARD
JULY 13, 2022 PUBLIC WORK SESSION MEETING MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Chairman Rob Fortunato.

"The regular July 13, 2022 Public Work Session Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the agenda thereof was similarly posted, filed, and mailed to said newspapers." Formal action may be taken.

Members of the public are welcome to be present at this meeting. However, in accordance with Section 7(A) of the Open Public Meetings Act, participation on the part of the public at this meeting will not be entertained.

"All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions, and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township's website, www.wyckoff-nj.com"

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times."

OATH OF OFFICE

Board Attorney, Kevin Hanly, administered the Oath of Office to new Board member Joseph Vanderplaat.

ROLL CALL

Board Members in attendance: Rudy Boonstra, Mayor; Rob Fortunato, Chairman; Peter Melchionne, Township Committeeman; Mike Homaychak, Frank Sedita, Joe Vanderplaat, Mae Bogdansky, and Sarah Caprio.

Absent: Kevin Purvin, Vice Chairman; Glenn Sietsma, and Kelly Conlon.

Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the June 8, 2022 Work Session and Regular Business Minutes

Mr. Homaychak made a motion to approve the June 8, 2022 Work Session and Regular Business Meeting minutes. Second, Mr. Sedita. Voting in favor: Mr. Sedita, Mr. Homaychak, Ms. Bogdansky, Ms. Caprio, Mayor Boonstra, and Chairman Fortunato. Abstained: Mr. Melchionne, and Mr. Vanderplaat.

PAYMENT RESOLUTION #22-07

Mr. Homaychak made a motion to approve Payment Resolution #22-07. Second, Mr. Sedita. Voting in favor: Mr. Sedita, Mr. Homaychak, Ms. Bogdanský, Ms. Caprio, Mr. Melchionne, Mayor Boonstra, and Chairman Fortunato. Abstained: Mr. Vanderplaat.

RESOLUTIONS FOR MEMORIALIZING**T-Mobile Northeast, LLC 340 Franklin Ave. Blk 258 Lot 1.01**

(The applicant proposes to install a 50 kw natural gas emergency backup generator within the fenced in equipment area for the existing cell tower on the Wyckoff Town Hall campus)

Mr. Homaychak made a motion to approve the Resolution. Second, Mr. Sedita. Voting in favor: Mr. Sedita, Mr. Homaychak, Ms. Bogdanský, Ms. Caprio, Mayor Boonstra, and Chairman Fortunato. Abstained: Mr. Melchionne, and Mr. Vanderplaat.

FOR COMPLETENESS REVIEW**T-Mobile Northeast, LLC Route 208 North Block 455 Lot 1**

(The applicant proposes to install a 50 kw diesel emergency backup generator within the fenced equipment area on the site of the communications tower on 208 north at Cedar Hill Ave.)

Mark DiGennaro, the Township Engineer, provided the following technical summary of the application:

I have received and reviewed the application for Site Plan approval, Engineering plans prepared by Grant Engineering Consultants, LLC revised thru 1/31/22 consisting of 9 sheets, legal brief prepared by Frank Ferraro, Esq. dated 5/20/22 requesting Site Plan Application Waiver; and property survey prepared by Anthony M. DeVizio, PE, LS dated 12/18/21. T-Mobile is currently a tenant on the Cedar Hill/ 208 municipal monopole providing telecommunication services and is requesting permission to locate a 50 kW diesel emergency backup generator within the cellular site compound which will provide emergency power during outages to maintain system services. The site is located the RA – 25 residential zone and is governed by Section 168-5 of the Township Code. Based upon my review of the documents and completeness checklists outlined in Section 46-40 B & C of the Township Code, the following items are noted:

1. The applicant is requesting a site plan application waiver citing 47 U.S.C.A Section 1455 known as the Spectrum Act and FCC Order 14-153 per the legal brief provided.
2. Checklist 46-40 Sections B - (J, O) – Waiver requested from providing a landscape plan and site grading topographical plan.
3. Checklist 46-40 Section C – (6,8,9, 10,11,12,13,14,18,19,20,21,22,23): Waiver requested from the above checklist items in whole or in part of which I take no exceptions.

