

PLANNING BOARD
BOROUGH OF WANAQUE

September 16, 2021

REGULAR MEETING
IN PERSON MEETING

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

READING: Open Public Meeting Announcement

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 28, 2021, and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque, on the Borough's website, and a copy thereof has been on file with the Borough Clerk

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

PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi

ABSENT: Chairman Gilbert Foulon, and Member Mary Leonard

MINUTES: from the June 17, 2021 Meeting.

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

COMMUNICATIONS/REPORTS: None

APPLICATION STATUS: Nothing

NEW BUSINESS APPLICATION: Firestix Restaurant

Property Owner: John & Josephine Amica-Terra, 68 Tremont Terrace, Wanaque

Property Address: 897 Ringwood Avenue, Haskell

Business Owner: Konstantihos Fasilis, 202 Lee Street, Elmwood Park, NJ

Applicant stated that it was a Greek style restaurant, more like grilling style, offering salads, gyros, and kebabs. More like a Greek fusion bar-b-que style restaurant. Hours of operation are 11am to 8pm Monday thru Saturday. Sunday it is going to be strictly for catering so it will be closed. There will be 3-5 employees. They have experience in the restaurant business in both owning and managing. There will be a maximum of 40 seats, maybe less, with counter space and seating. Parking will be in the front and around the back. There is a driveway on the right side of the house next to the building and the auto business. We will only be doing a face lift inside. The kitchen is going to remain where it is and we'll be getting rid of the pizza oven and putting in a new grill.

Vice Chairman: You haven't submitted any information to the Building Inspector as to what you plan on doing specifically inside in terms of renovation. Obviously, you need to apply for a building permit, you need to get a fire inspection and all inspections done before you can open up. We are going to approve on a tentative business the Application as a Business, but you must follow through on all the other permit requirements and inspections in order to open up your business. Understood?

Applicants agreed.

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

NEW BUSINESS APPLICATION: Smart Innovative Concepts USA

Property Owner: Scotch 22 LLC, 301 River Road, Clifton, NJ

Property Address: 1438 Ringwood Avenue, Haskell

Business Owner: Vincent Bravo, 1017 Ringwood Avenue, Haskell

Applicant stated his plan is to do e-commerce and retail store. We'll be selling anything from t-shirts, home goods, garden stuff and parts for snowblowers and new products that we develop and put on the market. We'll be using the entire building on the left-hand side including the warehouse in the back. E-commerce will be all internet sales with three employees taking orders, packing and shipping. It is not really going to be a walk-in store, but you could, but most likely it is going to be all internet, like E-bay. This will be my first time in this type of business, but I do have another business. The office area is empty and there will be no trucks there.

Board Members have concern about the vagueness of “retail, e-commerce”. There is nothing to grab onto in terms of exactly what you are going to be selling out of that store. It may turn out to be things that we don’t want to be sold at that store.

Applicant stated he didn’t put it on the application, but the retail part of what he is going to be doing there is Medical Sunscreening by appointment only. Medical Sunscreening is for people who have cancers, skin problems, anything that has to do with UV Protection. It is the installation of window film or tinting on vehicles and windows for medical use only. They have to have state approval for this. I am licensed for this and have a business in South Hackensack that only does the screening. I will be getting a license for this address too. I will be putting the film on the vehicles using the back part of the property.

Vice Chairman questioned if the warehouse in the back is completely empty wall to wall and if it still had the two garage bay doors and how do you intend to make use of that? Applicant answered yes the warehouse is empty and the garage doors are still there. Everything is going to be by appointments. Facing the building, the customers will use the left side to drive in.

Councilman Cortellessa questioned what are the specific products you are selling because I heard all sorts of things?

Applicant answered it is going to be all different kinds of things; it is not just going to be based on one product. It’ll be anything from hats, t-shirts, home goods and exterior stuff for house. I don’t have everything in place but that is going to be used to sell just about everything we can handle.

Member Crilly stated you are essentially functioning as an E-Bay Resale. Where are you getting your inventory from and what about distributors?

