

**WYCKOFF PLANNING BOARD
APRIL 10, 2019 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 Vice Chairman Hanly.

“The regular April 10, 2019 Public Business 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.

Vice Chairman Hanly read this statement into the record: *“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.”

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Board Member Attendance: Kevin Hanly, Vice Chairman; Tom Madigan, Mayor; Rudy Boonstra, Township Committee Representative, Board Members Kevin Purvin, Scott Fisher, Glen Sietsma, Michael Homaychak, Sarah Caprio and John An.

Board Members Absent: Robert Fortunato, Chairman and Board Member George Alexandrou.

Staff Present: Joseph Perconti, Planning Board Attorney; Boswell Engineering Representative Eileen Boland and Maureen Mitchell, Board Secretary.

OLD BUSINESS

The March 13, 2019 Work Session and Regular Business Minutes were approved during the Work Session Meeting.

PUBLIC HEARING

GALASSO ENTERPRISES, LLC BLK 203 LOT 3.04 (L-2) 825 Windham Court North.
(Amendment to Existing Site Plan. Applicant proposes to add 56 additional parking spaces to the site which currently has 50 parking spaces)

Vice Chairman Hanly invited Bruce Whitaker, Attorney for the applicant, to come forward to present his case. At this time Board Members An and Caprio recused themselves and stepped down from the dais.

Mr. Whitaker gave the following overview of the application: The structure is a masonry warehouse and office building located in the L-2 zone. The applicant is proposing to expand the parking

capabilities for the building by adding 56 parking spaces where 50 exist. The new parking spaces will include 5 ADA compliant parking spaces closer to the building where currently only 1 spot exists. There are no changes proposed to the building itself nor is the use changing. Mr. Whitaker argued that the current tenants at the location are utilizing 2/3 of the building and approximately 40 of the existing parking spaces adding that there is insufficient parking to appeal to prospective tenants to occupy the available office space. There is currently no parking lot striping, directional markings or signage which the applicant is proposing to provide. Improvements will be made to the lighting on the premises, pedestrian access, landscaping and drainage. The applicant is also proposing to enclose the dumpster. Storm water management has been submitted and satisfies the Township requirements. Mr. Whitaker stated that the applicant is requesting a waiver for a Traffic Impact Study citing that the Planning Board approved the building in 1982 without a traffic impact statement and the building is not being expanded. He then asked the Engineer to provide testimony.

Richard Wostbrock was sworn. He has a Bachelor of Science in Civil Engineering and has been practicing for over 20 years. He has also served on the Midland Park Zoning Board for 12 years. The Board accepted Mr. Wostbrock as an expert in the area of Civil Engineering and he provided the following testimony: The existing conditions are such that this is a 4 acre odd shaped lot in the L-2 zone. The square footage of the building is 23,371. Considering the current usage of the building, 58 parking spaces are required. The current requirement for office space is 1 parking spot for every 250 square feet. The parking is currently non-compliant with the Township code. Existing parking space striping is faded or missing and there are no markings on the pavement or signage for the directional movement of traffic. The applicant is proposing traffic control where none exists at the 2 entries/exits onto Windham Court North by adding stop lines and stop signs, center striping and directional markings for traffic separation and safety. Five ADA compliant parking spaces are proposed and will be close to the building for easy access. The plan was approved in 1982 with 1 ADA space near the easterly entrance however Mr. Wostbrock stated that he did not see any markings or signs for ADA parking when he visited the site. Drainage improvements will be made with a Stormwater management design which has been presented to Township Engineer DiGennaro and has been found to satisfy the Township requirements. There are currently 2 unscreened dumpsters located on the property. One is going to be removed and the remaining dumpster will be screened as per Township requirements. The existing cobra lighting fixtures will be removed and replaced with LED shoebox fixtures with down lighting around the perimeter of the parking lot. The point to point lighting analysis shows that as you approach the property line the light level analysis is zero. The lights will be on timers during the overnight hours.

Board Member Purvin inquired about the proposed signage. Mr. Wostbrock said that a free standing conforming monument sign will be erected near the entrance from the cul-de-sac and will be illuminated as per Township ordinance. The sign will list the building address and the tenants occupying space at the location.

