

PLANNING BOARD
BOROUGH OF WANAQUE

MARCH 15, 2018

REGULAR MEETING

Meeting called to order by Vice Chairman Graceffo with a salute to the flag at 8:13 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 24, 2018 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 Joseph Graceffo, Mayor Daniel Mahler, Members Kevin Platt, Jack Crilly, Suzanne Henderson and David Slater

PRESENT: Attorney Steven Veltri

ABSENT: Chairman Gilbert Foulon, Councilman Dominick Cortellessa, and Members Robert Dale Spear, Michael Ryan and Mary Leonard and Engineer Michael Cristaldi

MINUTES: from the February 15, 2018 Meeting

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

COMMUNICATIONS/REPORTS: None

ENGINEER'S REPORT: No new applications

NEW BUSINESS APPLICATION: Doctor's Office - Pulmonologist

**Property Owner: Haskell Town Center, LLC, c/o BSG Management Company,
6305 Kennedy Boulevard, North Bergen, NJ 07045**

Property Address: 1069 Ringwood Avenue, Units 301-5 & 301-6, Haskell, NJ

New Tenant: Dr. John Penek, 524 Wanaque Avenue, Pompton Lakes, NJ

MaryAnn Schnell of Lincoln Avenue, Pompton Lakes, NJ gave testimony on the doctor's practice.

Ms. Schnell testified that Dr. Penek is a pulmonologist/sleep disorder doctor. He sees patients on Monday afternoons and Thursday mornings so it is a small practice. She will be in the office five days a week. The office sees patients with pulmonology, asthma, sleep disorders, sleep apnea and narcolepsy issues.

Board Secretary advised that all inspections passed.

MOTION TO APPROVE NEW BUSINESS: made by Member Henderson, seconded by Member Crilly. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Members Platt, Crilly, Henderson and Slater.

RESOLUTION: None

VOUCHERS: submitted by Steven J. Veltri, Esq. for attendance at the January 18, 2018 and February 15, 2018 Meetings in the amount of \$800.

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

Board requests recess to await arrival of Robert Benecke of Benecke Economics.

Recess 8:18:32

Reconvened 8:36:02

Let the record show that all Members are present that were present before the recess.

Vice Chairman Graceffo advised that we are coming back into session only because our Planner has not arrived as of yet. Our expectation is that he will be here in the next ten minutes so we will restart the meeting.

TWIN LAKES AREA REDEVELOPMENT ZONE – Resolution #158-0-17
SUSQUEHANNA AVENUE EXTENSION REDEVELOPMENT INVESTIGATIVE
REPORT DATED NOVEMBER 3, 2017

Fred Suljic, a Licensed Professional Planner, who worked on the Report with Robert Benecke and representing Benecke Economics who has offices in Pompton Lakes, NJ.

Mr. Suljic Testimony:

What we are referring to this evening is the Susquehanna Avenue Extension Redevelopment Investigation Report. (Mr. Benecke arrived) What has happened is on August 14, 2017 the Borough Council authorized the Wanaque Planning Board to review and investigate a preliminary investigation with regard to the properties at hand. The Report we prepared, which all Members have a copy, was prepared to aid the Wanaque Planning Board and Council in the potential to designate the area as an area in need of redevelopment. The parcels are outlined in Figure 1 on page 4 of the Report. You will note that Block 470, Lots 4, 5, 6 and 7 and Block 471, Lots 5, 6 and 8 and Block 472, Lots 3 and 5 are Borough owned. Out of the 28 properties that are there, nine of these are Borough owned. We did the photographs back in September, and on pages 6 and 7, Figures 3 and 4, you see some of the abandoned structures and vacant land that is there.

We have a property owner who is under contract to purchase which is Tilcon NJ. What we understand is that the owner intends to demolish all the existing dilapidated structures and keep the property in a natural state. It appears that they intend to build a road extension to gain access from the Pompton Lakes Quarry. Just as a side note, I believe Bob was in discussions that they would be fixing up the dam at Twin Lakes as part of a Redevelopment Plan for this.

When we look at page 11, the explanation of the criteria (a. thru h.), I just want to bring to your attention that:

- a. involves deterioration properties in the state of disrepair;
- b. is abandoned commercial and industrial buildings;
- c. is public and vacant lands and this includes privately owned land that has remained vacant or stagnant for at least 10 years;
- d. is obsolete layout and design and this includes, from a planning perspective, land use conflicts in an area as well as lot and building coverage issues;
- e. underutilization, which usually involves factors that limit the economic viability and marketability of a piece of property (i.e. vacant land which impedes land for redevelopment purposes);
- f. property substantially ruined by fire;
- g. urban enterprise zones; and
- h. the proper application for smart growth principles in furtherance of the NJ Development & Redevelopment Plan.

Referring to Page 10, Figure 7, which is a little small, the properties that are adjacent to the Twin Lake Area to the west of the shoreline are very sensitive in nature. What this area would do is protect the structures and the structures that are going to be removed.

