

PLANNING BOARD
BOROUGH OF WANAQUE

April 16, 2015

REGULAR MEETING

Meeting called to order by Vice Chairman Graceffo with a salute to the flag at 8:03 P.M.

READING: Open Public Meeting Announcement

This is the Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends and the Herald News on January 21, 2015 and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque and a copy thereof has been on file with the Borough Clerk

ROLL CALL: Vice Chairman Graceffo, Councilman Dominick Cortellessa, Members Marc Demetriou, Kevin Platt, Michael Ryan and David Slater

PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi

ABSENT: Chairman Gilbert Foulon, Mayor Daniel Mahler, Member Mark Reuter and Member Eugene Verba

MINUTES: from the January 15, 2015 Reorganization and Regular Meetings

MOTION TO APPROVE: made by Member Ryan, seconded by Councilman Cortellessa. Voting yes were Vice Chairman Graceffo, Councilman Cortellessa, Members Demetriou, Platt, Ryan and Slater.

COMMUNICATIONS REPORT: None

ENGINEER'S REPORT: Nothing new to report.

NEW BUSINESS APPLICATION: Stone And Garden By Design

Property Owner: Scott Walker, 1141 Ringwood Avenue, Haskell, NJ

Property Address: Yard Area located at 1135 Ringwood Avenue, Haskell, NJ

New Tenant: Stone And Garden By Design, 347 Stonetown Road, Ringwood, NJ

Adam Breshin, owner of Stone And Garden By Design

My home address is 347 Stonetown Road, Ringwood and this application is for truck parking for our tree and landscape company. Our sole purpose for the yard space is to just park our trucks and equipment. We are out at 7am every morning and return about 4pm to 5pm every afternoon. We moved in two weeks ago and right now we have 4 trucks and will be getting one more, so a total of 5. We cleaned up the yard and organized it.

Vice Chairman Graceffo agreed that the yard was pretty clean but there are just a couple of things up against the back part of the property where the brook is. Mr. Breshin advised that he is in the center of that. We are the wooden fenced-in area where Crete Concrete was. Vice Chairman Graceffo stated there are a couple of other rentals on the property and Mr. Breshin stated that there is someone on the other side of the fence and another on the right-side of him.

Scott Walker, the owner of the property, arrived and Vice Chairman Graceffo showed him pictures of items dumped on the back part of his property. Mr. Walker advised that someone came onto his property and dumped the items. Vice Chairman Graceffo stated the place is pretty well maintained but there are a few items on the property that were just hanging around and asked if he could clean them up by next month before they fell into the brook. Mr. Walker stated he is already on it. Both Member Slater and Vice Chairman Graceffo agreed that Mr. Walker has done a good job in keeping the property well maintained.

Mr. Walker stated that we have had issues with people dumping in the past and even had someone robbing the yard. People just pull off the road and go right into the back. We are hoping to put up a gate.

Councilman Cortellessa questioned the business owner about having 5 trucks on the property and if he was also going to be maintaining the trucks and fueling the trucks there? Mr. Breshin stated "No". Mr. Breshin advised that they fuel the trucks at the Gulf Station and his mechanic is in Clifton. There will be no storage of fuel on the property or maintenance done on the trucks at this property.

MOTION TO APPROVE NEW BUSINESS: made by Councilman Cortellessa, seconded by Member Ryan. Voting yes were Vice Chairman Graceffo, Councilman Cortellessa, Members Demetriou, Platt, Ryan and Slater.

NEW BUSINESS APPLICATION: Sky Tech Construction LLC

Property Owner: David & Mary Johnson, 46 Seminole Drive, Ringwood, NJ

Property Address: 1087 Ringwood Avenue, Haskell, NJ

New Tenant: Sky Tech Construction LLC, 3 Cartondale Road, Ringwood, NJ

David Johnson is the owner of both the business and property. I purchased the property in about 1998. This is my third application for Sky Tech since I never moved in. I am going to move in only on one side of the building with a small show room for roofing, siding and windows. We are going to fix the outside of the building and do some brick face on the front and some hardy plank on the side and maybe a few roof overhangs. I have already discussed with Jeff some of my ideas to improve the building. I don't want to have the building vacant anymore and it is in a good location for my business.