Board Member Fisher pointed out that the run off that is not captured by the drainage system will be emptying into the basin. He asked if there are any plans to clean out or enhance the basin as

it appears to have become very overgrown. Mr. Whitaker stated that the owner has slowly been cleaning up the property since he purchased last year and will agree to perform the necessary up-keep of the basin as a condition of the approval. Mr. Fisher then inquired what they are currently using the large gravel area for and if they have plans to pave over the gravel. Mr. Wostbrock stated that the applicant currently uses the gravel area for parking longer vehicles and trailers. Mr. Whitaker added that there are no plans to pave that area and the trucks that are being parked in that area now will be moved to the newly proposed parking area once it is complete. Board Member Homyachak asked why the applicant is proposing 106 parking spaces if only 58 are required. He asked how many spaces would be required if the entire building was occupied by tenants. Mr. Wostbrock calculated that 94 spaces would be required. Mr. Homyachak expressed concern about the fact that most of the vehicles on the premises are large trailers and trucks. He suggested that the proposed lot in the front be used solely for employee parking and that the large trucks park in the lot to the right side of the building to spare the nearby residents from having these vehicles in their line of sight around the clock. Mr. Whitaker stated that parking trucks is a permitted use in the L2 zone and that is what the applicant is proposing to do.

Mayor Madigan inquired about the parking on the west side of the building asking if the applicant would consider adding screening to that side of the lot. Mr. Whitaker said that if screening is needed there, it will be added. Mr. Madigan expressed concern for the residents living up the hill on the west side of the property and requested enhanced screening and possibly a retaining wall for that area. Mr. Whitaker said that they did look at that area and are willing to modify the plan to reflect added screening there. The Mayor also suggested parallel parking in the front of the building instead of straight in. This could possibly allow for the preservation of a few of the larger trees that the applicant is proposing to remove. Mr. Wostbrock said that most of those trees are overgrown and are not currently providing the screening they were intended to provide when they were planted.

Board Member Boonstra wished to address the screening on the south side of the building stating, the trees that will be removed to create the additional parking currently provide an effective screening of the building; especially for the homes on Brookside Avenue which sit considerably higher than the industrial building. He asked the applicant's representatives to explain how their landscape plan proposes to replace the service that those trees provide. Mr. Wostbrock said they are proposing two 2-2 ½ inch caliper maple trees at the north side of the proposed parking lot as well as six maple trees on the south side. Mr. Boonstra suggested that they consider planting larger trees there such as 3 ½ to 4 inch caliper. Mr. Wostbrock said they could. Mr. Whitaker stated that they will make that modification. Board Member Boonstra then asked about the screening on the west side of the building. Mr. Wostbrock stated that there is a berm between the Town House complex and the parking lot. Mr. Boonstra made the observation that some of the screening there looks as though it needs to be cleaned up. He added that it appears that the berm has fallen down towards the brook and asked if there are plans to improve that area. Mr. Wostbrock said that it is not part of the plan however if additional screening is needed in that location it will be added. Mr. Boonstra asked that they commit to improving the screening on the west side of the property as this is the side closest to the residents.

Board Member Fisher stated that it has been established that the location will have more parking than is required or currently needed adding that in listening to the Board Members, it is clear that the line of trees in the front of the building could be something that we may not want to lose. He suggested that perhaps the applicant would be willing to consider sacrificing a few parking spaces to save a few of those existing trees and fill in with the new smaller trees. Mr. Whitaker said that they could shift the ADA spaces and keep 2 of the trees.

Scott Piekarsky, Attorney for the Windham Court North Condo Association, came forward to cross examine Mr. Wostbrock on behalf of the Association. With regard to the traffic study waiver request, Mr. Piekarsky asked Mr. Wostbrock if he is a traffic engineer or if he has performed traffic engineering studies. Mr. Wostbrock stated that he performs parking analysis of sights however he is not specifically a traffic engineer. Mr. Piekarsky pointed out that the applicant is currently parking his trucks in the rear (west side) of the building and it accommodates his large vehicles. He asked if he would consider continuing to park those large trucks in the rear. He also stated that there are currently some 50 to 60 foot tall evergreen that the applicant is proposing to remove adding that the replacement trees will only be 5 to 6 feet in height. Mr. Wostbrock stated that it would not be possible to replace those trees with like size trees. Mr. Piekarsky asked if the applicant had considered any potential impact on the stream and brook by the water run-off. He added that the Condominiums are in a flood plain and that the run off from the parking lot runs into the adjacent brook which flows towards the condos. He asked if that had been considered in the planning. Mr. Wostbrock replied that it had not been considered in the planning.

OPEN TO THE PUBLIC

Mitch Schoiock of 352 Crescent Avenue stated that the 1982 site plan shows plantings all along the property line and asked if they will be replaced. Mr. Whitaker stated that the applicant has already agreed in a previous meeting that he would replace the plantings adding that it is a stipulation.

Mike Riffard of 341 Brookside Avenue asked if additional screening could be added in the area where the trailers will be parked. Mr. Whitaker stated that the applicant has stipulated earlier that screening will be provided where there are deficiencies or gaps.