Property Block 471, Lot 2 is now owned by Tilcon, but that existing structure must be demolished. It is clearly a safety hazard. The property at Block 471, Lot 1 needs to be researched because we are finding that, while Tilcon owns the property, the description doesn't match the property database.

We further recommend that all the properties indicated in Figure 1 be included in the redevelopment area. We have looked at these perimeters already.

We are looking at Section 4 on page 14 and these properties have been vacant for over 10 years and we have several properties that appear to have structures that are vacant, fallow and dilapidated. We have also looked at that the properties satisfy criteria c. vacant properties and several of the structures on certain lots were also vacant and dilapidated and satisfied criteria a. We also feel that criteria h. is applicable even though we have 87% of Wanaque in the Highlands Protection Area. Again, the kind of development that could have occurred here, certainly we are looking that, with Tilcon recommending or suggesting that they want to keep the area sensitive and environmental safe and are basically looking for an access to come from their quarry on the other side of town.

As of result of that, we are recommending that all 28 properties identified in Figure 1 will qualify as an area in need of redevelopment. What we would need prior to having a Motion to recommend this back to the Town Council for an enactment of a Redevelopment Plan, is to hear from the public if they have any questions, concerns or any explanation or clarification of what this means.

Vice Chairman Graceffo questioned the public will be able to question and review this at what point, not tonight?

Mr. Suljic answered just tonight.

Vice Chairman Graceffo questioned nothing goes before the Borough Council?

Mr. Suljic answered they can do that as well. If they have a question that they raise now and they are reasonably satisfied by what we answered, but then they can go before the Borough Council with any other concerns.

Vice Chairman Graceffo questioning Mr. Suljic and Mr. Benecke: Do either of you have any other information to present to us?

Mr. Suljic answered no, this was rather short.

Vice Chairman Graceffo questioning Members of the Board: Do you have any questions for our Planners?

Member Crilly stated I am new at this, so I am trying to understand the end game. Essentially, the access road from the Tilcon Quarry that you can see off of 287, this will be another egress? Is that the plan? Do you expect that traffic will come out on Union Avenue?

Mr. Benecke answered the first question, is yes there is an existing roadway and then there is an existing roadway that takes the truck or car traffic to the north that is pre-existing

that runs along the lake. That will cut through into either Bloomingdale or Pompton Lakes back to the quarry but out of Wanaque. The truck traffic is to be determined and we've asked Tilcon for a full traffic study and impact study. We do not anticipate any further traffic on Ringwood Avenue, but it may impact on Union Avenue, keeping in mind that the intersection is rather close to the Algonquin Area (as I call it).

Mr. Crilly questioned it's the road that runs next to the Burger King?

Mr. Benecke answered correct; Susquehanna Avenue.

Mr. Benecke stated what is interesting about this is it is almost reverse redevelopment, in a way. You are taking three or four dilapidated structures and removing them and returning to the vegetative state in the area. We have asked Tilcon, in addition to the dam, to perhaps provide some tree foresting or tree plantings in the area just to green it up and to provide more of a wilderness area passed Burger King where some power lines are and things like that just to make it a more natural state as they provide for their driveway. It is my understanding that they are not going to do anything, *per se*, for perhaps 5, 10, or 15 years even. This is a long-term view but they think that they want to move on it so that they can present their plans to the State.

Member Crilly stated, when I see redevelopment, I wouldn't imagine with an egress road from a quarry that there is any plan for residential development up there.

Mr. Benecke stated, as Fred mentioned, this is a Highlands Area, and it is very difficult to get septic and/or sewer.

Mayor Mahler commented that at one point the State came in and looked at the map from above, and of course the map was flat and that is a hill, and they designated this area for COAH. A developer came in and was going to build 150 condos there and then he found out that it's not in the sewer service area, and it is all rock.

Vice Chairman Graceffo commented it has steep slopes.

Mayor Mahler stated basically, it is not buildable as far as housing there.

Mr. Benecke stated, just for the record, and the Chairman pointed correctly, that it's steep slope and, in addition, there is also a major waterway in this 300' buffer so if you take that 300' buffer to the west, you hit the steep slope. So there is nowhere to go there.

Vice Chairman Graceffo questioned, the nine properties that the Borough owns at the present time, will Tilcon take ownership of them?

Mayor Mahler stated they will be sold to Tilcon.

Vice Chairman Graceffo stated there are two abandoned houses that I saw there today when I walked the property and I did see the dam that is part of the wetlands of the lower section and the top part is steep slopes. The one big house on the very top, is that house abandoned?

Mr. Benecke answered that is.

Vice Chairman Graceffo questioned is that owned by Tilcon at the present time?

Mr. Benecke answered yes.

Vice Chairman Graceffo questioned which is the property that is in question?

Mr. Benecke answered it is the property along the dam where there are those two shacks or sheds that were actually occupied as residential properties. The geometry of those

properties have to be figured out because the State database that we use and the property record card differ.

