

RAMSEY PLANNING BOARD
MINUTES OF MEETING HELD ON APRIL 2, 2019

REGULAR MEETING

Chairman Iorio called the regular meeting of the Ramsey Planning Board to order at or around 7:30 p.m.

PLEDGE OF ALLEGIANCE

Mr. Carey led the Pledge of Allegiance.

ANNOUNCEMENT BY CHAIRMAN IORIO

This meeting is being held in accordance with the Sunshine Law. **Chairman Iorio** read the Open Public Meetings Law notice.

MEMBERS	PRESENT	ABSENT
Mr. Carey	X	
Ms. Cusick	X	
Ms. Green	X	
Mr. Garbasz	X	
Mr. Haas	X	
Mr. Strollo	X	
Mr. Daul, Alt. II	X	
Councilman Verdone	X	
Mayor Dillon	X	
Chairman Iorio	X	

IN ATTENDANCE	PRESENT	ABSENT
Mr. Whitaker, Board Attorney	X	
Mr. Hals, Board Engineer	X	
Ms. Lupo, Admin. Secretary	X	

APPROVAL OF MINUTES

A motion to approve the minutes of 03/05/19 was made by **Ms. Cusick**, seconded by **Mr. Carey**

All eligible members voted in favor. **Carried.**

CORRESPONDENCE

Memo dated 03/21/19 from the Zoning Board of Adjustment

A motion to receive and file the correspondence was made by **Mayor Dillon**, seconded by **Mr. Garbasz**. All eligible members voted in favor. **Carried.**

COMMENTS OF BOARD MEMBERS - None

COMMENTS FROM THE PUBLIC

Mr. Braggin of Ramsey, N.J. commented on 83 Grant Street and the status of the Wawa.

ORDINANCES - None

WAIVER APPLICATIONS

Applicant: JCTD Enterprises, LLC
Location: 47 N. Franklin Turnpike
Leased Area: 1,500 sq. ft.
Proposed Business: Law Practice

The business will be open 5 days a week, Monday through Friday, 9:00 AM to 5:00 PM. The number of employees is 1 F/T and the number of parking spaces is 8.

Applicant: Brown and Caldwell
Location: 500 N. Franklin Turnpike
Leased Area: 12,469 sq. ft.
Proposed Business: Environmental Engineering Services

The office will be open 5 days a week, Monday through Friday, 8:30 AM to 6:00 PM. The number of employees is 2 F/T and the number of parking spaces is 4.

Applicant: Dykes Lumber Co., Inc.
Location: 455 Route 17 South
Leased Area: 850 sq. ft.
Proposed Business: Showroom

The business will be open 5 days a week, Monday through Friday, 8:00 AM to 5:00 PM. The number of employees is 1 F/T and the number of parking spaces is 4.

Applicant: Gregory Hyduchak d/b/a Open Arted LLC
Location: 14 Mechanic Street
Leased Area: 146 sq. ft.
Proposed Business: Art Teaching

The business will be open 7 days a week, Monday through Sunday, 10:00 AM to 10:00 PM. The number of employees is 1 F/T and the number of parking spaces is 1.

Applicant: Ian H. Levy, DO
Location: 284 Franklin Turnpike, Suite 3
Leased Area: 785 + 800 sq. ft.
Proposed Business: Physician

The office will be open 3 days a week, Monday, Wednesday and Friday, 9:00 AM to 6:00 PM. The number of employees is 2 F/T and the number of parking spaces is 6.

Applicant: Riverbank Management LLC
Location: 161 N. Franklin Turnpike
Leased Area: 1,600 sq. ft.
Proposed Business: Real Estate and Investment Management Company

The office will be open 5 days a week, Monday through Friday, 8:00 AM to 5:00 PM. The number of employees is 4 F/T and the number of parking spaces is 8.

Applicant: The Mindful Café & Learning Center, LLC-Outdoor Dining
Location: 183 E. Main Street
Leased Area: 2,400 sq. ft.
Proposed Business: Café and Learning Center

The outdoor dining will be open 7 days a week, Monday through Sunday, 11:00 AM to 10:00 PM.

A motion to approve the waivers, subject to the approval of the Construction Official, Board of Health and Fire Official, was made by **Mr. Carey**, seconded by **Mayor Dillon**.

Roll Call: **AYES:** **Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Mr. Haas, Mr. Strollo, Mr. Daul, Councilman Verdone, Mayor Dillon, Chairman Iorio**

NAYES:
ABSTAIN:
ABSENT:

PUBLIC HEARING:

**Ramsey Energy, LLC
Block 4603, Lot 40
1065 Route 17 South**

Mr. Whitaker said that the applicant had noticed properly and the hearing could proceed.