Applicant answered from China, United States and products that we’ve actually developed. We are own company and we bring in our own goods. We have about five manufacturers right now for t-shirts, parts for snowblowers, home goods like accessories for homes and kitchenware, candles and wax, and painting brush cleaner. No chemicals or medical materials or drugs will be stored or sold here.

Vice Chairman Graceffo: The problem I have looking at this application E-commerce is very broad and we don’t know what we are getting into and what exactly we are going to be looking at when the doors open and you start selling. You are representing one thing right now and we have to take your word for it that’s that obviously what you are going to be retailing and we hope it remains within that scope that you presented to us. Again, you may have some renovation in there also so you have to get permits and all inspections done in order to do the required work. Make sure you report to the building department and everything must be approved before you open up.

MOTION TO APPROVE: made by Member Jordan, seconded by Councilman Cortellessa. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Strobel, Slater, Crilly, Jordan and Pasquariello
Member Platt voted no.

NEW BUSINESS APPLICATION: Big Foot Tree Service LLC

Property Owner & Business Owner: 8 Coles Avenue Property LLC

c/o Brian Whitmore, 42 Old Homestead Road, Wayne, NJ

Property Address: 8 Coles Avenue, Haskell

Vice Chairman questioned what property the Applicant's own.

Applicant stated he owns the property in the front and up to our garage. There is a little piece behind them that someone else owns. When you pull down Coles Ave. you'll see the house that is gray and the first garage that is red. The second garage is under Roger Noonan LLC, which is the old landlord that used to own the property that we brought it from. We only own the house with the first garage. The concrete pad that you saw there we own basically almost ¾ of the concrete pad. Noonan owns from where the tractor trailer use to be and back. The Applicant is presently using the Noonan property and have been talking about possibly purchasing it and/or renting it, but have not committed to anything. We moved there back in 2012, Roger Noonan owned the property and he passed away probably about four years ago, the property went into foreclosure and we purchased it. The other little piece was under an LLC that the father had separated from the house so the bank didn't take it. Rory Noonan, his son, still owns that piece.

Councilman Cortellessa questioned what are you looking to approve here in terms of the property and the land? You don't even have ownership of some of the property where you are parking right now?

Applicant stated all our trucks are parked on our property. We just kind of put the wood back behind the other guy's garage since it's an eyesore.

Vice Chairman stated there are two problems here right now with this Application. First of all it is not zoned for this kind of business so really we cannot in any way sanction or give you approve for what is going on here. What we are trying to do is really clear up what some of these businesses are. You never should have been in operation in all honestly. You've been here for eight years. There are town rules and procedures and we are trying to get things cleaned up.

Vice Chairman questioned if the house is rented?

Applicant answered yes, to our mechanic that works for us, and it is going to remain as a residence.

Vice Chairman reiterated that this Board cannot approve this Business Application as such because it is not zoned properly for us to do that. You have to appear before the Zoning Board.

Applicant advised they already retained an attorney and engineer.

Vice Chairman stated you know what you have to do and we are going to recommend you do that. Once you get the approval from them, based on what their decisions are and what they require you to do, you can move on. In the meantime don't move on any legalities until you know for certain you got the approvals that you need to operate that business.

**PRESENTATION: Concept Review of Preliminary Site Plan
Union Avenue Warehouse Redevelopment
Block 460, Lot 9 and Block 400, Lots 11, 12, 13**

Pamela Bronander and Nicholas DePaolera appeared before the Board. They are members of Wanaque Depo Urban Renewal.

Robert Benecke of Benecke Economics, the Borough's Planner, appeared also.

Attorney Veltri: Before we start, on my Agenda this was a conceptual review, so non-binding from your side as well as our side.

Ms. Bronander: Correct.