Vice Chairman Graceffo stated there is a house on the corner which is occupied right now and then as you walk along the road to the lake you have those two structures you are talking about so is that house part of that questionable deed?

Mr. Benecke answered yes.

Vice Chairman Graceffo questioned the house that is there is rented at the present time, but Tilcon owns it?

Mr. Benecke answered yes.

Vice Chairman Graceffo questioned what about the house on the opposite side of the street which is also occupied on the entrance going into the Elks Camp? There are two houses there presently which seem to be occupied.

Mr. Benecke answered they are both owned by Tilcon. I was under the impression that the one house was going to be unoccupied by the time we got to the hearing. Tilcon is moving to have that house unoccupied shortly. The rental property is going to stay as a rental for a while.

Vice Chairman Graceffo questioned which one is the rental? Is it the one on the unclaimed deed?

Mr. Benecke answered yes. The other one is to the front I guess you would call it.

Vice Chairman Graceffo questioned so, in the end, there will only be one residential home on that entire plot?

Mr. Benecke answered eventually there will be none.

Vice Chairman Graceffo questioned the fact that this is on steep slope and the fact that it's in the Highlands Watershed Area, the likelihood of any other kind of development from your perspective would be what options? If it wasn't what is being presented right now in terms of redevelopment, what would be other options?

Mr. Suljic answered, unless somebody had enough money to extend the sewer system into there and put that into the ground, or unless they went into a system like what Hopatcong did, with shallow depth to bedrock and they went to pump grinders, and instead of going down 6', 8', 10' feet, they could only go down 3' to 4' and they put pump grinders in the basement and then all the pump grinder does is take the solids and puts it into storing and takes it out in flexible 2" plastic pump, which is done all over Pennsylvania and the like that have shallow depth to bedrock. It is a very expensive proposition and the Borough of Hopatcong couldn't do the entire area.

Vice Chairman Graceffo stated so the plan proposal here is the demolition of the present structures, with the exception of one, the increased or improved road condition, which is basically Susquehanna Avenue coming out onto Union Avenue, and part of that is going over the waterway so they need approvals for that, which they have applied for.

Mr. Suljic answered correct and all the contingencies you are referring to would be part of the Redevelopment Plan that would be negotiated with the property owner, which would be Tilcon.

Vice Chairman Graceffo questioned if the town has entered into contracts with property owners to sell their parcels, or has there just been a commitment?

Mayor Mahler answered we have a Letter of Understanding.

Member Platt questioned is Tilcon still going to use the Pompton Lakes entrance?
Mr. Benecke answered yes. Again, this entrance may not be in full service for 5, 10 or 15 years. It depends on how fast they get through the back of the quarry. However, there will not be any quarry operations in Wanaque.

Vice Chairman Graceffo questioned, the lake itself, who has the responsibility for the lake? Who actually owns the Twin Lakes?

Mr. Benecke stated why don't we ask Attorney Veltri to visit the issue of repairing and control of natural waterways? My opinion is the State of New Jersey. There is litigation and federal law all over the place from the Hudson River to the Mississippi River to Salt Lake. It is all over the place. My issue and my thinking is that the sovereign owns it. Mr. Suljic continued that a lot of lakes that I have been involved with in Northwest New Jersey and in Pennsylvania, and we had a situation up in Pennsylvania that I am very familiar with, is that it was a swamp back in the 1800's. What happened when the people were dividing the properties, your property went out almost like a pie, and in some cases like a short small rectangle, and then when the lake was developed, or was filled in, much like Lake Mohawk was, except Lake Mohawk the developer owned that, but in this one case that we had is that everybody owned a piece of the lake and when we had to have the dam repaired, I was President of the Property Owners Council for many years and we had to pay for it. It was \$12 million to repair that dam which was cheap about 15/16 years ago. So unless you have a situation where back say to the mid-1800's, late 1800's, early 1900's, when there was no lake there and everybody had property rights that went into there, then that could be a situation; otherwise, as Bob said, it would be the sovereign right of the State.

Vice Chairman Graceffo stated that property was owned by different people over the years that I can recall. Kearfott had it as a recreational area; I don't know who had it before them.

Member Slater stated Bi-Coastal took over Kearfott.

Vice Chairman Graceffo stated so the question comes up, in the redevelopment, where is the responsibility for the Twin Lakes going to fall? To say it is going to fall to the State is an easy push-off.

Mr. Benecke stated let's just say that nothing happens, and this redevelopment area doesn't come to fruition, what is going to happen to the dam in the future?

Vice Chairman Graceffo answered it is a question mark. But the thing is right now we are talking about it being redeveloped so the question is should it be addressed to determine whose responsibility it will be. We don't want a situation where down the road, let's say this redevelopment goes through, and then the property owner at the time says you know what the Twin Lakes belong to you, the Borough of Wanaque, and we want you to take care of whatever has to be done.

