

**MINUTES OF THE MARCH 20, 2018 PLANNING BOARD
REGULAR MEETING**

The following are the minutes of the March 20, 2018 Regular Meeting of the Planning Board of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 8:00 P.M.

Andrew Silverstein read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

The following members were present: Mr. Andy Silverstein, Mr. Richard Fracaro, Ms. Anne Marie Michael, Mr. Brian Otto, Mr. Tim Troast, Dr. William Pendexter, Mayor Mike Serra and Councilman William Baig.

Mr. Steve Soojian and Mr. Steve Edgeller was excused.

Also present were Andrew Brewer, Planning Board Attorney and Brinda Kostro, Secretary.

MINUTES:

Regular Meeting Minutes dated February 20, 2018: Motion moved by Mr. Fracaro and seconded by Ms. Anne Marie Michael to approve. **All eligible voted in favor.**

CORRESPONDENCE:

1. County of Passaic – Dept. of Planning & Economic Dev. Re: Site Plan Review – Lakeside Commons, 30-32 Colfax Ave. Block 6200 Lot 1. Site plan was reviewed and withheld pending receipt in an acceptable form of fourteen (14) listed items.
2. Hudson-Essex-Passaic Soil Conservation District. Re: Lakeside Commons Apartments. Soil erosion and sediment control plan meets the standards and is certified subject to conditions.
3. Pompton Lakes Fire Dept. Letter from Al Bruno, addressed to Sal Poli and copied to the Planning Board regarding concerns the Fire Prevention Bureau has with new construction, renovations and certificates of occupancy.

APPLICATIONS:

1. PB18-02
The Cardinal Café / Ibarra-Rios Assoc.
128 Wanaque Ave.

The Lawyer from Cardinal Café, Peter McArthur, comes forward. He states that they will not be expanded, but instead just altering the inside and states that the existing lot is nonconforming. He then explains the setbacks and that the lower level is only visible from the back of the building. The lot size was said to be 5000sq. ft. and that they will be using the existing signage from the old site. The parking waiver is read and Mr. Andrew

Silverstein states that the parking lot in the back of the building is private and not public. Oliver Young and Manny Ibera come forward and are sworn in. Mr. Silverstein brings up the fire department's letter along with the environmental officer's letter. Mr. Ibera comes forward first and explains the hours of operation along with the hours of the employees (7 days a week, 6 employees, 1 shift each). He then continued to explain the deliveries and the garbage pick-up which comes once a week around the back of the building. He explains that there is a loading door in the back where the deliveries are received between the hours of 6-7 Tuesday mornings. Oliver Young (architect) is the next to step forward and states his credentials. He then refers to Sheet A2 and states that the back of the building looks like it has 3 stories while in the front of the store it looks like it is a single story. Then goes on to talk about the 10x12 ft. trash enclosure and the parking for 6 employees. He then states that they were going to mark out a walking space for pedestrians along with marking out 8ft off the rear of the building. He then refers to Sheet A4 and explains the renovation to the store front. He states that they are going to be removing the metal façade and glass, they will be removing the fabric awning. Mr. Young then refers to Sheet A5 which are the building's floor plans. He states that they will be creating a new entrance with a ramp to be handicap compliant. He states that the 1st floor is going to have 76 seats along with all the cooking on the same floor. The lower level is going to have 28 overflow seating and a dumbwaiter. The level lower is going to be for storage and a walk in cooler/ freezer. Councilman Baig asked about the stairwell and the response from Mr. Young is that they cannot keep the stairwell. The dashed lines were questioned and Mr. Young explains that they represent handicap parking. Mayor Serra asks if the back of the building is going to be parking for the customers. Mr. Young replies that it will only be for the employees and for an emergency fire exit. Mr. Silverstein asks for any questions and then proceeds to state his concerns for Sheet A2. RDA had concerns about the dumpster being in the middle of the parking lot, they proposed an enclosure and suggested a trash compactor. Mr. Young replied by saying that he would discuss it with the client. Debbie Lawler who is representing Maser begins to speak, Ms. Lawler asks about the 6 parking spaces. Mr. Young states that there will be a lot of juggling and that they might want to expand the spaces. Mr. Fracaro asks if the spaces are for the employees. Ms. Lawler asks if there will be deliveries when the cars are there. Mr. Young states that the parking spaces are only for the employees and that they will be leaving and arriving at the same time. Ms. Lawler says that she is concerned with the people walking where there are no sidewalks. It is all agreed, but the Health Department wants a separation from the public and the food area. Mayor Serra adds that the Health Department has their own ordinances and begins to explain. Mr. Young feels that they will try to come to an agreement with the Health Department to use the rear. Ms. Lawler brings up the number of seating and the signs. Mr. Young states that the 106 seats are incorrect it was and says that it was supposed to be 104 seats. He states that the signage also has a typo and corrects it with 7.67 instead of 6.67. Ms. Lawler then asks if there will be any additional lighting. Mr. Young states that there are 2 currently in the rear of the building. Mr. Silverstein agrees for more lighting, but on the building instead of light poles. Mr. Silverstein opens to the public, then to the Board he asks for any further questions. Mr. Silverstein states that he has issues with the location of the dumpsters and that the resolution will require an elevation certificate. Mr. Fracaro points out that the building next door has a dumpster site. Mr. Silverstein says that they will not