Planner Benecke: This is required as part of the Redevelopment Plan. The Redevelopment Plan that was adopted on March 8, 2021 and reviewed by the Planning Board on February 18, 2021, requires as a precursor to the designation of the redeveloper and entering into a redevelopment agreement that the redeveloper/contract purchaser present a conceptual plan to the Planning Board so that the Borough Officials understand the nature of the proposed project. Once this is done tonight, then we can move forward with the designation of the redeveloper, if the Mayor & Council chooses, which they obviously will because it is conforming to the redevelopment plan and also entering into the initial precursor redevelopment agreement with the hopes of bringing back a site plan within the next 120-150 days. Tonight, you are going to see what they have planned. The redevelopment plan is Ordinance 1-0-2021 and what that ordinance did is modified the conditional use of warehouse to be a permitted principal use. The principal permitted use allowed up to 500,000 square feet on approximately 36 acres of property along Union Avenue.

Vice Chairman: Why don't you give us an overview of the project so we can get an idea of what you are planning?

Mr. DePaolera: This proposed development will be consistent with Class A Modern Warehouse Building. The preliminary design we have in front in you is plus or minus 331,000 square feet, cross dock loading, trailer parking along the west side of the building along with car parking on the south side. 40' clear building, 6' loading dock doors, which is really valuable for drive ins, about 63 trailer spots and 128 car parking spots.

Vice Chairman: The car parking spots are directly across from the docks. You can't really tell what the distance on that. What is the spacing on that?

Mr. DePaolera: The car parking is on the south side. The trailer parking is 70' away. So you have 60' for each loading dock bed, 70' for a turn radius and then 55' for the trailer parking spots.

Ms. Bronander: We don't want to misrepresent. This is a concept on this side of the table as well. We've had to do a lot of heavy lifting over the last several months with the DEP making sure we have all our ducks in a row for wetlands protection, wetlands buffers definitions, etc. Our site engineer, Stonefield, has had to review and modify several concepts, but this is pretty close whether or not the building is going to be 300,000 or 331,000, loading dock, parking ratios. We know what we would like and we've done a lot

of industry analysis so this is a wish list right now, but things like traffic study, how are the trucks going to enter and exit versus car parking versus a lot of those details have yet to be finalized. When we actually get before the Board for actual presentation, we'll be able to answer those questions I think very specifically through our engineers and specialist teams.

Attorney Veltri: The only thing that jumped out at me, and I've read Mr. Benecke's report, that there is a pretty large off street parking variance. Do you want to explain your concept in terms of how this parking will work and benefit.

Mr. DePaolera: The existing zoning calls for, give or take, 630 onsite parking spots. In today's industrial market, parking is typically anywhere between 1 per 1500 square feet to 1 per 2000 square feet, and at 658 it is a bit outdated and that's consistent across the State, so we were looking for relief and allowing our Traffic Engineer Specialist to testify on that behalf. We are pretty familiar with today's industrial market and what tenant demands are, and we wouldn't be proposing a plan that, at the end of the day, isn't marketable to the majority.

Planner Benecke: Just one thing for the record, a few of the professionals, including my partner, couldn't make it tonight because of the holiday. I just wanted to let you know why some people aren't here tonight.

Member Crilly: The nature of the tenants, what would be stored in the warehouse?

Mr. DePaolera: It would be very tenant specific so it can be Amazon, everyone is pretty familiar with how quickly they are expanding and they handle a lot of e-commerce products. There is Restaurant Depot for food products.

Ms. Bronander: Walmart has expressed an interest for a distribution center. It is very broad at this moment in time.

Member Crilly: Will there be any restrictions in terms of hazardous material or what precautions, or is this too premature to talk about?

Mr. DePaolera: Hazardous materials would be required to go in front of your Board to get a c.o. and, to be honest, there is such a large demand for this type of product, that we wouldn't want to seek out a tenant basically that handles any hazardous products.

Ms. Bronander: If memory serves, I think the Ordinance specifically addressed and discouraged hazardous materials.

Planner Benecke: Hazardous materials are prohibited on the site.

Vice Chairman: In this concept, are you looking for one or several tenants?

