

RAMSEY PLANNING BOARD
MINUTES OF MEETING HELD ON JULY 16, 2019

REGULAR MEETING

Chairman Iorio called the regular meeting of the Ramsey Planning Board to order at 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 07/04/19 was made by **Ms. Cusick** seconded by **Mr. Carey**. All eligible members voted in favor. **Carried.**

CORRESPONDENCE - None

COMMENTS OF BOARD MEMBERS

Mayor Dillon said that she spoke **Mayor Roth** of Mahwah and discussed 83 Grant Street with him. She stated that after their discussion, he had no concerns.

COMMENTS FROM THE PUBLIC

Mr. Braggin of Ramsey, N.J. commented on 83 Grant Street and Maywoods Grove.

ORDINANCES - None

WAIVER APPLICATIONS

Applicant: Jasmine Group, LLC d/b/a UI Supplies
Location: 465 N. Franklin Turnpike
Leased Area: 15,000 sq. ft.
Proposed Business: Wholesale Distribution of Audio/Video & Electrical Systems
The business will be open 5 days a week, Monday through Friday 7:00 AM to 5:00 PM. The number of employees is 13 F/T and the number of parking spaces is 42.

Applicant: Joseph Zichella DMD, LLC
Location: One Plaza Lane
Leased Area: 1,300 sq. ft.
Proposed Business: Dental
The office will be open 3 days a week, Monday, Tuesday & Thursday 8:00 AM to 7:00 PM. The number of employees is 2 P/T and the number of parking spaces is 9.

Applicant: Ashley & Michael Cassera
Location: 156 Shadyside Road
Proposed Shed – 288 sq. ft.

Applicant: Image Works Salon Inc.
Location: 875 Route 17 South
Leased Area: 1,000 sq. ft.
Proposed Business: Hair Salon
The business will be open 6 days a week, Monday through Friday 9:00 AM to 9:00 PM. The number of employees is 3 F/T & 2 P/T and the number of parking spaces is 5.

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, Mr. Daul, Mr. Garbasz, Mr. Haas, Mr. Strollo, Mayor Dillon, *Chairman Iorio**
 NAYES:
 ABSTAIN: ***Chairman Iorio** abstained from Joseph Zichella DMD, LLC

 ABSENT: **Ms. Green, Councilman Verdone**

Carried.

PUBLIC HEARING:

**Lithia Northeast Real Estate, LLC-BMW of Ramsey
Block 4603, Lot 45.01
985 Route 17 South**

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

James E. Jaworski, Esq. of Wells, Jaworski & Liebman, LLP, 12 Route 17 North, Paramus, N.J. appeared on behalf of the applicant. **Mr. Jaworski** said that the applicant is proposing to modify the aesthetic of the building pursuant to the BMW corporate demands. **Mr. Jaworski** said there is a minor proposal to modify the building and the signage. **Mr. Jaworski** said that there are four (4) signs currently on the building that were previously approved. **Mr. Jaworski** said that when the signs were changed to read as “BMW of Ramsey” instead of “Prestige BMW”, three (3) of the four (4) signs remained the same; however the letter “M” as a logo was added to the main front sign increasing it by 13 sf. **Mr. Jaworski** said that the variance they are requesting is for that additional 13 sf of signage which is currently in place on the building. **Mr. Jaworski** apologized to the Board on behalf of the applicant.

Mr. Jaworski presented the following exhibits:

- Exhibit A-1 Site Plan dated 03/22/19
- Exhibit A-2 Colored rendering dated 07/16/19
- Exhibit A-3 Architectural Plan dated 03/05/19
- Exhibit A-4 Color photograph and elevation rendering dated 07/16/19
- Exhibit PB-1 Correspondence of David A. Hals dated 05/30/19
- Exhibit PB-2 Correspondence of Mauro M. Bacolo dated 07/01/19

Mayor Dillon asked **Mr. Jaworski** if the applicant realized that the new signage was being installed. **Mr. Jaworski** said that they did realize that the “BMW of Ramsey” signage was being installed but they didn’t realize that the letter “M” was being added to the signage. **Mayor Dillon** asked **Mr. Jaworski** if the applicant also owns the Toyota & Lexus dealerships. **Mr. Jaworski** said yes. **Mayor Dillon** asked **Mr. Jaworski** if they intend to change the signage on those dealerships. **Mr. Jaworski** said no. **Mayor Dillon** stated that if there are any future changes to the signage she hopes that the applicant will receive the required approvals. **Mr. Jaworski** said that he will convey her message to the applicant.