Mr. Benecke stated we have asked them to include the dam in the study even though it may not be appropriate for the study. We included it in the study that we are asking them to repair the dam and bring it up to current standards. In terms of the lake and the dredging and the weeds and all of that, that is up to the Mayor and Administrator to figure that out. If they want our involvement great, but we saw the dam condition, we saw some of the issues there, and we requested them, through their legal counsel, and they have agreed to look at it and will take it to heart. It think that is a pretty good win/win.

Vice Chairman Graceffo stated it is a good win/win. The only thing I am saying is it is good now because someone has a beneficial interest but 20 years from now they may say you know what we don't want it and it is all your responsibility. The point is 20 years from now, and I probably won't be here, it will be nice to know how it will be addressed and how it will be approached, if it could be resolved at this point.

Mr. Benecke stated first I think you are going to be here and second I don't think that they can, as a private entity, take it upon themselves to just say or decree that we have the property as the lake. I do believe that if we get the dam improved, that is a strong and important step. Whether or not there is dredging involved or silt, we'll protect that as they construct the road, if they ever get to that point in the next 20 years literally. If there is any silt or inflow or issues, we'll make sure that is handled. What happens after that in terms of the lake rights, I don't know. Keep in mind that we are going through a similar circumstance at Stephens Lake. Learning from that type of issue and some of the issues that Fred has been familiar with, that was the first thing we honed in on is those two shacks, if you will, and the condition of that dam, and they sort of lie adjacent to each other and that is why the property is a little quirky there. We hear you loud and clear and I'm sure the Mayor will be involved.

Member Henderson questioned is there some type of maintenance required for the lake and dam?

Mr. Benecke answered nope, and it is amazing. Once they deteriorate, then the alleged property owner has to fix them up or the State does. So if you look at that big storm about 15 years ago, where cells unleashed in Fred's area of Hopatcong, etc., all those dams in Lake Shawnee and some of those other lakes in Northwest Jersey, were absolutely blown apart and blow out and the State came through with something called the NJEIT, New Jersey Environmental Infrastructure Trust, and gave money through towns and homeowners associations, if they were applicable, to fix those dams. It is one of the real fascinating cases in New Jersey where the dams and the interior urban areas where there are these concrete canals and there are 5 miles of canals in Englewood that is actually tidal water, believe or not, who is responsible for that? It really gets interesting but what happens at the end of the day, the State will come in with some sort of a loan program or financing program to help folks out, but it is a really arduous task. As bad as dams may be on lakes, dealing with these urbanized canals is an absolute nightmare. They are expensive beyond belief. All we can say is we are going to try and address it the best we can. We've already addressed it, and they have already agreed to it. Again, it is not really appropriate for an investigation report, but the Chairman is familiar with this and everybody here is friends and we want to try to be at peace with trying to get something done that is favorable to the town; that is the bottom line.

Vice Chairman Graceffo stated, in the presentation of this report, which is basically to identify this area as an area in need of redevelopment, you justified the fact that obviously this is an area that needs redevelopment but you are not specific to what will be the subsequent adopted plan for this area.

Mr. Suljic stated that is another matter. This is just the investigation.

Vice Chairman Graceffo stated I understand that comes next. My point is though, before we move on, because that is the big question, we are going to move this forward and say yea

we want it for redevelopment, but the question is what is your thinking in terms of what will this look like in terms of a subsequent redevelopment plan?

Mr. Suljic stated maybe we can encourage them and the Borough Council to turn it into a park. I am sure nobody would be opposed to that. If the dam was placed in, the lake would have a little bit better purpose and then maybe turn it into a park, or something of that nature. It has little value for anything else. As Bob said, this is a reverse redevelopment type of situation because we are putting it back to its natural state and maybe we could have a running park and maybe some trails going through there. That is probably the best thing to do when you have shallow depth, bedrock and ledge outcropping.

Vice Chairman Graceffo stated my point is I am looking at this that yes definitely the report, definitely stipulates and justifies and documents the fact that this is an area in need of redevelopment. I think the understanding why Tilcon is involved in the area and buying up the properties because they'll definitely have access to their mining operation in Pompton Lakes. So the question is, down the road, if they just keep it as minor access road, you might say well if they maintain the area, maintain it in a pristine position, it is a good win/win. But if it becomes a major artery coming out of the mines for access onto 287, then I am going to say, you know what leave it the way it is. I would rather see it the way it is right now, rather than having 30/40/50 trucks coming out of there a day getting onto 287, which is what, in my mind, when I looked at this the first time, I am saying this is going to be an access out to 287, quick and sweet; one right turn and you're on 287. That is the fear in moving this project forward. Obviously, there is a benefit to the community because we would get a better tax rate no doubt if this plan is redeveloped. How much in dollars, I don't really know, but I am sure it would be a better return. But, if it is a matter of having a major access road coming out of the mines, then I would have to think about it.

Mayor Mahler stated we already discussed that with Tilcon and there is a financial arrangement where they are going to be paying us a fee for using the access road, which is really not part of this discussion.