Nancy A. Lottinville of Prime Law, 141 Ayers Court, Teaneck, N.J. appeared on behalf of the applicant. **Ms. Lottinville** presented the following exhibits:

- Exhibit A-1 Site Plan with revision date 01/24/19 sheet C-2
- Exhibit A-2 Site Plan with revision date 01/24/19 sheet C-6
- Exhibit A-3 Site Plan with revision date 01/24/19 sheet C-5
- Exhibit A-4 Site Plan with revision date 01/24/19 sheet C-3
- Exhibit A-5 Photos dated 04/02/19 three pages

TESTIMONY OF SONIA OMMUNDSEN

Ms. Ommundsen of Stonefield Engineering & Design, 92 Park Avenue, Rutherford, N.J. was sworn in and deemed an expert in civil engineering. **Ms. Ommundsen** said that they are proposing to restripe the parking spaces to be perpendicular to the building as per Mr. Hals' review letter. This will result in a reduction of parking spaces from eight (8) that were initially approved by the Board in 2005 to a total of six (6). **Ms. Ommundsen** said that they are keeping the convenience store and are proposing an additional pump for a total of three (3) pumps. **Ms. Ommundsen** said that they had addressed all of Mr. Hals' comments in his review dated March 14, 2019. The existing fencing will be replaced along the trash enclosure and the metal and wood guide rail along the westerly edge of the pavement will be repaired and reset.

Ms. Ommundsen said that they are removing and are relocating a pylon sign closer to the south side of the property and adding a second pylon sign. **Ms. Ommundsen** said that each sign will be 98 sf and include the Amoco logo and a reader board. Signage is also proposed along the canopy and the roofline. **Ms. Ommundsen** described the traffic circulation for automobiles entering and exiting the site. **Ms. Ommundsen** said that the fuel schedule and delivery vehicles will be approximately five times per week during off peak hours. **Ms. Ommundsen** said that the underground fuel tanks are located to the west of the fueling canopy. **Ms. Ommundsen** said that the new fuel dispenser is to replace the existing kiosk. **Ms. Ommundsen** said that the proposed dispensers are 16' center to center and will be able to sufficiently accommodate a Honda accord or compact SUV. A larger vehicle would need to be queued and utilize a space that they can fit. **Ms. Ommundsen** described the proposed signage. The existing 72 sf pylon sign would be relocated to the southern side and an additional pylon sign will be added to the northern side for enhanced visibility due to the vertical curbing of the road. **Ms. Ommundsen** described the signage on the canopy and the roof mounted sign for snacks. **Ms. Ommundsen** said that the intent of the roof mounted sign is to provide a wall sign where a wall sign can't be located. **Chairman Iorio** and **Ms. Cusick** shared some concerns with the roof mounted sign. **Ms. Ommundsen** said that the location of the roof mounted sign is partially blocked by the canopy. It's primarily for customers entering the site to show that there are snacks available at the store. **Councilman Verdone** suggested that they silkscreen the word "snacks" onto the window as opposed to the roof. **Chairman Iorio** asked **Ms. Ommundsen** to describe the free standing pylon signs. **Ms. Ommundsen** did so. **Mr. Carey** asked **Ms. Ommundsen** if they are offering diesel to truck fueling. **Ms. Ommundsen** said yes. It's a low flow diesel so it can't fuel tractor trailers. **Mr. Whitaker** asked **Ms. Ommundsen** if diesel is currently offered at the pumps. **Ms. Ommundsen** said no. **Ms. Cusick** commented that it's a very active sign including lot of data for someone to see when traveling at 55+ mph on the highway. **Mr. Carey** asked **Ms. Ommundsen** how many vehicles would be stacked on the site if all the pumps were currently being used. **Ms. Ommundsen** said that there's room on the site to stack five (5) additional vehicles. **Dave Hals'** was sworn in. **Mr. Hals** stated that with the proposed island including three (3) pumping stations it would be impossible for the passenger vehicle at the middle pump to exit without the movement of the vehicle in the front or directly behind. **Mr. Hals** said in his opinion the middle pumping station will become unusable. **Mr. Hals** said that by adding the extra pump it will extend the pump island beyond the canopy exposing the last pump. **Mr. Hals** said that they are removing the kiosk for the attendant who will now have to move into the building in inclement weather. **Mr. Hals** said that currently the site works with two (2) pumps that are 24' apart with ample room to move around the site. By adding an additional pump and extending the pumping island will further it would make the site congested. **Mr. Hals** reviewed the variances that are required as per his review letter dated March 14, 2019. **Mr. Hals** said that he's not aware of another site on Route 17 in Ramsey that has two (2) pylon signs.

QUESTIONS FROM THE PUBLIC

Mr. Braggin of Ramsey, N.J. asked **Ms. Ommundsen** if the pump side on the island that a vehicle needs to use is in use will they be able to turn the vehicle around on the site. **Ms. Ommundsen** said that the circulation on the site only facilitates a one-way directional movement. **Ms. Ommundsen** recommends longer fueling nozzles to accommodate both sides of the pump. **Mr. Braggin** asked **Ms. Ommundsen** if they will be adding an underground diesel tank. **Ms. Ommundsen** said that there are existing fueling tanks on site and she is not aware if one of them will be repurposed as a diesel tank.

