

**WYCKOFF PLANNING BOARD
JUNE 14, 2017 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 Robert Fortunato, Vice Chairman:

“The regular June 14, 2017 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.

Board Member Attendance: Robert Fortunato, Vice Chairman; Rudy Boonstra, Mayor; Tom Madigan, Township Committee Representative; Kevin Hanly; Justin Hoogerheyde, Alt.

Board Member(s) Absent: Richard Bonsignore, Chairman; Glenn Sietsma; Scott Fisher; Drita McNamara; George Alexandrou; Kevin Purvin, Alt.

Staff Present: Joseph Perconti, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

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Vice 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”*

OLD BUSINESS

Approval of the May 10, 2017 Work Session and Regular Business Minutes

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-06

The Resolution for Payment #17-06 was approved at the work session meeting.

WITHDRAWN

CHERST ENTERPRISES, INC. BLK 241 LOT 5 (B1); 377 Franklin Avenue. *(The applicant proposes to update the façade of the building with a sign element which will increase the height of the roof line).*

FOR COMPLETENESS REVIEW

BANK OF AMERICA BLK 239 LOT 1 (B1A); 339 Franklin Avenue. *(The applicant proposes to replace an existing drive-through teller lane with a drive-through ATM along with related site improvements).*

This application was deemed complete at the work session meeting and again at the public hearing meeting. A public hearing has been scheduled for Wednesday, July 12, 2017.

ROBERT A. MILANESE BLK 235 LOT 18.02 (B1); 406 Highland Avenue. Site plan. *(The applicant proposes to remove the existing garage, construct an addition at the rear of the building and construct four (4) parking spaces).*

This application was deemed complete at the work session meeting and again at the public hearing meeting. A public hearing has been scheduled for Wednesday, July 12, 2017.

FOR PUBLIC HEARING - NEW

RIDGEWOOD WATER - Amended site plans for seven (7) sites. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Board Member Hanly stated that he had listened to the tape of the May 10, 2017 Planning Board meeting of which he was absent. Therefore, Mr. Hanly is eligible to vote on the applications before the Board tonight.

Bruce Whitaker, from the law firm of McDonnell and Whitaker, representing Ridgewood Water said this is a representative pursuant to NJAC 40:55D-31 as it pertains to a capital project being made by a utility company in which the statute says when public funds are being expended for such a location in the municipality, at that point it is referred to the Planning Board for review and recommendation in conjunction with the master plan. The leading case is Ocean County vs. Planning Board 1988 in which the Court stated that in essence a Planning Board's review under this particular statute is for recommendatory only and not for approval process. He said that Ridgewood Water is required to put generators at each of these sites. N.J.A.C. 7-10-11.6(i) now requires auxiliary power to be provided for a water supply to effectively operate all pumping and water treatment processes in the event of a failure of the primary power. He then gave the Board a brief overview of the previous meeting. He said the Justin Mahon, the applicant's engineer, who testified previously will continue testimony regarding the location of the generators, setbacks, noise issues and screening. He added that the testing for each of the generators is for one (1) hour once a month on a weekday between 9 a.m. - 4 p.m. The decibel level for the testing will meet the decibel standard of 65 decibels, which is equivalent to a window air conditioning unit, at the property line. When the generators are installed they will be tested to confirm that they meet that standard. He added that all facilities will be properly screened and maintained for aesthetic reasons.

Mr. Whitaker said there are going to be 3 exhibits for each property.

A-1 Site plan

A-2 Photographs

A-3 Chart of this particular location

Mr., Mahon was reminded by Board Attorney Perconti that he was sworn at the previous meeting and remains under oath. He began his testimony on the **LAFAYETTE TRANSFER STATION**. Mr. Mahon said he prepared all of the charts for the seven (7) sites. Mr. Whitaker

asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the nearest distance to the property line is 67', there will not be any tree removal and a fence or landscaping will not need to be provided. The sound decibel at the property line will be 64.7 decibels which is less than the required 65 decibels so additional plantings or a fence will not be required as a noise barrier.

Township Committeeman Madigan said the plans show no screening or vegetation is planned around this well site. He recommended that all well sites be made as aesthetically pleasing as possible. Mr. Mahon said there is naturally screening on this site with an extensive tree canopy. Board Member Hanly asked if the vegetation will be plentiful year round. Mr. Mahon said yes. Mayor Boonstra said that once the generator is installed if the screening is not adequate than additional screening will be planted. Mr. Whitaker said site conditions will be reviewed and maintained once the generators are installed.