Vice Chairman Graceffo stated you guys presented it that way; that is the hidden factor here. We're looking at voting and moving forward on a redevelopment plan.

Mr. Suljic and Mr. Benecke stated no you are not.

Vice Chairman Graceffo corrected and stated an area to be developed, but then the next phase comes to us.

Mr. Benecke stated you are actually not doing that either.

Vice Chairman Graceffo stated the next phase will be coming to us to say "well this is what we want to do".

Mr. Suljic stated if something is negotiated between the Borough Council and Tilcon, whatever those conditions are in the Redevelopment Plan, then that is going to come back to you, review it as a site plan and you'll see everything then what they are recommending. If you are not satisfied with it, you can recommend back to Borough Council that they not go forward with it. This is not a done deal; it certainly isn't. You bring up valid points that those are things that you can recommend to the Borough Council. This is just the investigatory report. You have concerns that you are not only publically stating it, but you can put that as part of a motion or what have you later on, or in a letter to the Borough

Council. At lot of towns do that. They raise their concerns and they want to make sure that what gets done in the Redevelopment Plan, that the council, be it a committee or the Borough Council try to accommodate that as much as possible. If you have a concern that you would rather leave this pristine area and you don't even want a park in it, and you're concerned about traffic, then you want to see the traffic study. You may want the Municipal Engineer to take a good hard look at that and just see what they are talking about because the Borough Council can set the parameters as to what is going to happen in the next 5/10/15 years and relate to that. If there is further impact, they might want to have what is similar to what some towns do an impact fee and in this case it may be a payment in lieu and that is something the Mayor was referring to before.

Vice Chairman Graceffo stated I realize that. Our major responsibility tonight is basically recommending to the Borough Council that this property has been identified and we agree with it as being an area designated for redevelopment. That is our responsibility.

Mr. Benecke advised that it is essentially more narrow than that.

Vice Chairman Graceffo stated that is what comes off the report. We are here to recommend to the Borough that the properties identified in this report be immediately designated as an area in need of redevelopment. That is our responsibility tonight.

Mr. Benecke stated that is your exact responsibility but it is a narrow focus. Do the properties satisfy or meet the criteria or, another way to look at it is, do the criteria apply to the properties? That is it. We get into this sometimes in urban areas where the Planning Board will lean back and say well we don't like it because you are going to take Mary's house and turn it into Johnny's house. Well, that is not the purpose of this process. The purpose of this process is does Mary's house satisfy the conditions of the redevelopment criteria? If the answer is yes, you have to approve it. If the answer is no, you have to give us a reason why because then the Borough Council and Mayor may have an issue. I am not dictating but, as an example, if you didn't like Jimmy's house was going to be built a certain way, that is not the purpose of this night. The purpose of this night is to say does Mary's house meet the criteria?

Vice Chairman Graceffo stated the only problem is it becomes one step closer to whether or not Mary's house or my house in terms of the next step.

Mr. Benecke stated that is the policy decision of the Mayor and Borough Council.

Vice Chairman Graceffo commented then why did we even make this area a redevelopment, we should have left it the way it was. I was happier with it.

Attorney Veltri stated, so you have some type of baseline, Bob is telling you from a very technical point of view what your responsibility is. So you can vote to refer back to the Council, but you can also put in a letter or in a statement, that these are your objections or areas of concern. That way it is on the record very early on what your fears are and what you want them to avoid. When it comes back a second time, you could say I told you this on March 15th and you ignored it so now I am going to vote no. That is fair.

Mr. Benecke agreed that is fair, absolutely. That is very well put Steve.

Mr. Crilly questioned what is existing with Tilcon right now. From what I understand, their only egress is Broad Street in Pompton Lakes and all the traffic comes in and out of there.

Mayor Mahler stated Broad Street is a county road.

Mr. Crilly continued that they access 287 North and South so presently do those trucks going northbound on Ringwood Avenue make a left on Union to access 287S?

Mayor Mahler answered they can, or they can make a right and go through Riverdale to get to 287S. It is the driver's choice.

Mr. Crilly stated I guess this is a question for Tilcon – Are they going to close that one? If you think of the traffic that comes out of that one egress that they have on Broad Street, and we are getting half of the traffic

Mayor Mahler stated we are definitely getting all of the northbound traffic.

Mr. Crilly stated yes, but what I am saying is that as it stands right now, if that was limited and you could limit that to coming down Susquehanna, that ramp goes to 287S, so you're limiting it to half of what that volume would be.

Mr. Benecke stated that is the way I look at it.

Mr. Crilly stated if you could require that. I get this; it is all about the tradeoffs. If there are 2 or 3 trucks a day with all the benefits of this then, in my mind, it is a no-brainer, but if it is 100 trucks, I might have an issue.

Member Slater stated it is not 1, it's 100s.

Member Crilly questioned is it 100s of trucks a day? I don't even know.

