

REGULAR MEETING
ZOOM VIDEO CONFERENCE

Meeting called to order by Vice Chairman Graceffo with a salute to the flag at 8:05 P.M.

OPENING STATEMENT:

This is 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 February 2, 2020, 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 and posted on the Borough's website.

ROLL CALL: Vice Chairman Joseph Graceffo, Mayor Daniel Mahler, Members Kevin Platt, Charles Strobel, David Slater, Jack Crilly, Jack Jordan and Donald Pasquariello

PRESENT: Attorney Steven Veltri

ABSENT: Chairman Gilbert Foulon, Councilman Dominick Cortellessa and Engineer Michael Cristaldi

MINUTES: May 21, 2020 Meeting

MOTION TO APPROVE MINUTES: made by Member Crilly, seconded by Member Strobel. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly and Jordan.
Member Pasquariello abstained.

COMMUNICATIONS/REPORTS: County of Passaic's Letter regarding the Site Plan of Pompton Lakes Quarry.

Vice Chairman Graceffo: Dan, do you have any updated on that development as of right now?

Mayor Mahler: I thought they were going to pull permits and starts, but they haven't started yet. Bob, do you know anything?

Vice Chairman Graceffo: Do you know if they responded to all the requests from the County?

Mayor Mahler: As far as I know they have.

Planner Benecke: Tilcon has cleared all their requirements. They are waiting for the executed copy of the Developer's Agreement from the County of Passaic. It has been

conformed already to our Redeveloper's Agreement, but it has not been executed. Once it is executed, you will have on the Council Agenda the vacation of the necessary roads or paths and authorizing the transfer of the property. That will be last step. The attorneys and I thought it would be best that Tilcon wait to get their final approval from the County so that it's all wrapped up in a nice ribbon and that should be done, hopefully, by the end of the next week or the beginning of the following week; roughly June 26th, 29th or 30th. It has all been done. The Planning Board has approved it at the County Level. It is pretty exciting what they have done and they have complied fully with what the County wants them install.

Mayor Mahler: So it should be on our July 13, 2020 Council Meeting?

Planner Benecke: Probably, yes.

Mayor Mahler: I think we need a Local Developer's Agreement also.

Planner Benecke: You only need the Redevelopment Agreement.

Mayor Mahler: We have a few things they were going to add to it.

Vice Chairman Graceffo: I thought we had a Developer's Agreement already written up.

Planner Benecke: We have a Redeveloper's Agreement.

Mayor Mahler: We have a Memorandum of Understanding and a Redeveloper's Agreement, but there are a few things we would like to add to it. There are just a few things that they have agreed to.

Planner Benecke: If there are side-bar issues of community service and community benefits, we can do that.

APPLICATION STATUS: Board Secretary advised no new applications have come in.

Vice Chairman Graceffo: What happened with the development on Ringwood Avenue; the old mill building? Is that now before the Zoning Board per our last meeting?

Board Secretary: I mailed them the application and it hasn't come in yet.

Vice Chairman Graceffo: They haven't done anything and they haven't done any work there either.

Board Secretary: Correct. They will be going before the Board of Adjustment.

Member Slater: Are you referring to the old UniRents building?

Vice Chairman Graceffo: No, the building next to it; the old Pompton Mill Works.

Member Slater: They paved the lot at the old UniRents property. It was something we asked them to do, so there is progress there.

DISCUSSION: RESOLUTION #72-0-2020

RESOLUTION AUTHORIZING AND DIRECTING THE WANAQUE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION OF THE PROPERTIES IN THE BOROUGH OF WANAQUE, SPECIFICALLY, BLOCK 460, LOT 9 AND BLOCK 400, LOTS 11, 12 AND 13, WITH A GENERAL STREET ADDRESS OF 30 UNION AVENUE, HASKELL, NJ, AS AN AREA IN NEED OF REDEVELOPMENT (“ANR”) AS DEFINED IN THE LOCAL REDEVELOPMENT AND HOUSING LAW

Vice Chairman Graceffo: Just to make note there was a Notice posted in the Borough of Wanaque notifying the public of this hearing on June 18, 2020 at 8pm tonight. It has been duly advertised for the community to be aware of this discussion taking place this evening. Obviously, this was initiated because of a Resolution passed by the Borough back in February 2020. At this point, Mr. Benecke will make the presentation of his report to the Planning Board dealing with this particular redevelopment project.