Mr. Mahon continued with the **SICOMAC TRANSFER STATION/MOUNTAIN WELL**. Mr. Whitaker asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 29' with a sound decibel at 69 decibels. An 8' high privacy fence will be installed and 22 – 4' to 5' high arborvitae plants will be planted along the fence in front of the generator with another 26 – 4' to 5' high arborvitae plants being planted along the property line. He said with the fencing and plantings the decibel level will be reduced to 65 decibels along the property line. Mayor Boonstra asked which species of arborvitae will be planted. Mr. Whitaker said green giant arborvitae will be planted.

Mr. Mahon continued with the **VAN HOUTEN TREATMENT FACILITY AND WELL**. Mr. Whitaker asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 28' with a sound decibel at 69.3 decibels. He said that currently the neighbor has a solid fence along the property line. He said that the neighbor's fence will lower the decibel level to 65 decibels. He added that no additional plantings or fence are being proposed at this time. Vice Chairman Fortunato said that 65 decibels is a state standard that Ridgewood Water must meet. Mr. Mahon said a 10' vegetated slope or berm below grade that will reduce the decibel level to below 65 decibels.

Mr. Mahon continued with the **WEISCH WELL**. Mr. Whitaker asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 83' with a sound decibel at 60.9 decibels which is lower than the 65 decibels. He added that the site is already fenced with mature trees on site and that only one (1) tree will be removed. He said the existing 6' high fence will be moved 10' further to the southwest of the property. The fence will match the existing tan chain link fence on site. Mr. Whitaker said the manufacturer uses a tan or green fence. Mayor Boonstra recommended that the tree that is being removed be replaced with another tree.

Mr. Mahon continued with the previously discussed **AMES WELL FIELD** which has been amended. Mr. Whitaker asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 60' with a decibel level of 63 decibel without any privacy fencing or plantings proposed. He said an 8' high fence and 20 – 4' to 5' high green giant arborvitae will be planted. No tree removal is proposed on this site. Vice

Chair Fortunato said this site will contain one of the largest generators. Mr. Mahon said yes. Mr. Mahon said the driveway will be paved. Mayor Boonstra noted that the generator will be on the side of the red brick building. Mr. Whitaker said the plan has been revised to include a privacy fence and plantings. Board Member Hanly noted that the generator is 9' in height and the privacy fencing is at 8' in height. Township Committeeman Madigan asked if the fence can be installed at 9' or 10' in height in order to cover the generator. Mr. Whitaker said arborvitae will be planted in front of the fence. Mayor Boonstra asked if the generator can be lowered. Mr. Mahon said the site is wet and the generator cannot be lowered.

Mr. Mahon continued with the previously discussed **LAKEVIEW TRANSFER STATION AND WELL** which has been amended. Mr. Whitaker asked Mr. Mahon the distance to the nearest property line, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 27' with a decibel level of 68.6 decibels which exceeds the 65 decibel level requirement. He said the location is slightly different than what was on the original site plan. He said the plan has been revised to include the generator being moved 2' more towards Goffle Brook. He said options on this site are restricted due to the sanitary sewer easement. He said the screening has been modified in order to move the generator closer to the buffer boundary. He said an 8' privacy earth tone fence will be installed to lower the decibel level and 4' high rhododendron plants instead of cherry laurel will be planted due to the wetland conditions. Township Committeeman Madigan said at the previous meeting the neighbor had commented about their driveway and asked how his revision will improve the situation. Mr. Mahon said the generator has been moved further away from the neighbor's house and that 8' privacy fencing, instead of 6' privacy fencing, will be installed.