be an enclosure. Mayor Serra states that they are in a flood zone so they should not get an enclosure and that they should put it in front of the double doors and roll it out of the way when they need to use the door. Mayor Serra asks about a temporary fence. Mr. Silverstein states that the garbage trucks would ruin anything attached to the dumpster. Mr. Otto states that it cannot look any better, it is what it is. Mr. Troast asks who picks up the garbage. Mr. Iberra states that it is a private company, then points out that both stores on either side of him have dumpsters. Mr. Silverstein states that it cannot be where it is. Mr. Brewer brings up the resolution on the parking waiver. Elevation certificate is discussed along with a rolling dumpster. Mayor Serra speaks of elevation, adjusting the signage and the awning coming down. He then asks if they need to get scaffolding. A comment about the county charging for scaffolding by the day. Mr. Fracaro makes a motion and Mr. Troast seconds.

Roll Call: Mr. Silverstein, Yes. Mr. Fracaro, Yes. Mr. Ms. Michael, Yes. Mr. Otto, Yes. Mr. Troast, Yes. Dr. Pendexter, Yes. Mayor Serra, Yes. All eligible voted in favor.

RESOLUTIONS:

1. PB18-01
Pompton Five Associates Urban Renewal, LLC
223 Wanaque Ave.

Resolution PB 18-01 is brought up. Mr. Silverstein explains the conditions. Mr. Troast make a motion and Mr. Fracaro seconds.

Roll Call: Mr. Silverstein, Yes. Mr. Fracaro, Yes. Ms. Michael, Yes. Mr. Otto, Yes. Mr. Troast, Yes. Dr. Pendexter, Yes. Mayor Serra, Yes. All eligible voted in favor.

2. PB18-01
Pompton Five Associates Urban Renewal, LLC
223 Wanaque Ave.

Mr. Silverstein points out that staging will be on Boro property and that fencing and other information regarding the construction site have not be discussed. Mayor Serra states that it needs to incorporate into the structure of the resolution. Mr. Silverstien speaks of the differences of what was approved and what is going to get built. Ms. Lawler also explains. Mayor Serra speaks of changes that will need to be looked at. Mr. Otto asks about a performance bond. Mayor Serra asks if it says when he should pay for parking. Mr. Silverstein talks about the redevelopment not in the resolution and reads the area of the minutes regarding the construction area. Mr. Fracaro brings up having the workers carrying insurance. Mr. Fracaro makes a motion, all in favor.

Roll Call: Mr. Silverstein, Yes. Mr. Fracaro, Yes. Ms. Michael, Yes. Mr. Otto, Yes. Mr. Troast, Yes. Dr. Pendexter, Yes. Mayor Serra, Yes.

All eligible voted in favor.

CONCEPTUAL:

1. Mr. Silverstein began with the Lakeside Middle School's field. Principle Charles Koch requests a letter form the board and then proceeds to explain the field plans. He goes into detail about the multipurpose use of the field and the portable bleachers. He talks about the lighting and how the lights are LED. A discussion about the parking being a problem is brought up and how they may need to expand their parking lot. The fence along Lakeside is going to be redone. The board all agreed that it was a good move and wished the applicant luck on the project.

NEW/UNFINISHED BUSINESS: None.

PUBLIC DISCUSSION:

Mr. Silverstein opens the meeting to public discussion.

Mr. Silverstein asks if any members of the public would like to speak. There are none. Public session closed.

ADJOURNMENT:

Mr. Fracaro made a motion to adjourn the meeting at 9:39 pm and seconded by all.

All voted in favor.

Brinda Kostro, Secretary
Saarah Okuyan, Secretary