

PLANNING BOARD
BOROUGH OF WANAQUE

JANUARY 17, 2019

REORGANIZATION
&
REGULAR MEETING

Meeting called to order by Mayor Mahler with a salute to the flag at 8:12P.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 on January 9, 2019 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

Reorganization Meeting:

Mayor Mahler swore in Re-Appointed Councilman Dominick Cortellessa and Member Kevin Platt.

PRESENT: Mayor Daniel Mahler, Councilman Dominick Cortellessa, Members Kevin Platt, Charles Strobel, Michael Ryan, and David Slater.

ABSENT: Members Gilbert Foulon, Joseph Graceffo, Jack Crilly and Mary Leonard

NOMINATION FOR CHAIRMAN: Member Platt nominated Gilbert Foulon, seconded by Councilman Cortellessa. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR CHAIRMAN: Voting yes were Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Ryan and Slater.

NOMINATION FOR VICE CHAIRMAN: Member Platt nominated Joseph Graceffo, seconded by Member Strobel. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR VICE CHAIRMAN: Voting yes were Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Ryan and Slater.

NOMINATION FOR BOARD ATTORNEY: Member Slater nominated Steven Veltri, seconded by Member Platt. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR BOARD ATTORNEY: Voting yes were Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Ryan and Slater.

NOMINATION FOR BOARD ENGINEER: Member Platt nominated Alaimo Engineering (Michael Cristaldi), seconded by Member Strobel. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR BOARD ENGINEER: Voting yes were Mayor Mahler, Members Platt, Strobel, Ryan and Slater. Councilman Cortellessa abstained.

NOMINATION FOR BOARD PLANNERS: Member Ryan nominated both Alaimo Engineering and Benecke Economics as Planners, seconded by Member Platt. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR BOARD PLANNERS: Voting yes were Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Ryan and Slater.

Regular Meeting:

MINUTES: from the December 20, 2018 Meeting.

MOTION TO APPROVE: made by Member Strobel, seconded by Member Platt. Voting yes were Members Platt Strobel and Slater.

Mayor Mahler, Councilman Cortellessa and Member Ryan abstained.

ENGINEER'S REPORT: Board Secretary handed out a new application for a lot line adjustment. This application will be on the February 21, 2019 Meeting Agenda.

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

VOUCHERS: submitted by Steven J. Veltri, Esq. for the MRAN Haskill, LLC (Taco Bell) Application in the amount of \$1,050.

MOTION TO APPROVE VOUCHERS: made by Councilman Cortellessa, seconded by Member Platt. Voting yes were Councilman Cortellessa, Members Platt, Strobel and Slater.

Mayor Mahler and Member Ryan abstained.

At this time, Mayor Mahler stepped down off the dais and left the room and appointed Member Kevin Platt to preside over the meeting.

Member Platt: Next, we'll go over the Resolution for MRAN Haskill, LLC/Taco Bell

RESOLUTION: Application #PB2018-05 MRAN Haskill, LLC (Taco Bell)

Attorney Veltri: There is a Resolution that has been distributed to the Board Members and I believe everyone has read it. I will outline what is in it. It is for a Preliminary & Final Site Plan to construct and operate a Taco Bell on property known as 164 Greenwood Avenue, Block 460/Lot 24. The Board had a public hearing on this matter on December 20, 2018 and they approved the application by a 6 to 1 vote. It was voted in accordance with the Site Plan presented to the Board that was drawn by Kenneth D. Dykstra dated May 24, 2016 consisting of 16 pages and that Site Plan was revised September 26, 2018. We did note for the record that there was a prior similar application on this site that was denied by a 2 to 2 vote with 1 abstention. However, there was a substantial change from the prior application to the application that we heard in December. They did have a different ingress/egress plan and there was direct access onto Union Avenue. The Board found that this was a significant change and that the doctrine of *res adjudicata* did not apply to the December, 2018 application. The Resolution explains what the building is going to consist of and when pick-ups would be made not prior to 6am. We did grant attendant variances for the approval, including a steep slope variance. We voted on the variances and approved them based upon a Flexible C Analysis and the Resolution outlines what our analysis was. We made the approval subject to 6 conditions:

1. All the representations and stipulations of the Applicant were true and, if they weren't true, the approval would be rendered null and void.
2. They had to comply with all the conditions in the Wanaque Borough Engineer's Report dated December 18, 2018.
3. They had to comply with all the conditions in our Planner's Report from Benecke Economics dated December 17, 2018.
4. They need to comply with all the conditions set forth in the reports of the Passaic County Planning Board.
5. Any conditions and approvals that are required from the Wanaque Water Department and Sewer Department.
6. Obtain all proper permits from Hudson Essex Passaic Soil Conservation and any other required local, county, state and federal agencies.

That Motion was made by Vice Chairman Graceffo and seconded by Commissioner Slater at our December, 2018 meeting. This is the Resolution presented for your approval.

MOTION TO APPROVE RESOLUTION: made by Member Strobel, seconded by Member Slater. Voting yes were Members Platt, Strobel and Slater. Councilman Cortellessa and Member Ryan abstained.

MOTION TO ADJOURN AT 8:25 P.M.: Motion made by Member Slater and carried by a voice vote.

Jennifer A. Fiorito
Planning Board Secretary