Mr. DePaolera: Ideally, and our preference is one tenant. But again, we are going to design it that it accommodates two or three tenants, if need be. Two would likely be the max. Again, in just a brief overview of the industrial market in New Jersey, which is the number one market in the country, and there is about a 1% vacancy when you really dig into all the available properties in this State and that is consistent through mainly Northern New Jersey, say north of Edison, but even now there are developments going on in Southern New Jersey which was never really a thing as far down as Atlantic City. Given that larger type of development such as this are really in demand and very difficult to find. There are a number of tenants in the State and out of state that are looking to expand or relocate.

Vice Chairman: The warehousing issue obviously is the concern with the traffic. I'm sure there will be traffic study made and presented. What do you see, on a preliminary basis, in terms of trucks per day going in and out of that facility?

Ms. Bronander: We have no way to estimate.

Mr. DePaolera: We have Chuck Alevia, who is with Stonefield, and is our Traffic Engineer, and he is going to have all those answers for you. He is one of the best in the State. From the get go, it is a challenging site, so we surrounded ourselves with some of the best professionals in the industry and that includes an Architect, who will likely be PS&S for us.

Member Strobel: This is a concept, correct?

Mr. DePaolera : Yes.

Member Strobel: So you honestly don't know if you want one warehouse or multiple warehouses. It could be a business development center because you have no one renting it. Until you get the companies you want going in there, you will have no idea what you are going to build, correct?

Mr. DePaolera: Not necessarily. We are going to be building one building.

Member Strobel: Have you ever seen Amazon, Walmart and Restaurant Depot share a warehouse?

Mr. DePaolera: Yes.

Member Slater: Benjamin Moore in Clifton is sharing a warehouse.

Ms. Bronander: Actually, I think it's fair to say that the interest we've gotten so far is because the footprint is large and there are a lot of benefits to companies not having to share. Again, our preference is a single building, single tenant and that's how we are planning to proceed and that is what the concept is in front of you.

Councilman Cortellessa: Until that is finalized, you are not going to really understand what the traffic implications are going to be. You need to know if it is a single tenant, what the product is going to be, what type of trucks they are going to use, what type of trailers that are going to come in and out. Until that is all established, you have no idea. There is a huge facility, relatively new, down in Wayne right across from the Preakness Golf Course and there is a lot of traffic as a result of this. So until they really understand what the implications are of the business people who are going to want use the warehouse, you are not going to know what the implications are for traffic. If you have 60 loading docks, which is a lot, and hopefully you would want to have all 60 working all the time, but that is lot of traffic onto Union Avenue. Trailer trucks are another issue related to our traffic implications. We also have a Taco Bell opening up down in that area and we also have the Tilcon organization which has a quarry there and will have heavy traffic. There is a concern from my perspective for the quality of life in the community and the traffic issues associated with that additional traffic. If it is all Amazon Prime, those trucks are smaller, but still whether they are taking 287 or going south or north, you still have to make that left-hand turn. We really need to understand that implication.

Member Slater: Is there room to bring the building forward a bit?

Ms. Bronander: The topography is working against us and we are still integrating stormwater management, which is significant on a site like this. So exactly what the balance of treatment is going to be for stormwater, right now its basin, its filters and I

forget the other terminology. The grade is such and in the bottom portion is where the DEP has a very significant, 150' buffer that we are respecting.

Mr. DePaolera: To answer your question, you can't shift the building further south because there are wetlands so that's covered for argument sake. That is taking, give or take, 15 acres of the property which cannot be developed on at all, nor use it for stormwater management.

Member Slater: Can the driveway be more central? Coming from a trucking background for a lot of years and I have a Class A License, what I see is potential backup. Everything that is coming into that building is going to be 53' in length on trailer. 98% are going to come in a long-nose conventional tractor and you are talking about 70-75 for overall length. You are not going to make the turns internally unless you have a facility (a) to drop the trailer and hookup to a switcher, or (b) you have wider aisles.

Ms. Bronander: As I have said, this is a concept on this side of the table as well and those things are being studied by our engineers incorporating turning radiuses, incorporating site distances for entering and exiting onto Union Avenue.

Mr. DePaolera: Those distances are pretty much consistent throughout all new development going on throughout, not only Northern New Jersey, but throughout the country.