Member Henderson stated wasn't there some kind of talk where these trucks would be coming out at very early hours of the morning, like 6am.

Mayor Mahler stated right now the trucks are prohibited from going on Broad Street before 7am, and they are also prohibited from going on Broad Street after 5pm. Tilcon's goal here is to have 24 hour access and the reason is they can't bid on these big jobs. From what I am told, that quarry has enough rock to last between 60 to 80 years. They can't bid on road paving jobs and overnight jobs in New Jersey. NJDOT does not want to close roadways during the day for paving, they rather do them at night from 10/11pm to 3/4am. The main reason for wanting to come out of here is so they have access out at night because they can't get out through Pompton Lakes.

Member Crilly stated this is my other question. I am looking at the map here and I am seeing where 287 goes but I can't quite follow where the entrance ramp is. Is it where the traffic light is that goes into the shopping center?

Mayor Mahler stated it is right on the edge.

Mr. Benecke stated I also gave you a map on page 5 of the report that might help you with that.

Mayor Mahler stated 477 is actually the entrance ramp there, because here is Union Court. Vice Chairman Graceffo stated it is basically from the entrance to the 287S. You are talking, I bet you, no more than 100'. It is 150'.

Member Crilly said it shows a Hickory Drive. I don't know if this is possible, and this a complete traffic re-design, is it possible to expend Hickory right into the ramp?

Mr. Benecke said it may be, but that is not what we are here for.

Member Crilly stated we're trying to understand where this is going because if there are 100s of trucks.

Mr. Benecke stated, again, that is irrelevant for tonight. With all due respect, if you are concerned about that and the Chairman is too, have Steve draft a letter to the Mayor & Council and that is perfectly fine.

Member Crilly stated that would be my concern.

Mayor Mahler commented that Hickory is a paper street and will be abandoned. Vice Chairman Graceffo questioned what about Lombardi Drive, is that a private street also?

Mr. Benecke answered I don't think so. I believe Lombardi is on the tax map.

Member Slater stated that is those little houses right next to the ramp. (Everyone agreed)

Mayor Mahler stated that is Union Court now; Lombardi may be the old name. The thing in between is the old railroad bed and there is a pipeline through there.

Member Crilly questioned that is 477?

Mayor Mahler answered yes, that is the old railroad bed and there is pipe.

Member Crilly stated Hickory really doesn't exist even though it is on this.

Mr. Benecke commented that it is not a bad idea actually to make it a direct access. But, with all due respect, that is not what we are here for.

Mr. Suljic commented that you should make it part of the recommendation back to the Borough Council that the traffic analysis and traffic study include some other options so that there is less of an impact on any of the roads. I think that is what you are trying to strive for, that if there is a way to reduce this impact, let's make it part of the traffic analysis.

Member Crilly stated considering the volume of trucks and, if they want to make it 24/7 or whatever, and if you keep it away from Union Avenue and Greenwood, where people can hear this.

Member Platt stated it would only be good for southbound vehicles though.

Member Crilly stated then that would be another restriction so then they will have to go to the north through Pompton.

Mr. Benecke stated that is correct.

Member Crilly stated so then they would have two egresses and then trucks going northbound on 287 would have to go through Pompton and take that ramp, and then the ones going south, if there could be some modifications to making the right onto the ramp, you would bypass the Burger King.

Member Platt commented that would defeat their purpose for night because they won't be able to go out of Pompton Lakes.

Mr. Benecke stated with enforceability we have talked about having cameras hooked-up directly to the police station and, if they make the wrong turn, we slap them with violations. I've already talked to their attorney about it. You do that in urban areas now. Hopefully they won't contest them and just mail in the fees.

Member Henderson questioned we talked about maintenance on Susquehanna, but what about Union Avenue since all those trucks are going to affect that street also.

Mr. Benecke stated we will probably place into the Redevelopment Agreement some sort of a payment in lieu of tax for the road or a Redevelopment Bond that they would have to pay for to continually upgrade the street. Fred mentioned a park response to the Chairman, and we have asked them for ideas like a tree forest, Christmas tree farm, ideas that like to make it a little bit more palatable, a better entrance and anything that they can do to make the environment better. I am not a big fan of 24/7 trucking. I really like a shutdown period and for something like this the shutdown period would be appropriate from 10pm to 2/3am. We would also have limitations on air brakes and compression brakes. So, there would be little things that would go into the mix.

Member Henderson questioned what would be the benefits to Wanaque and what's the negative?

Mr. Benecke answered it is all monetary to Wanaque. There is limited taxes coming out of here right now, \$25,000 or whatever. You are looking at multiples of that, ten times that, many more times than that to come back to the town. That is sort of the balancing act that the Mayor & Council have to weigh. Whether or not that's appropriate in the Redevelopment Plan or in the review that you do that's up to you and your attorney, Fred and others to hone in on. But the Borough Council is policymakers and you guys obviously help guide them as a Board, but they are the policymakers and they are the ones that are going to have to take the heat or take the credit or take the arrows, however you want to look at it. The Mayor & Council are going to have to weigh if it is worth getting an extra \$200,000/ \$400,000/\$500,000 a year or not.