The plan references generator by Generac G17, however, detailed specifications should be provided. The proposed unit is a Generac G17 50kW generator, 4.5L diesel, assumed 8 cylinder liquid cooled engine. Peak decibel levels do not appear evident on the plans. A level 2A sound attenuating enclosure is proposed. Testimony and documentation on peak decibel levels should be provided. As the fenced-in compound area serves as common area to other carriers, have the other carriers been noticed of this application to identify potential access obstructions or limitations? I requested review comments from the Wyckoff Fire Department and a letter from

Fire Chief Joe Vanderplaat has been provided. Testimony should be provided as to the feasibility of sharing the existing fully enclosed generator with the other carrier is possible and, if capacity is the issue, perhaps explore to collectively increase the size of the existing enclosed generator to accommodate both carriers. The Applicant is not proposing any additional outdoor lighting. The plan indicates that the generator will not be visible from outside the fenced enclosure. This appears inaccurate as the generator will stand 8.25' tall which projects beyond the 6 foot fence which is also not a privacy fence. The applicant must address any site housekeeping issues identified by the Township as part of the permit approval process. Finally, Mr. DiGennaro said that based upon his review, he takes no exception to the waivers requested in the site plan checklist and would support a recommendation by the Planning Board to deem the application complete and scheduled for public hearing.

Chairman Fortunato asked about access to the equipment facility at the site. Mr. DiGennaro stated that the only way to access the site is from Route 208.

Mr. Hanly said that, at the request of the Board, he reached out to T-Mobile's Legal Counsel to discuss the possibility of installing a natural gas generator as opposed to a diesel generator and was told by Mr. Ferraro, the Attorney for T-Mobile that he believes his client will be amenable however he could not commit to it until it is discussed further. Mr. Hanly went on to say that in light of the possibility of revising the proposal, Mr. Ferraro requested that the application be heard for completeness this evening and carried to the August meeting for the public hearing.

Mayor Boonstra stated that he presented the application details to the members of the Township Committee at the July 12th Township Committee meeting and the consensus of the Governing Body is that a natural gas generator is preferred over a diesel generator.

Chairman Fortunato stated that the application will be carried to the August 10, 2022 meeting for public hearing. There being no further discussion, the Chairman asked for a motion on completeness.

Mr. Homyachak made a motion to deem the application complete. Second, Ms. Caprio. Voting in favor: Mr. Sedita, Mr. Homyachak, Mr. Vanderplaat, Ms. Bogdansk, Ms. Caprio, Mr. Melchionne, Mayor Boonstra, and Chairman Fortunato.

FOR PUBLIC HEARING

400 Franklin Ave. Inc. 400 Franklin Ave. Block 249 Lot 2.01

(The applicant is seeking amended site plan approval to construct a second story on the existing one-story building requiring variances for existing lot depth, front yard setback, lot coverage and deficient parking)

Chairman Fortunato announced that this application will be heard during the Public Business meeting.

UB Wyckoff 1, LLC 525 Cedar Hill Ave. Block 391 Lot 42.01

(The applicant is seeking amended site plan approval for the purposes of modifying and making improvements to the parking lot and for the installation of four vehicle charging stations)

The Chairman announced that this application has been adjourned until the August 10, 2022 meeting.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded, and passed unanimously. The Work Session concluded at 7:47 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary
Wyckoff Planning Board

**WYCKOFF PLANNING BOARD
JULY 13, 2022 PUBLIC BUSINESS MEETING MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Chairman Rob Fortunato.

"The regular July 13, 2022 Public Work Session Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the agenda thereof was similarly posted, filed, and mailed to said newspapers." Formal action may be taken.

"All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions, and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township's website, www.wyckoff-nj.com"

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times."

The meeting began with the Pledge of Allegiance.

ROLL CALL

Board Members in attendance: Rudy Boonstra, Mayor; Rob Fortunato, Chairman; Peter Melchionne, Township Committeeman; Mike Homaychak, Frank Sedita, Kelly Conlon, Joe Vanderplaat, Mae Bogdansk, and Sarah Caprio.