Vice Chairman: I noticed you created a site line along from Greenwood Avenue in terms of what the building would be seen and what would not be seen. You didn't create a sight line coming from the Community College so I'm assuming the building will be in view from the Community College. Is that correct?

Mr. DePaolera: Again, the Architect will portray renderings showing the line of sight but, depending on where you stand, you will likely be able to see it. With this conceptual plan, you have 55' plus 70' plus 60' and that's where the building is going to be so that brings you to about 185' back in addition to the buffer of 20' of the property line, so you are talking about, give or take, 200'. Right now this building elevation is proposed at 311' and I think the School elevation is 20'-30' below that. To answer your question, you will likely be able to see it if you stand on the far west side of their property, but if you're on the east side between the building and their property line, you are not going to be able to see it.

Vice Chairman: So the College is lower in elevation and at their highest point they are still lower?

Mr. DePaolera: The back parking area raises about 10', but that would still be lower.

Member Crilly: With this square footage, how many employees would be working in that particular warehouse? Now a days with the use of logistics, so that is going to be tenant specific in terms of the technology they want to invest in, etc. During the construction phase, how much blasting is going to go on?

Mr. DePaolera: A significant amount.

Ms. Bronander: It is rough management and that's been taking a lot of time and money to figure out exactly what is appropriate.

Mr. DePaolera: As to employees, I think a safe number in a wide range would be between 150-300 and it depends if they are running double shifts.

Member Crilly: I'm talking about the parking and I don't know what those ratios would develop off of, but it just seems per square footage you would have fewer employees in a warehouse then you would in a typical business.

Ms. Bronander: That's fair.

Planner Benecke: The blasting score ratio indicates about 255 full time equivalence here. In the redevelopment plan, it lists 255 employees, which is .85 per 1,000 square feet. It would be full time equivalence so there are a lot of part time employees there overnight, security personnel and the like. In the redevelopment plan, there is a requirement to positively recruit Wanaque and then area residents. We are looking to have this as an employment generator for the Wanaque residences.

Vice Chairman: With that, maybe we should have Planner Benecke make an overall presentation of this conceptual plan. Besides your report, maybe give your insight into what you are seeing here based upon the redevelopment.

Planner Benecke: We pressed Nick and the Depo to come in because of that tight timeline requirement. The reason for the tight timeline requirement, as we testified and as the Mayor testified, is that this property has been under exploration for redevelopment or development or repurposing for 40 years, maybe more. We know of the environmental challenges. The only way a contract purchaser or potential redeveloper can get their arms around it is by moving fast. So they hired Stonefield, they did the right thing, they hired upper environmental folks, they went to the DEP and they did all those right steps so that they know the correct route for the wetlands. In terms of the site itself, we are always concerned about the buffering on the Greenwood Avenue side and that is the purpose of the sight line. We are concerned obviously about what kind of landscape features are going to be there especially with the retaining wall but, most importantly, we are concerned about the traffic study. Chuck Alevia from Stonefield did say that I could call him if we ran into trouble, but I don't think we are going to because he is going to give a full blown presentation in December or January, whenever it may be, but he has the counts down to about 80%. He is using, from what he told me last night, the highest use possible of the 331,000 square feet so that is what he is trying to do is to clock in the highest use in terms of the traffic flow. Then again, it could smaller trucks, larger trucks and they could be clumped and bunched together in terms of when they leave the facility and when they come into the facility. These are items he is going to address. From an economic point of view, this is obviously a very good use for the town. We sort of went through the economics in the redevelopment plan and we want to put that aside right now. Other than that, we need the façade, we need the traffic circulation, in terms of the onsite traffic circulation down, and we need the architecturals done. We have a preliminary will serve letter for the water and sewer and we have a final will serve for the electrical. Of course, they just addressed and testified as to the stormwater management, which is a big issue as well on this site. This site is really problematic.

Vice Chairman: Yes, it is a challenge, an engineering challenge, and there is no question about that. But when you get down to solving all those engineering concepts, the bottom line for the public is going to be: what is the impact of traffic and trucks coming onto Union and going onto 287 because that is the access. That is what makes the property, in my mind, a valuable source because of the access to 287. At the same, that is the major concern of the community because it may be a good ratable, but if it ends up choking the

community, then what do you have?