TESTIMONY OF CHARLES OLIVO

Mr. Olivo of Stonefield Engineering & Design, 92 Park Avenue, Rutherford, N.J. was sworn in and deemed an expert in professional planning. **Mr. Olivo** said that the proposal is to create a more efficient fueling operation. **Mr. Olivo** said that they are proposing to remove the service bays and retrofit the interior building to be a convenience store offering. **Mr. Olivo** said they are asking for variances related to the signage being proposed. **Mr. Olivo** described Exhibit A-5. **Mr. Olivo** said that they are bringing the branding of Amoco to the site in a proper way. **Mr. Olivo** said that from a planning perspective he believes that the signs are appropriate for the site. **Mr. Olivo** said they are seeking variances for the size of the sign as well as the number of signs, but given the unique features of the location of the site to the roadway he believes that the signage is appropriate to address the concerns that you clearly see as you travel south on Route 17. **Mr. Olivo** said that they are requesting a flexible C-2 variance for the nature and size of the signage. **Mr. Olivo** said that the benefits of granting the variances associated with the signage can be granted without substantial detriment to the public and the zone plan. **Mr. Olivo** said that they are also looking to advance the purposes of the municipal land use law with the granting of the variances. **Mr. Olivo** said that they are upgrading the signage that would allow for motorists to clearly maneuver safely into and on the site. **Mr. Olivo** said that the signage is facing Route 17 and is directed where it has no impact on the neighborhood facilities. **Mr. Olivo** said that with speaking with applicant they are willing to remove the snack sign on the roofline and place it to a mounted sign on the façade of the building. **Mr. Whitaker** asked **Mr. Olivo** if the roof sign will be eliminated. **Mr. Olivo** said yes. **Mr. Olivo** said that they are seeking a variance for a setback of the pylon sign on the northerly side of the site. **Mr. Olivo** said that they are seeking a 0' setback. **Mr. Olivo** said that they are proposing to amend the pylon sign on the southerly side to simply just include the Amoco brand only eliminating the reader board and snack elements at the adjusted height of 37.65 sf. They are also proposing to amend the pylon sign on the northerly side to eliminate an element on the reader board resulting in a reduction of the height. **Mr. Olivo** said that there are a number of non-conformities that will not be modified. **Mr. Olivo** said that they are seeking a parking variance for six (6) parking stalls where eight (8) are required. **Mr. Whitaker** asked **Mr. Olivo** if the existing reader board signs on the existing sign posts were permitted by the Planning Board at the time of the prior approval. **Mr. Olivo** said that they were denoted on the Site Plan at the time. **Mr. Whitaker** asked **Mr. Olivo** when that prior approval was granted. **Mr. Olivo** said in 2005. **Mr. Whitaker** stated that by virtue of Municipal Land Use Law that approval has expired. **Chairman Iorio** commented on the efficiency of the proposed design of the site. **Ms. Cusick** had some concerns regarding the visibility of the proposed signage. **Mr. Carey** has some concerns regarding the traffic circulation on the site.

QUESTIONS FROM THE PUBLIC

Mr. Braggin of Ramsey, N.J. asked **Mr. Olivo** to clarify the proposed signage. **Mr. Olivo** did so. **Mr. Braggin** asked **Mr. Olivo** if the purpose of the second pylon sign is for northbound passenger vehicles traveling on Route 17. **Mr. Olivo** said no. It's meant to be redundant for purposes of competing with all the other signage that's located on Route 17 south. **Mr. Braggin** asked **Mr. Olivo** if a long bed work truck with four (4) cabs would have difficulties maneuvering into a tight space. **Mr. Olivo** said that it could potentially block one of the fueling pumps but it's possible.

COMMENTS FROM THE PUBLIC

Mr. Braggin of Ramsey, N.J. was sworn in. **Mr. Braggin** said that the second pylon sign is excessive and unnecessary. It can cause a distraction from people traveling North on Route 17. He believes that the Amoco sign should be reduced in size above the reader board. **Mr. Braggin**

believes that there is a problem with the proposed three (3) pump fueling island with longer wheeled based vehicles.

A motion to deny the application was made by **Mr. Carey**, seconded by **Mr. Garbasz**.

Roll Call: **AYES:** **Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Chairman Iorio**
 NAYES: **Mr. Haas, Mr. Strollo, Councilman Verdone, Mayor Dillon**
 ABSTAIN: **Mr. Daul**
 ABSENT:

Committee Reports:

Subdivision Committee: Nothing to report
Application Review Committee: **Next Meeting: April 11, 2019 @ 12:00 P.M.**
Finance Committee: Vouchers/Performance Bonds/Letter of Credit:
Motion was made by **Ms. Cusick** seconded by **Mr. Carey** and was carried, to approve the 04/02/19 **CONSENT RESOLUTION** recommending to the Mayor & Council payment of vouchers. All in favor. **Carried.**
Master Plan & Zoning Committee: Nothing to report
Procedures Committee: Nothing to report
Capital Improvement & Public Lands: Nothing to report

RESOLUTIONS - None

OLD BUSINESS - None

NEW BUSINESS

Mr. Whitaker stated that the Ramsey Board of Education presentation will carried until April 16th at 7:30 pm.

ADJOURNMENT

A motion was made by **Mayor Dillon** seconded by **Ms. Cusick** to adjourn the regular meeting at 10:35 P.M.