Absent: Kevin Purvin, Vice Chairman; Glenn Sietsma, and Kelly Conlon.

Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the June 8, 2022 Work Session and Regular Business Meeting minutes

The June 8, 2022 Work Session and Regular Business Meeting minutes were approved during the Work Session.

PAYMENT RESOLUTION #22-07

Payment Resolution #22-07 was approved during the Work Session.

RESOLUTIONS FOR MEMORIALIZING

T-Mobile Northeast, LLC 340 Franklin Ave. Blk 258 Lot 1.01

(The applicant proposes to install a 50 kw natural gas emergency backup generator within the fenced in equipment area for the existing cell tower on the Wyckoff Town Hall campus)

The Resolution was approved during the Work Session.

FOR COMPLETENESS REVIEW

T-Mobile Northeast, LLC 340 Franklin Ave. Blk 258 Lot 1.01

(The applicant proposes to install a 50 kw natural gas emergency backup generator within the fenced in equipment area for the existing cell tower on the Wyckoff Town Hall campus)

The application was deemed complete during the Work Session. Frank Ferraro, the Attorney for the applicant, came forward and stated that they did some investigating into the possibility of installing a natural gas generator in lieu of a diesel generator and found that there is currently no gas service at the site. He went on to say that AT&T currently has a diesel generator at the site presumably because there was no gas service available when the unit was installed. Mr. Ferraro said that the Utility Company will have to be contacted to see where the connection would be, and what would be involved in getting gas to the site.

PUBLIC HEARING

400 Franklin Ave. Inc. 400 Franklin Ave. Block 249 Lot 2.01

(The applicant is seeking amended site plan approval to construct a second story on the existing one-story building requiring variances for existing lot depth, front yard setback, lot coverage and deficient parking)

Harold Cook, the applicant's Attorney, came forward and provided the following overview of the application:

This is an application to permit the construction of a second story addition to the existing building on the corner of Franklin and Wyckoff Avenues. The building is the home of James Tracey Eyecare. The second story would accommodate the expansion of the practice. Tracey Sinoway is and will continue to be the only tenant in the building. We are requesting one (1) variance for parking and certain waivers, most of which have been granted. Ms. Sinoway will testify as to the hours of operation, number of employees, and number of patients seen in an hour. Bill Brown, the applicant's Architect met with the Design Review Advisory Committee and the Committee requested some architectural changes to the plan. Mr. Brown is in the process of designing a few different options to present to the Design Committee therefore what I would like to do this evening is present the site plan and then come back to the August meeting with the architectural plans.

Bob Weissman, the applicant's Engineer, was sworn in. He has appeared before this Board many times and was recognized by the Chairman as an expert witness in his field.

Mr. Weissman stated that he prepared the plan last revised 6/28/2022. The application was marked exhibit A-1 and the site plan was marked exhibit A-2. Mr. Weissman then provided the following details of the plan:

We are proposing a second story as well as an addition to the west side of the building for an elevator and staircase to go up to the proposed second floor. The site primarily consists of the building and pavement with some slight perimeter unpaved areas which will be top soiled and seeded. We are proposing modifications to the parking lot to make it more conforming to today's standards including a 24' drive aisle, and 9'x18' parking spaces. We are proposing a couple of seepage pits to accommodate the drainage on the site, and a new dumpster area in the southwest corner of the parking lot. The two (2) existing entrance/exit openings will remain. The

existing signage will remain, and no new signs are proposed. We propose that the existing lighting is sufficient to light the parking lot. There are pre-existing nonconformities on the site, and we are seeking variances for an existing lot depth of 98' where 100' is the requirement, an existing negative front yard setback where 25' is the requirement, and lot coverage of 93.1% where 80% is the maximum permitted. We are also proposing twenty-three (23) parking spaces where twenty-four (24) are required for the site requiring a variance for one (1) parking space.

Chairman Fortunato pointed out that Pete Ten Kate's report states seepage pit calculations to support the size of the proposed seepage pits should be provided. Mr. Weissman stated that during construction they will confirm that the proposed seepage pits are appropriate for the soil conditions that exist and if they are not, adjustments will be made subject to Mr. Ten Kate's approval.