Councilman Cortellessa: What are the hours? Is this a 24 hours a day? It sounds like it might be/could be.

Mr. DePaolera: It would be tenant specific.

Councilman Cortellessa: If it is 24 hours a day, there are also issues with lighting and you would need new technology and that will have an effect on the residents that run along that area. Also, a major concern of mine personally is traffic. A lot has changed in Wanaque over the last 40 years in terms of development and traffic, including Wanaque Reserve.

Planner Benecke: That is in the redevelopment plan.

Ms. Bronander: It will have to be all presented to you. Everyone is respectful of those concerns. Keep in mind however, that the prior permitted and principal uses, created much more density and much more traffic than this in terms of vehicular traffic, maybe not truck traffic. There could have been on this 35 acres, especially the way that we could have programmed the structures, probably 600,000 square feet. That's why we picked the number of 500,000 square feet because we wanted to be less dense than the 600,000 square feet of potential development going back one year ago. You could have had 600,000 square feet of cars coming in and out for retail establishments. If you remember, this was designed to be a research center at one time in terms of the zoning, and it was supposed to be in tandem with the Passaic County College at one time. Retail would generate a lot more vehicular traffic, not necessarily truck traffic. A lot goes into the mix and we asked Chuck to look at what would be the impact of say 600,000 square feet of a total mixed use town center concept with retail and some of those other allowable zoning right now. If this project does not work out, and we ended up here in another ten years, they could actually come in as a right with 600,000 square feet of retail, if they wanted to.

Vice Chairman: Is it zoned for retail right now?

Planner Benecke: Yes, retail and all sorts of non-residential use.

Member Crilly: What is your worst case scenario, meaning more tenants being the worst case scenario for this type of warehouse space?

Mr. DePaolera: I would say four. Four would be absolute most.

Member Crilly: So the traffic study is going to drive towards that worst case scenario for tenants?

Mr. DePaolera: Again, I think Chuck, but I don't want to speak on his behalf since he is the professional, but traffic is more predicated on the building size, not necessarily the amount of tenants. Just because you are throwing up demising walls, doesn't increase the truck traffic.

Member Crilly: The only concern would be that we have Tilcon coming in and we spoke about traffic and the time of day, if you have four businesses in there that coordination is impossible. If you have one, you might have a better shot. That is my point.

Ms. Bronander: Nothing is impossible because all four business may not be operating tractor trailers. A lot of van deliveries are becoming much more popular for the Northern New Jersey marketplace. But some of the folks who have already contacted us are interested in the proximity to Connecticut, to New York, so that pathway to 287 is going to be very, very important, but you wouldn't be able to tell necessarily that all four tenants would need the tractor trailers that we anticipate. There are a lot of moving parts as I think you understand.

Vice Chairman: We understand the presentation this evening as providing us with a concept of what might end up being in that particular location. Obviously, we will be looking for more information once it gets prepared and analyzed and you'll be back here again to review it and make our suggestions to what you guys decide to present to us. We are looking to what is going to benefit the community and that's the bottom line for us. Like I said, we have to see all the specifics that need to be determined and then we can make a better determination as to what we want in the community as a whole.

Mr. DePaolera: The goal is really to design a building that is appealing and functional for the majority. Again, there are tenants out there that have specific uses that may not be what is consistent with what we are proposing right now, but we feel very confident that the plan that is in front of you right now is highly marketable and attractive to a number of different tenants.

Vice Chairman: As you come forward with your development and your planning, do you think we may have a better idea of who the tenants may be?

Mr. DePaolera: It is difficult to say only because, again, you are looking at twelve months to construct a building, that is not including site work, so a lot of these tenants, even though they express interest, they are not necessarily willing to sign a contract today for a building that they would be occupying from sixteen months to two years out.

Councilman Cortellessa: If you get the Amazons or Walmarts, they will run 24/7 and during the holidays they will run really heavily. So you know it depends on the type of business that really ends up being in that warehouse.