Township Committeeman Madigan suggested that this site use natural gas instead of diesel gas since it is readily available in the street. He added that due to the environmental sensitive area with a large pond near this site it would be environmentally safer to use natural gas. Mayor Boonstra asked if Ridgewood Water had statistics on the noise level of a diesel generator vs. a natural gas generator. Mr. Mahon said that on average natural gas generators are 3 decibels quieter but are larger in size than diesel fuel generators. He said that if we stayed with the same manufacturer the sound at the property line with a diesel generator would be 68.6 decibels and the sound level at the property line with a natural gas generator is 72.0 decibels and the natural gas generator is \$55,000 more than the diesel generator. Mr. Whitaker said a diesel generator can provide service to the residents for 24 hours before it needs to be filled again. Since natural gas is a utility it can have a disruption of service if the gas line is damaged. Mr. Madigan said health care centers and hospitals have to have diesel generators. Mr. Whitaker said Ridgewood Water would also like to use a diesel generator on all of their sites. Vice Chair Fortunato said there was testimony at the previous meeting that Mahwah has one generator that is natural gas. Mr. Mahon said the generator in Mahwah is not a Ridgewood Water generator. Board Member Hanly said there was a discussion if there could be a hybrid generator installed at this site. Mr. Mahon said a hybrid generator mechanically has to be the same as a diesel generator and there is a provision to aspirate the gas into the combustion air supply which is how the gas is introduced into the generator.

Mayor Boonstra asked a question about the screening and said Ridgewood Water is substituting rhododendrons because it is an indigenous plant in the buffer. He asked if the entire perimeter of the generator is in the buffer. Mr. Mahon said only one side of the planting row is in the buffer. Mayor Boonstra said on one side of the fencing rhododendrons can be planted and on the other 2 sides green giant arborvitae could be planted and not be violation of state law. Mr. Mahon said this is a shady site and green giant arborvitae may not do as well in

this area. Mr. Whitaker said the area is dense and wet with a large tree canopy and the arborvitaes may not survive.

Mayor Boonstra recommended that an arborist make a determination that green giant arborvitaes be planted on the other 2 sides of the fence and that rhododendrons will be required on one side of the fence.

Mr. Mahon continued with the previously discussed **VANCE TRANSFER STATION AND TANK** which has been amended. Mr. Whitaker asked Mr. Mahon the distance to the nearest residence, the tree removal, if there will be a privacy fence and/or plantings and the decibel level at the property line. Mr. Mahon said the distance to the nearest property line is 51' with a decibel level of 66.1 decibels which exceeds the 65 decibel level requirement. He said the applicant amended the previous plan by now proposing an 8' privacy fence, instead of a 6' privacy fence, in an earth tone color and 20 – 4' to 5' green giant arborvitae will be planted which will assist in reducing the decibel level at the property line. He said the plans have been revised. He said that Ridgewood Water proposed to construct an impervious grass paver driveway from the transfer station to the generator location in order to fuel the generator. He said that 2 deciduous trees will be removed and 2 evergreen trees will be replaced on this site.

Vice Chair Fortunato opened the meeting to the public for comments.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Board Member Hanly asked how the decibel level is calculated. Mr. Mahon said the decibel number at the property line is a formula that is used and the sound level is calculated by our office. He also asked about the case of Ocean County vs. the Planning Board and noted that the Planning Board in this case had no authority because the statute involved preempted the authority of the Planning Board. Mr. Whitaker said that the Planning Board can only make a recommendation. Mr. Whitaker said this case references Section 31 of the Municipal Land Use Law (MLUL). Mr. Whitaker said that public funds will be needed to install the generators since Ridgewood Water is a public agency. Mayor Boonstra asked what the total cost will be for this project. Mr. Whitaker had no information on this. Mayor Boonstra asked in general what each generator will cost. Mr. Mahon the construction cost estimate for the Lakeview generator is \$300,000.

Board Attorney Perconti concluded that Ridgewood Water must comply with the decibel level at the property line of being no higher than 65 decibels, the Board recommends that the generators will be tan in color, all fences will be earth tone in color, the privacy fences will be at 8' maximum, green giant arborvitae will be planted, the generators will be appropriately screened and screening will be maintained. He added that if the applicant cannot comply with the 65 decibels at the property line then additional screening or a fence will be provided. Mr. Whitaker added that one of the goals in the Wyckoff Master Plan states that being that the municipal water system serving Wyckoff will be upgraded as to capacity and to upgrade aging distribution system and that Ridgewood Water is meeting this goal. He suggested this be placed in the resolution.

Mayor Boonstra said that the Planning Board is authorized by NJAC 40:55D-31 as it pertains to a capital project being made by a utility company in which the statute says when public funds are being expended for such a location in the municipality, at that point it is referred to the Planning Board for review and recommendation in conjunction with the master plan.