The Chairman pointed out that Mr. Ten Kate's report states that the entry door on the west side of the building addition will open directly into a parking aisle with active traffic which could be a safety hazard. The applicant should provide testimony as to the safety issues with the door at this location. Mr. Weissman stated that the door in question is an emergency door and will not be used as the main egress which is in the front of the building.

Mr. Ten Kate stated that there is an existing striped aisle in the location of the proposed emergency door and recommended shifting the aisle over to create a walking aisle. Mr. Weissman stated that this change can be made.

Ms. Caprio asked about the visibility of a vehicle exiting the parking lot onto Franklin Avenue due to the hedges near the drive aisle and the new addition on that side of the building. Mr. Weissman said lower profile hedges could be planted in that area so as not to obstruct pedestrians from seeing a vehicle exiting the lot.

Mr. Homyachak asked what is planned for the area where the asphalt is proposed to be removed. Mr. Weissman said they will probably mulch the area. Mr. Sedita suggested planting some boxwoods as a low buffer in that area.

Mr. Ten Kate asked Mr. Weissman to provide testimony regarding accessing the dumpster area as it is blocked by the two (2) drive aisles. Mr. Weissman stated that the garbage pickup is usually during off hours and the gate to the enclosure is outside of the parking spaces. He added that in his opinion there should be more than adequate space for access.

Mr. Ten Kate pointed out that the asphalt sidewalks along Wyckoff and Franklin Avenues are in disrepair. Mr. Weissman stated that the sidewalks will be addressed during construction.

Mr. DiGennaro stated that within the next year, the County is planning to install two (2) concrete handicap ramps on the corner of Franklin and Wyckoff Avenues. He suggested that the applicant replace all of the existing sidewalks with concrete, so it is all uniform, and possibly time the sidewalk installation to be done at the same time as the County's project to install the ramps.

Ms. Bogdanský pointed out that the plan shows that the location of newly proposed parking space #18 is currently not used as a parking space. She added that if a car is parked in that spot, it could impede visibility for pedestrians crossing the lot as well as cars turning into the parking lot. Mr. Weissman said that he does not believe it will be an issue since they are widening the drive aisle.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Tracey Sinoway was sworn in. Ms. Sinoway stated that she has been an Optometrist at the location since 2001. She performs eye exams and runs the James Tracey Eyecare business at 400 Franklin Avenue. The business consists of a retail operation for the sale of eyeglasses, contact lenses and sunglasses, as well as eye exams and diagnostic testing for eye health. Ms. Sinoway stated that the number of employees present on a typical day is six (6) to eight (8) including doctors. She went on to say that she needs more space to expand the business to accommodate better work space for her employees, a larger reception area, and increased retail operations with more products on the first floor. The proposed second floor will be utilized for exam rooms and diagnostic equipment. Ms. Sinoway stated that they see approximately three (3) patients per hour and each patient or customer spends an average of approximately twenty-five (25) minutes at the location; longer if being fitted for new eyeglasses or contacts. Finally, with regard to the questions about the dumpster, Ms. Sinoway stated that the business does not generate a lot of garbage and the garbage is always picked up before the business opens. She added that there have never been any issues with parking in the lot.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Mr. Cook said that their presentation of the application is complete until the August 10 meeting when the applicant's Architect will present the revised drawings for the addition and the proposed second story.

Mr. Hanly stated that since the revisions pertain to aesthetics only, and no new variances are required based on the revisions, the applicant will not need to re-notice the public.

UB Wyckoff 1, LLC 525 Cedar Hill Ave. Block 391 Lot 42.01

(The applicant is seeking amended site plan approval for the purposes of modifying and making improvements to the parking lot and for the installation of four vehicle charging stations)

The application will be heard at the August 10, 2022 meeting.

There being no further business, a motion to adjourn the Public Business Meeting was made, seconded, and passed unanimously. The meeting concluded at 8:50 p.m.

Respectfully submitted,
Maureen Mitchell, Secretary
Wyckoff Planning Board