

**WYCKOFF PLANNING BOARD
MARCH 13, 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 Chairman Fortunato.

“The regular MARCH 13, 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.

Chairman Fortunato 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: Robert Fortunato, Chairman; Kevin Hanly, Vice Chairman; Tom Madigan, Mayor; Rudy Boonstra, Township Committee Representative, Board Members George Alexandrou, Kevin Purvin, Scott Fisher, Glen Sietsma, Sarah Caprio and John An.

Board Members Absent: Michael Homyachak

Staff Present: Joseph Perconti, Planning Board Attorney; Mark DiGennaro, Township Engineer and Maureen Mitchell, Board Secretary.

OLD BUSINESS

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

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT
RESOLUTION #19-03

The Resolution for payment of vouchers was approved during the Work Session Meeting.

RESOLUTION(S) TO BE MEMORIALIZED

DAIRY QUEEN BLK 219 LOT 14 (B1-CORNER); 299 Franklin Avenue. *(The applicant proposes to install a generator in the second front yard along Godwin Avenue).*

The Resolution was memorialized at 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)*

As was discussed at the Work Session, The Windham Court North Condominium Association is requesting an adjournment of tonight's hearing in order to allow the Residents and their Attorney to obtain information about the application and the effects the outcome may have on their neighborhood. The Residents live in close proximity to the Applicant's business which is a Permitted Use in the L-2 zone. At that time, Board Members Caprio and An recused themselves and stepped down from the dais.

Chairman Fortunato invited the Applicant's Attorney Bruce Whitaker to address the issue of the aforementioned request for an adjournment. Mr. Whitaker gave a summary of the application stating the property is located in a light industry L-2 Zone. The applicant is proposing to expand the parking lot by adding 56 spaces including 5 ADA compliant spaces. He added that there are currently 50 parking spaces existing. The expansion will allow the applicant to convert a non-conforming parking lot into a conforming one so that it can properly service the building that exists there. The dumpster on the property which is currently not enclosed will be enclosed. Mr. Whitaker stated that he wanted to make it clear to the Public that there are no proposed changes in the buildings use.

At that point, Mr. Whitaker cited MLUL 40:55D-50 which states that an application that has been deemed complete and is without variance request is automatically approved in 45 days; which in this case is March 30, 2019. With regard to the request for time to research, Mr. Whitaker stated that he received phone calls from both the Director of the Condo Association and Attorney Piekarsky regarding the matter. He offered to meet with them to discuss their concerns and neither acted upon his offer. He added that he feels they were not diligent in their attempts to obtain information which is why he initially denied consent to adjourn. That being said, Mr. Whitaker stated for the record that he will consent to an extension of time beyond the mandatory 45 day decision making requirement until the April 10, 2019 Planning Board Meeting. Board

Board Attorney Perconti confirmed that the applicant noticed adequately and properly and would not have to re-notice prior to the April 10, 2019 meeting. Mark Ferro, the Attorney representing Attorney Piekarsky's Law firm was given an opportunity at this time to review the Applicant's Notices and he found them to be adequate and proper.

Chairman Fortunato re-iterated to the Condo owners who were in attendance at the meeting that they would not receive any further notice regarding the April 10th hearing adding that they are welcome to attend that meeting if their questions and concerns have not been answered or resolved prior to then.

OPEN TO THE PUBLIC

NO ONE APPEARED

CLOSED TO THE PUBLIC

Board Member Boonstra clarified that the April 10 deadline will not pertain to additional time requests by The Board due to application or matters of testimony. Mr. Whitaker concurred.

There being no further business, a motion to adjourn the Public Business Meeting was made, seconded and passed unanimously. The meeting concluded at 8:25 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary
Wyckoff Planning Board