Planner Benecke: We have a Report for you to consider dated June 1, 2020 and it was advertised in two consecutive weeks in addition to being posted as you indicated on the Bulletin Board at Borough Hall. It is a pretty straight forward proposition. The properties are approximately 36 acres as indicated in Figure 1 of the Report. There are three critical mass properties. They are Block 400/Lot 11, Block 400/Lot 12, and Block 400/Lot 13. In addition, the same property owner owns Block 460/Lot 9, which is along Greenwood Avenue, but this is no more than an easement. It is a less than a ¼ acre of property. The property has been vacant for over ten years, which is one of the standards, or criteria, of redevelopment in the State of New Jersey. The property generally lies south of the Passaic County Campus and generally to the north of Greenwood Avenue. In addition, it lies across the street from a pre-existing redevelopment area on Union Avenue, which is the Twin Lakes Redevelopment Area.

The proposition, or request, for you is because of the criteria that it has been vacant and because it is consistent with smart growth planning principles to develop, or redevelop, a planned purpose within a designated town center that we move towards designating this property as an area in need of redevelopment. Specifically, Criteria C of the Local Redevelopment Housing Law, *N.J.S.A. 48:12A-5(c)*, land that is owned by municipality, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the Resolution of the Governing Body. In addition, we also note that the designation of the delineated area is consistent with smart growing principles pursuant to law, as much as this is the edge of our Town Center that was implemented pursuant to State Statute. In addition, the definition of redevelopment at *N.J.S.A. 40A:12-3* indicates that this property is also a necessary development if, indeed, a redevelopment project, by the property owner, is offered. I must note and emphasize that this redevelopment is for non-condemnation purposes. We provided you the Report, the requisite Map and the requisite Notice and we’ll take any questions.

Keep in mind that this is a narrow study; a narrow proposition. We are not asking you to re-zone and we are not asking you to look at buffers. All we are asking you is “Does the criteria fit the property or does the property fit the criteria?” In other words, the three major properties that are vacant, approximately 36 acres. We do know as an aside, that

the property is, may be not a significant slope but, in my opinion, it is. There is a 50% grade at certain points, which certainly is a significant slope. It does go from approximately 210' above sea level to approximately 330' plus above sea level at some point. Whether or not that would be developable would be up to engineering and DEP standards. Our education guess is that less than half of the property would be developable in any form. It is a long, narrow property, two of them, extending from Union Avenue generally to the east in a rectangular shape. One property, Lot 11, is approximately 21 acres, and Lot 12, which is adjacent to it to the south, is approximately 12 acres. Along Union Avenue you have Lot 13 and again, the smaller Lot on Block 460 is no more than easement that is owned by the same property owner. This is the presentation. You have two statutory criteria that the property, we believe, squarely fits with it.

Vice Chairman Graceffo: Are there any questions from the Board Members in reference to this proposed Resolution?

Member Crilly: Nothing specific to the Resolution, I am just curious if there have been inquiries regarding this property. I think before my tenure, I had heard that there was inquiry about an addition hotel on Union Avenue. Was that the space or what inquiries have been made on this property?

Planner Benecke: There is always "tire kicking" for a lack of better term, but they are for non-residential purposes. Residential purposes would be avoided here and discouraged here for a lot of different reasons. There are non-residential, commercial, general retail, general type of commercial uses that have been proposed, that have been explored. We haven't gotten into any nitty-gritty at all. The property owner is on board and I believe one of the property owner representatives is on your Zoom participate list. If they would like to chime in that's fine. If not that is fine as well.

Steve Rosiek: I am one of the owners and I'm on the call here.

Vice Chairman Graceffo: Bob, can I ask you if you know specifically what those Lots, or area, is zoned in right now?

Planner Benecke: That area is a general residential, business zone that's similar to Greenwood Avenue. I would defer back to the Town Center Zoning. It is at the edge of the Town Center Zone and it has not been developed because of the lack of a clear zone, the lack of clear plan and also the challenges environmentally. The zoning would be "up to flex"; it's not a clear cut case where you shall put in this, or that. Keep in that the front property along Block 400/Lot 13 is a residential property.

Vice Chairman Graceffo: Is there anything built on that section of property?

Planner Benecke: There is one home.

Vice Chairman Graceffo: That is the only home on that entire lot? What is the status of that home right now? It is vacant?

Planner Benecke: That's correct. It's a single-family residence that is rented.

Vice Chairman Graceffo: What is the owner's intent with this house if this property was re-zoned?

Mr. Rosiek: It would depend on whatever plan was chosen. I don't know if the land where the house sits would be part of that, or not part of it. If it's not part of it, we could leave it or we could just do whatever you'd like. If you would like to have some kind of a

conservation area, we could do something like that. That's not out of the question. I just don't have a specific plan to tell you what it would be a part of, or what it wouldn't be a part of at this point. We still have to get to the point of coming up with a development, engineering and all that stuff.