MOTION TO APPROVE NEW BUSINESS: made by Member Demetriou, seconded by Member Slater. Voting yes were Vice Chairman Graceffo, Councilman Cortellessa, Members Demetriou, Platt, Ryan and Slater.

NEW BUSINESS APPLICATION: Clean Fight Sport Soap

(Hand-Crafted Soap & Hygiene Products)

Property Owner: David & Mary Johnson, 46 Seminole Drive, Ringwood, NJ

Property Address: 1089 Ringwood Avenue, Haskell, NJ

New Tenant: Clean Fight Sport Soap, 1908A Hamburg Turnpike, Wayne, NJ

Eric Sampson is the owner of the business.

I make 100% vegetable based handcrafted soaps for athlete and after training purposes. The hygiene products that I make are eco-conscience and contain all natural ingredients that are designed specifically for athletes. For the last several years, I have been making the soap out of my house in Wayne and am running out of space and I now need some bigger space that allows me to have actual production and produce greater volume. To make the soap, you take an oil, like olive oil, and then you have to use something in order to split that molecule to actually create soap. I am sure you have all heard lye/ sodium hydroxide, which is the chemical component that is required to split a molecule of oil so that when you blend it and it dries and solidifies, you now have soap. I am basically taking oils and turning them into soaps.

Vice Chairman Graceffo advised Mr. Sampson of a problem that the fact you are using materials, such as sodium hydroxide, and the fact that you are combining elements, it is really a manufacturing process; it is not just a retail store selling soaps. That is really a restricted use for that zoning area. It is a zone for business/retail, not manufacturing.

Mr. Sampson stated it is no less of manufacturing then making bagels or pizzas or candy bars or even working in a hair salon. The volume of stuff that I work with and that I

handle on the corrosive and chemical scale is actually less impactful than a hair salon. The Building Inspector did not have a conversation with me about this issue.

Vice Chairman Graceffo stated that might very well be, but when we are dealing with zoning, it is not fitting within what our code calls for.

Planner Cristaldi stated that soap manufacturing is actually a prohibited use in the Industrial District.

Mr. Sampson questioned if it listed specific types of chemicals or components?

Attorney Veltri stated no Ordinance would list specific chemicals.

Vice Chairman Graceffo stated, that based on the information we have right now, we are not going to be able to approve this application only because it falls into a different category than what is permitted in that area.

Attorney Veltri explained that we are not saying you can't do this. We are saying you need to obtain a Use Variance. It is here tonight, without the public being notified of this use, for a certificate of occupancy for this type of use. If you want to pursue this occupancy, you need to apply for a Use Variance for your use in this zone. At that point, you can have a public hearing with notification to the public, and you are going to need to go to the Board of Adjustment. They can listen to everything you're saying about what you do, what chemicals you use and they will decide whether or not that particular use, with the chemicals you use, is something that they want to grant you approval for. If five members vote yes and they grant you the approval, you will have the use and you can occupy. We are saying we don't have the legal ability to give you that approval based upon what the Planner's reading of the zone is.

PUBLIC DISCUSSION: Let the record show there was no one to come forward.

RESOLUTION: None

VOUCHERS: submitted by Steven Veltri, Esq. for attendance at the January and April 2015 Meetings in the amount of \$600; and submitted by Alaimo Engineering for attendance at the November and December 2014 Meetings in the amount of \$380.

MOTION TO APPROVE VOUCHERS: made by Member Slater, seconded by Member Ryan. Voting yes were Vice Chairman Graceffo, Councilman Cortellessa, Members Demetriou, Platt, Ryan and Slater.

DISCUSSION: Vice Chairman Graceffo questioned the ruling from COAH and do we know if we are part of the first group or the second group? Attorney Veltri stated that, at one point, we had special COAH counsel on that so he sort of took that over. I don't have an update for the last year and a half. Going back quite a few years, my recollection is that we had the substantive certification. However, this rotates every several years and runs out.

MOTION TO ADJOURN AT 8:35 P.M.: Motion made by Member Demetriou, seconded by Member Slater and carried by a voice vote.

Jennifer A. Fiorito
Planning Board Secretary