Member Slater: I know you are going to have to excavate significantly to get a level platform, are there building constraints that would make it difficult to not excavate but bring the building up so you are not disturbing the site as much?

Ms. Bronander: It's the slope of the road that's really dictating. The engineers are telling us you can't ask a tractor trailer to go up a 25 or 30 degree slope onto the property. It is a mountain and there is a lot of rock. That is one of the things that has been taking our time and why we are not in front of you already is because that ratio and that balancing with the marketplace requirement and the logistics that we have on this site have made it interesting.

Member Strobel: Do you have a rough timeline as to when you are going to come back and actually present to us?

Mr. DePaolera: Ideally December.

Mayor Mahler: One thing that I would like to see on the site too is, I guess it's the southeast corner where that house is, but closer to the road, and I know there are some wetlands down there but there is an area in the southeast corner where I think you could put a retail pad or a restaurant or maybe a small strip mall.

Mr. DePaolera: To go off of that, so we are under contract right now with the seller, a piece of the deal that was agreed to was the seller retains the single-family house, which he rents out so it's an investment property for him, he is holding onto that along with two acres minimum. When we go for formal testimony and approval, we are going to be subdividing. You only have a ¼ acre disturbance that you are permitted through NJDEP and that area, because we are crossing wetlands in the front portion for our industrial

development, that area you cannot build on. As you can see, the buffer pretty much goes the entire area and the area that actually isn't impacted is a mountain.

Councilman Cortellessa: Wouldn't you have having food services in the facility anyway. You have 130 people in there so you would probably have food services there already.

Ms. Bronander: We had looked at a separate building closer to Union Avenue and interprets sight distance, interprets a lot of dynamics that we decided probably wasn't worth adding complexity since we are pretty complex in this site. We are trying to figure this out now without adding separate pads, more traffic impacting or having to intertwine with our main building so a lot of this has been deliberated on and we just decided to keep it simple.

Vice Chairman: Basically, once this goes through as it is being presented, the front of Union Avenue will not see any other development on that because of wetlands and because of ownership of the single-family home.

Mr. DePaolera: Correct.

Mayor Mahler: So all you are going to see is the driveway.

Vice Chairman: Any other questions from the Board? Nice conversation and we will wait to hear back from you in another couple of months.

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

RESOLUTION: #PB2021-06 "Carrols, LLC" (Burger King)

Attorney Veltri: We distributed the Resolution back in July. This is from a Preliminary & Final Site Plan approval that we voted on and approved on June 17, 2021. It is for the existing Burger King restaurant and they were seeking to remodel and renovate, but not enlarge, the existing restaurant. Some of the improvements are going to be the modification of the parking area, expanding the drive-thru with a dual drive-thru lane, install new drive-thru signage and menu board, new signage to the building, some aesthetic of the façade updates and parking stall and aisle striping, as well as lighting, landscaping and directional signage. We did vote on the application and approved it 8-0 on June 17, 2012. There were some variances that we granted and they were all attendant bulk variances and we granted to a Flexible C Analysis and we approved it subject to all the representations and stipulations made at the meeting being true and accurate subject to them complying with all the conditions in Mike Cristaldi's report that was dated June 7, 2021 and complying with all conditions set forth by the Passaic County Planning Board in their correspondence dated May 17, 2021, and they have to comply with any and all conditions from the Hudson, Essex, Passaic Soil Conservation District and any other requirements of the County, State or Federal. That Motion was introduced by Commissioner Crilly and seconded by Commissioner Strobel.

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

VOUCHERS: submitted by Steven J. Veltri, Esq. for attendance at September 16, 2021 Meeting in the amount of \$400 and for Carrols, LLC Application in the amount of \$975; and submitted by Alaimo Engineering for Carrols, LLC Application in the amounts of \$1,706.25 and \$1,462.50.

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

MOTION TO ADJOURN AT 9:20 P.M.: made by Member Slater and carried by a voice vote.

Jennifer A. Fiorito
Planning Board Secretary