Vice Chairman Graceffo: That particular plot, 13, is that one involves the steep slope area, or is that easily developable?

Mr. Rosiek: It just has a large rock crop in the front, which we may be able to remove.

Vice Chairman Graceffo: Any other questions from Board Members? Mayor, do you have any input on this since it came from the Town?

Mayor Mahler: We've been looking to develop this property for a long time.

Vice Chairman Graceffo: Any other Board Members have questions?

Member Slater: I heard Bob say that residential was not to be a component of this development and I just wondered is there any industrial possible?

Planner Benecke: Any non-residential would be possible. We would be open to suggestion because of the challenges of the site for any non-residential type of plan. Of course, as Steve noted, if the house is desirous to be staying there, or if you desire to have it stay there, or it needs to stay, it would stay.

Vice Chairman Graceffo: Bob, if for example, that property right now, whatever the zoning may be or is presently, I guess if this is resolved tonight as a redevelopment zone

Planner Benecke: It is not a redevelopment zone. It would just an "area in need of redevelopment". The redevelopment zone comes later in the redevelopment plan. That's a later Ordinance by the Council that you would review.

Vice Chairman Graceffo: That would determine really what would go in there. Is that correct?

Planner Benecke: Correct.

Vice Chairman Graceffo: So we are just approving tonight that this is an "area in need of redevelopment". We are reviewing this and determining whether or not we should move forward with it as a property in need of redevelopment.

Planner Benecke: Correct.

Vice Chairman Graceffo: At this point I would like to open it up to the public for any discussion. May I have a Motion to Open to the Public?

MOTION TO OPEN TO THE PUBLIC ON THIS PARTICULAR ITEM ONLY,

RESOLUTION #72-0-2020: made by Member Crilly, seconded by Member Slater. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello.

Vice Chairman Graceffo: If anyone in the virtual world would like to have a question or present a comment they may at this time do that. Technically Mayor is there anyone there that would like to chime in?

Mayor Mahler: There are two people that aren't Members.

Board Secretary: There is a Nick, but he looks like he's muted.

Mayor Mahler: He muted himself and I don't know who the telephone number is. I know who Nick.

Nick DePaolera: I am just here to listen. Don't really have any comments.

Attorney Veltri: Jen, has anyone notified you that they had any objections or wanted to give the Planning Board any type of comments prior to this virtual hearing?

Board Secretary: The only person that I had contact with Mr. Rosiek, who I forwarded the report and information to, and then the only other person was Attorney Rubin who I also sent to the information for the meeting and the report too.

Attorney Rubin: They had access to this meeting and knew that it was being held and could call in and join the meeting?

Board Secretary: Yes. Also, the Agenda for the meeting is on the website in two places. It is under the Planning Board Agendas and it is also on the front page. The ones on the website have all the Zoom Information on the top of the Agenda. It had the topic, the time tonight, the meeting identification and the password and a number to call in.

Vice Chairman: I'd look to close public discussion on this specific item. Do I have a Motion to Close?

MOTION TO CLOSE THIS MATTER TO THE PUBLIC: made by Member Strobel, seconded by Member Platt. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello.

Vice Chairman Graceffo: Okay that closes the public discussion on this particular agenda item. At this point, I would like to have a vote on the Motion itself as to whether or not the Planning Board agrees with the Presentation to undertake the investigation of these properties and to move forward as an area in redevelopment under the Local Redevelopment and Housing Law. Do I have a Motion to Approve this Resolution?

MOTION TO APPROVE THIS RESOLUTION: made by Member Crilly, seconded by Member Slater. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello. Motion Carried.

PUBLIC DISCUSSION: Vice Chairman Graceffo: Public Discussion on any topic that may come before this Board. I would like to open it into the virtual world. Is there anyone there to approach the Board, they may do so at this time? Let the record show that no one came forward to discuss any issues before this Board.

RESOLUTION: None

VOUCHERS: submitted by Steven J. Veltri, Esq. for attendance at the May 21, 2020 and June 18, 2020 Meetings in the amount of \$800.

MOTION TO APPROVE VOUCHERS: made by Member Slater, seconded by Member Pasquariello. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello.

MOTION TO ADJOURN AT 8:30 P.M.: Motion to adjourn meeting made by Member Slater, seconded by Mayor Mahler. Motion carried by a voice vote.

Jennifer A. Fiorito, Planning Board Secretary