Vice Chairman Graceffo questioned do you have the economic figure right now what these properties are providing to the community?

Mr. Benecke answered I don't have the exact amount, but it is in the neighborhood of \$25,000.

Vice Chairman Graceffo stated I think it would be nice to know specifically.

Mr. Benecke stated I will give it to you Mr. Chairman but, again, for this study it's not.

Vice Chairman Graceffo stated I understand our function here right now, but if he is going to close our eyes and right a blank check, then why are we here; you don't even need us then. Just let it go right to the Mayor & Council and then come back to us. If you don't want to hear the criticism then why bother presenting.

Mr. Suljic stated it is not criticism, but these are items that you have concerns about and they need to be related to the Borough Council.

Attorney Veltri commented that all the concerns are in the Minutes now and are all on record.

Mr. Suljic stated if at a later date you tradeoff for what they would have any kind of impact to try to minimize that through an agreement as part of the Redevelopment Plan and you should be able to strike whatever you could. Recommend as many items as you can to the Borough Council, and if you are going to recommend 20/25 things and the Council says okay we like 20 of them. You have your Municipal Engineer review it also for the total benefits because this area is going to generate nothing for you in the future, absolutely nothing. If there is going to be an impact, you might as well trade to see what is reasonable and may get twenty, thirty, forty times the amount of money, fix that road and change the ramp off of Union Avenue and that is important.

Vice Chairman Graceffo questioned would the State have to provide for some kind of approval to get into 287?

Member Slater answered no, you won't see it. It is a federal highway. Once the entrance is set, it takes an Act of Congress to make some change in it.

Mayor Mahler commented he is absolutely right.

Member Crilly questioned you mean to allow access directly to the ramp?

Member Slater answered yes. It is cast in stone unless it can be proven that it is an absolutely safety issue you won't see it.

Member Slater commented I have some input and have talked with somebody that works for Tilcon. I think they are being less than truthful with the time frame. They are under the gun because Riverdale is leased. The same company that owns that owns Millington and they want their property for commercial development and they were told that they have six or seven years on the lease. All they are doing out of there is paving and that is because they have access. The next biggest plant is Mount Hope which is a haul for them if they are going to do paving. This is crucial to them for their paving operations. They gas pipeline that goes under the highway and up the hill through the property is going to be relocated to run through in front of the office building, Montclair is it I think, through Pompton, and along the tracks. They took the concrete plant out and the gas pipeline is going to tie in over on the Hamburg Turnpike and go up behind Walmart freeing up that swath through the mountain there. They don't have to give a buffer or anything.

Mayor Mahler commented it already goes behind Walmart. What it does is come down and crosses the river right by the intersection in Riverdale.

Member Slater stated yes, and that is where they are going to tie in. It is not going to go under the highway and then up the hill.

Mayor Mahler commented that actually it already comes under the highway in both spots. They are going to take it from the Tilcon side of the highway and just connect from one spot to another.

Member Slater answered yes and do away with the piece crossing through the Federal Hill property.

Mayor Mahler commented the pipeline comes through the middle of the quarry and what they are going to do is rout it right along 287 down to Riverdale.

Member Slater commented I think that line in the curve of the highway that's the shadow of the tower. I think the line crosses somewhere right in that area.

Mayor Mahler commented they are going to it on the west side of the highway and, instead of going through the property, they are going to make a right turn and they are going to follow the highway down to Riverdale by the river and make another connection there.

Member Slater stated they are green to go on this project because they are under the gun to give up Riverdale as a source and then they are going to come back through there. I look at traffic and there is going to be, I said hundreds, maybe dozens, it is going to be a constant flow but you are not going to get the paving flow from 3:30/4:00pm until 7:00/8:00pm. They are not going to run through the rush hour.

Mayor Mahler agreed there will be nothing at rush hour. They don't do paving then; they want to do night paving that starts at 10pm and runs to 3/4am.

Member Slater stated that is what I am saying. Engine brakes are used and whose over there you are going to disturb?

Mr. Benecke commented that is one thing but the other thing too is that doesn't mean they have to use them. I also semi-jokingly asked the attorney for Tilcon if they would be willing to run all L&G trucks, and he kind of just chuckled.

Member Slater stated they are real nice until they ignite. Ask Blue Diamond, their truck has broken down four times in the two last years.

Mr. Benecke stated exactly and they blow up.

Member Slater stated I don't see a lot of negative to it. We looked at traffic and the traffic that is going to be there is when we are not there. That is the way I see it. They are going to come down that ramp and go up the highway ramp southbound or they are going to

come down and go under the highway and go up the northbound ramp, depending on where the job is.

Vice Chairman Graceffo: Before we move on, any more questions of the Professionals by the Board Members?