Tony Pisani of 350 Windham Court North was sworn. He said he does not want to see the trailers. He wants to know what the applicant is proposing to do about that. Mr. Wostbrock stated that today there exists a visual screen between the Galasso property and the Condo Complex which consists of landscaping, vegetation, a retaining wall and a berm. Nothing has been proposed for that area as screening currently exists.

Mayor Madigan asked for clarification of exactly what is being proposed based on this evening's discussion thus far. Mr. Whitaker provided the following summation:

We have agreed to keep 2 of the existing Maple trees in the front of the building. The ADA parking spaces will be shifted to make this accommodation.

We will increase the caliper of the proposed, newly planted Maple trees to 3 ½ to 4 inches.

We have proposed to modify the berm, clean it up and fill in with screening where needed. Any dead plantings will be removed.

Along the high end of the slope, 5 to 6 foot arborvitaes will be planted as a screen.

We will not touch the fence as it belongs to the Condominium Complex.

Board Member Homaychak asked if the owner could rent parking to non-tenants such as landscapers. Board Member Boonstra stated that you must have leased space in the building in order to park in the lot. Board Attorney Perconti said that we will add a stipulation that there can be no non-tenant parking of commercial vehicles on the premises. Mr. Whitaker agreed to that stipulation and concluded his presentation.

Timothy Brackett was sworn. He resides at 358 Crescent Avenue. Mr. Brackett presented the following exhibits labeled D-1 thru D-7.

D-1 Photo of the property where the trucks are being parked

D-2 Photo of where trucks are parked and where he stated trees have already been removed and land has already been excavated

D-3 West side parking area where trucks are parked

D-4 Original site map from 1982

D-5 New site map

D-6 Original parking requirements listed on the original site map from 1982

D-7 Photo of the south side of the building where he stated there are what appears to be wetlands

Mr. Brackett provided the following testimony:

There is an area of what appears to be wetlands just above the proposed additional parking; refer to exhibit D-7.

I have observed 5th wheel trailers which are essentially day glow billboards parked within 35 feet of my property; refer to exhibits D-1, D-2 and D-3.

Pick-up trucks and trailers go in and out of the back lot from 8:00 am to 10:00 pm every weekend and 7 days a week when school is not in session. The headlights from the trucks shine into my bedroom. There are also trucks being worked on all day long. Last Saturday it began at 7:30 am. Last summer 4 to 5 tree surgeons took out a bunch of trees that were adjacent to my house as well as trees along the stream which allowed the trailers to be parked closer to my property. An excavator removed part of the berm that was there and some pine trees.

Board member Boonstra asked about the screening that is shown on the original site plan from 1982 (exhibit D-4). Mr. Brackett said that the berm and screening no longer exists. Mr. Boonstra Stated that The Township of Wyckoff has an ordinance which states that those buffer zones as approved have to be restored and maintained in perpetuity and now those berms are gone. Mr. Boonstra said that he was not aware that the plan from 1982 called for the berms and screening adding; in light of that, this matter will have to be dealt with before proceeding further. He asked when the dismantling of the berm was done. Mr. Brackett stated that the trees in the area where the trucks are currently parked were taken down last summer. Board Member Boonstra said that the 16 foot buffer must be restored by ordinance as to to the 1982 site plan standards. He recommended that the application be carried. Bruce Whitaker, Attorney for the Applicant, stated that he will not assume that the buffer no longer exists. He will go back to look at the basin and compare what is there to what is on the original site plan. He will advise the Board of his findings at the next meeting. Mr. Boonstra said that if the buffer is gone the applicant will have to replace it. Mr. Whitaker stated that he will advise the owner/operator of the property to attend the next meeting to provide testimony. At this time Mr. Brackett stated that he had nothing further to add.

Douglas Menist of 319 Brookside Avenue was sworn. He stated that rain water runs down the hill in sheets from Brookside Avenue into the wet area shown in exhibit D-7 just above where the new parking spaces are being proposed. Mr. Menist said that he has seen wildlife living in that area which appears to be wetlands as well as skunk cabbage which grows in wetlands. He said that he has photographs on his phone as evidence. Board Attorney Perconti had earlier announced that cell phone photos could not be presented as evidence which Mr. Menist disputed. Mayor Madigan suggested that Mr. Menist may have the photos printed if he would like to present them at next month's meeting.

CLOSED TO THE PUBLIC

Vice Chairman Hanly announced that the application will be carried to the May 8, 2019 Planning

Board meeting adding that the applicant does not need to re-notice.

There being no further business, a motion to adjourn the Public Business Meeting was made, seconded and passed unanimously. The meeting concluded at 11 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary
Wyckoff Planning Board