TESTIMONY OF MICHAEL DIPPLE

Michael Dipple of L2A Land Design, LLC, 60 Grand Avenue, Englewood, N.J. was sworn in and deemed an expert in civil engineering. **Mr. Dipple** described the existing conditions and proposed façade improvements and alterations to the building signage. **Mr. Dipple** said that there are no site improvements proposed. **Mr. Dipple** said that the small building addition does not change the parking demand. There are no changes to the parking requirements for the site. The parking required for the facility is 531 spaces there are an existing 404 parking spaces on-site. **Mr. Dipple** said that they are proposing 71.7 sf where 58 sf is existing and 40 sf is maximum permitted.

PUBLIC COMMENTS

Mr. Braggin of Ramsey, N.J. asked **Mr. Dipple** if he was aware why the applicant increased the size of the sign without a hearing. **Mr. Dipple** said that he was not.

TESTIMONY OF VALDEMAR M. FRACZ

Valdemar Fracz of Environetics Group Architects, 180 Sylvan Avenue, Englewood Cliffs, N.J. was sworn in and deemed an expert in architecture. **Mr. Fracz** described Exhibit A-2. **Mr. Fracz** described the locations of existing four (4) façade signs. **Mr. Jaworski** asked **Mr. Fracz** if there is anything about the additional 13 sf that would be detrimental to public. **Mr. Fracz** said no.

PUBLIC QUESTIONS

Mr. Braggin of Ramsey, N.J. asked **Mr. Fracz** to describe the signs. **Mr. Fracz** did so.

PUBLIC COMMENTS

Mr. Braggin of Ramsey, N.J. was sworn in. **Mr. Braggin** said that he is in favor of the application based on the testimony.

Chairman Iorio stated that he while he appreciated that the application was a minor application he has concerns that applicant is appearing before the Board asking for forgiveness rather than permission. **Chairman Iorio** stated that he trusts that this is an isolated incident and that they will not have the same issue in the future with any of their other dealerships. **Chairman Iorio** said that he hopes that they will abide by the Resolutions of Approval and Developer’s Agreement that are of record which they assumed when they purchased the properties. **Mr. Jaworski** said that he understands his concerns and will convey that back to the applicant.

A motion to approve the resolution as drawn was made by **Mr. Carey** seconded by **Mayor Dillon**.

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

Carried.

PUBLIC HEARING:

**Bank of America
Block 4902, Lot 6
76 East Main Street**

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

Scott Collins, Esq. of Riker Danzig, One Speedwell Avenue, Morristown, N.J. appeared on behalf of the applicant.

TESTIMONY OF ANTHONY ALBANO

Anthony Albano of Stonefield Engineering & Design, 92 Park Place, Rutherford, N.J. was sworn in and deemed an expert in civil engineering. **Mr. Collins** presented Exhibit A-1, Site Plan dated 03/04/19. **Mr. Albano** said that the applicant is proposing lighting upgrades. **Mr. Albano** said they are switching all their light fixtures to LED fixtures. **Mr. Albano** said that they are proposing to install five (5) new poles. **Mr. Albano** said that they are requesting a variance for Lighting Uniformity Ratio where 5.6:1 is proposed and 4:1 is maximum permitted.

BOARD QUESTIONS

Chairman Iorio asked **Mr. Albano** the height of the existing wood light poles proposed to be removed. **Mr. Albano** said they are approximately 14 feet. **Chairman Iorio** asked **Mr. Albano** what they are proposing. **Mr. Albano** said they are proposing four (4) poles at 20 feet high and one (1) pole at 15 feet high. **Chairman Iorio** asked **Mr. Albano** if he reviewed **Mr. Hals** correspondence dated June 21, 2019. **Mr. Albano** said yes. **Chairman Iorio** said **Mr. Hals** commented that the proposed lighting levels can be reduced and still meet the minimum standards for the ATM security lighting and eliminate the need for the variance. **Mr. Albano** said although **Mr. Hals** expressed his opinion they think that the current proposal is the optimal design for the bank requirements. **Chairman Iorio** said that his concern is that the proposed lighting is well above the code requirement and will alter the appearance that currently exists on Main Street. **Mr. Collins** said that they will try to accommodate the Boards request.

Mr. Whitaker said that the application will be carried until September 3, 2019. No new notices are required.

Committee Reports:

Subdivision Committee: Nothing to report

Application Review Committee: **Next Meeting: August 15, 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 07/16/19 **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

Paul Rostkowski
Block 1702, Lot 2.05
4 Arrowhead Road

A motion to waive the reading of the resolution was made by **Mr. Haas** seconded by **Ms. Green**. All in favor. **Carried.**

A motion to approve the resolution as drawn was made by **Mr. Haas** seconded by **Ms. Green**.

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

Carried.

OLD BUSINESS - None

NEW BUSINESS - None

ADJOURNMENT

A motion was made by **Ms. Cusick** seconded by **Mr. Carey** to adjourn the regular meeting at 8:50 P.M.