RIDGEWOOD WATER - AMES WELL FIELD BLK 282 LOT 3.01 (RA-25); 482 Hartung Drive. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Mayor Boonstra made a motion to recommend the installation of the emergency generator at the Ames Well Field subject to an 8' high tan chain linked fence, no higher than 65 decibels at the property line and the plantings will be 20 – 4' to 5' high green giant arborvitae. No tree removal is proposed on this site. Second, Board Member Hoogerheyde. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

RIDGEWOOD WATER – LAFAYETTE TRANSFER STATION BLK 483 LOT 33 (RA-25); 451 Lafayette Avenue. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Mayor Boonstra made a motion to recommend the installation of the emergency generator at the Lafayette Transfer Station subject to no higher than 65 decibels at the property line and once the generator is installed if the screening is not adequate than supplemental green giant arborvitae will be planted. No fence has been proposed. Second, Board Member Hanly. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

RIDGEWOOD WATER – LAKEVIEW TRANSFER STATION & WELL BLK 320 LOT 61.01 (RA-25); 394 Wyckoff Avenue. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Mayor Boonstra made a motion to recommend the installation of the emergency generator at the Lakeview Transfer Station & Well subject to an 8' high earthy tone privacy fence, no higher than 65 decibels at the property line and the plantings will be green giant arborvitae or cherry laurel on the other 2 sides and rhododendron on the northwest side. He said an arborist will make a written determination that the green giant arborvitae will survive in the shady conditions on 2 sides of the fence. Second, Board Member Hoogerheyde. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mayor Boonstra and Vice Chair Fortunato. Voting in denial: Mr. Madigan voted in denial due to the environmental concerns he expressed during the testimony.

RIDGEWOOD WATER – SICOMAC TRANSFER STATION/MOUNTAIN WELL BLK 443 LOT 33 (RA-25); 342 Holly Drive. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Board Member Hoogerheyde made a motion to recommend the installation of the emergency generator at the Sicomac Transfer Station/Mountain Well subject to an 8' high tan privacy fence, no higher than 65 decibels at the property line and the plantings will be 22 – 4' to 5' high green giant arborvitae along the fence in front of the generator with another 26 – 4' to 5' high green giant arborvitae plants along the property line. Board Member Hanly. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

RIDGEWOOD WATER – VAN HOUTEN TREATMENT FACILITY BLK 292 LOT 3 (RA-25); 2 Neelen Drive. Amended site plan. *(The applicant proposes to install emergency generators*

which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).

Mayor Boonstra made a motion to recommend the installation of the emergency generator at the Van Houten Treatment Facility and Well subject to an 8' high tan chain linked fence, no higher than 65 decibels at the property line and no plantings are proposed since there is a 10' vegetated slope or berm below grade that will reduce the decibel level to below 65 decibels. Second, Board Member Hoogerheyde. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

RIDGEWOOD WATER – VANCE TRANSFER STATION BLK 337 LOT 9 (RA-25); 488 Vance Avenue. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Board Member Hanly made a motion to recommend the installation of the emergency generator at the Vance Transfer Station subject to an 8' high tan privacy fence in an earth tone color, no higher than 65 decibels at the property line, the plantings will be 20 – 4' to 5' green giant arborvitae, an impervious grass paver driveway will be installed for access to the generator and 2 trees will be replaced since 2 trees will be removed. Second, Board Member Hoogerheyde. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

RIDGEWOOD WATER - WEISCH WELL BLK 455 LOT 36 (RA-25); 457 Weisch Lane. Amended site plan. *(The applicant proposes to install emergency generators which will provide emergency power during power outages so Ridgewood Water can continue to provide drinking water to the area).*

Mayor Boonstra made a motion to recommend the installation of the emergency generator at the Weisch Well subject to an 8' high tan chain linked fence, no higher than 65 decibels at the property line, the plantings will be green giant arborvitae and 1 tree will be replaced since 1 tree will be removed. Second, Board Member Hoogerheyde. Voting in favor: Mr. Hoogerheyde, Mr. Hanly, Mr. Madigan, Mayor Boonstra and Vice Chair Fortunato.

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There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 10:17 p.m.

Susan McQuaid, Secretary
Wyckoff Planning Board