Vice Chairman Graceffo: At this time I would like to call this to an open meeting so if anyone in the audience who has any concerns or any information they want to add to the record, would you please step forward and give us your name and address.

Grace Maiello – 26 Rhinesmith Avenue, Wanaque

I just want to add something to this Tilcon. For your information, my niece and nephew live on Broad Street in Pompton Lakes. Last June, there was a meeting between the Mayor and Tilcon for the residents and they were told that there would be no trucks coming out of there. Once this is complete, there would be no trucks coming out of Broad Street. This might help you understand that a little bit more.

Vice Chairman Graceffo: Is there anyone else in the public? Let the record show that there is no one else available and we close the public section of the meeting.

Grace Maiello added one more thing. The bridge that goes over the little river when they come down, now the Elks is in the Borough of Wanaque, is that correct?

Mayor Mahler answered yes.

Grace Maiello questioned if they will be responsible for repairing that bridge because I always in my mind remember that flood out we had and there was no money, then there was a lot of money to be repaired and whatever. Would they assume the responsibility to maintain that?

Mayor Mahler answered Tilcon is going to assume the responsibility for the bridge and the dam.

Grace Maiello commented okay, good.

Member Slater commented that they plan to use that mountain as a quarry. It's going to gradually creep north.

Mr. Benecke stated they need a Quarry Permit from the State.

Member Slater stated their goal is to be there, long after all of us here are gone, and still mining.

Mr. Benecke commented that they have put on the record

Mayor Mahler commented that the piece in Wanaque is very small. If you look at that on Google Maps, most of it is Bloomingdale and they estimate they have 60 to 80 years of quarry in Bloomingdale.

Mr. Suljic commented that's a pretty steep wall that they have to work with.

Mayor Mahler continued and what is going to happen is, if they put the road in, you won't be able to see that quarry from Wanaque because they are going to put the road behind at

an angle so you really won't be able to see it. They can quarry in Bloomingdale for the next 60 to 80 years and people won't even know it.

Member Slater stated it is going to be more hidden then it is now.

Mr. Benecke commented, and I have broached this subject with them, probably put prevention into the Redevelopment Plan that they are not to engage during the life of the Redevelopment Plan in any quarry activities in Wanaque. We can't go out 80 years. We can only go out 35 to 50 years on a Redevelopment Plan's effectiveness, but we are pretty familiar with quarries and we don't particularly care for them as a use, but there is a need for them and they do provide commerce and the State does want this quarry to stay active. It is a balancing act but they have given their word that they will not have quarry activities during the life of this Redevelopment Plan in Wanaque. Now that means shovels and blasting in the ground; it doesn't mean that they won't be hauling bucket loaders and have a staging area or something like that. They have given their word that they will not have any quarry activities in Wanaque that includes piercing the ground.

Vice Chairman Graceffo questioned do you think there will be any visual of the mining from the Union Avenue side?

Mr. Benecke answered I don't think so. It is really so far to get to the other side of the mountain to where they are going.

Member Slater commented you don't know this much exists when you ride through by the tower there. We can be thankful and if you want to see what the little streets they run through coming down out of Mount Hope and the asphalt plant they have up there is a dozen silos. I think they have only three in Pompton. They have four times that much and run four lanes of loaded trucks coming down Mount Hope Road and it is like a ski slope coming down out of there with engine brakes 24 hours a day. So, we're not going to get crippled I don't think by any of the traffic. It's going to come down and disappear onto the highway pretty much.

Vice Chairman Graceffo: Any other discussions from any Board Members or questions for the Professionals? Thank you Fred. Thank you Bob. We appreciate it.

At this time we need a Motion to recommend to the Mayor & Council the feelings of the Planning Board and obviously our goal toward the enactment of this Redevelopment Plan.

Mr. Suljic, just a correction Mr. Chairman - The Investigative Report. I would suggest whatever comments you relate them and attach them to the Resolution or, as counsel said, do it in a separate memo, whatever your pleasure because we hear you and agree with you.

Vice Chairman Graceffo: I recommend that we take a vote on the Investigative Report for the Redevelopment of Susquehanna Avenue and, along with the vote, that the Minutes of tonight's meeting be sent to each Member of the Council and the Mayor directly so they have exactly our feelings of what has been discussed here this evening so there is no misinformation as to what we are approving on this report this evening.

Vice Chairman Graceffo: Anyone approve that and agree with that? Why don't we have a Formal Motion to accept the Report and take a vote on it. Steve would you want to draft that for us please:

Attorney Veltri: I think the Motion would be that you have investigated and reviewed the Report and you are referring it back to the Council for an enactment of a Redevelopment and you are attaching Minutes so that each Member of the Council and the Mayor knows the objections and concerns of the Board.

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

MOTION TO ADJOURN AT 9:30 P.M.: made by Member Slater, seconded by Mayor Mahler. Motion carried by voice vote.

Jennifer A. Fiorito
Planning Board Secretary