

March 15, 2012

A regular meeting of the Allendale Planning Board was held in the Municipal Building on March 15, 2012. The meeting was called to order at 8:07 PM by Mr. Quinn, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered to roll call: Mr. Quinn, Mr. Barra, Mr. Strauch, Mr. Fliegel, Mr. Walters, Mr. Sirico, Ms. Sheehan, Mr. Zambrotta, and Mr. Sasso.

Absent: Mr. Scherb

On a motion from Mr. Zambrotta, seconded by Mr. Fliegel, the minutes from February 16, 2012 were approved. One abstention was from Mr. Sasso as he was not present at that meeting.

#### Resolution of Memorialization for Calvary Lutheran Church

Mr. Dunn read the Resolution of Memorialization for the Calvary Lutheran Church major subdivision of which a copy will be on file at the Allendale Borough Hall.

Mr. Quinn asked for comments from the Planning Board members. Mr. Snieckus wanted to make sure that the right memorandum from him was quoted in the resolution and that his company's name was spelled correctly. Mr. Sirico asked about whether the word waves had been changed to waivers. Mr. Dunn added that he had already made some changes based on suggestions from Mr. Whitaker.

Mr. Sirico asked about who would determine whether the mosquito control was needed. Mr. Dunn replied that they could be put on the Bergen County spraying list and that it would be up to the Borough to make the call if needed. Mr. Agnoli and some citizens had objected to insecticides being used so the Borough would need to call the county mosquito control commission if there was a serious problem in the future. Mr. Dunn stated that they were trying to reduce a potential mosquito problem by vegetation and other natural ways. Mr. Sirico asked about the piping and Mr. Dunn responded that it was an existing structure. Mr. Sirico also questioned whether a time period was needed in regards to the maintenance of the detention pond by the applicant. Mr. Whitaker declared that it would be part of the final subdivision approval. Mr. Dunn agreed. Mr. Quinn said it was supposed to be a five year period. Mr. Yakimik stated it was a maintenance period for the constructed wetlands.

Mr. Zambrotta inquired about the appropriateness for the word indefinite to describe the life of the liner in the detention basin. Mr. Dunn decided to leave that word in the resolution as he believed it was the word used by Mr. Latincsics. Mr. Zambrotta asked if peak levels were to be included but Mr. Dunn felt he didn't need to go into storms or drought conditions. Mr. Yakimik added that all that information is part of the exhibits and testimony from the past year. Mr. Dunn felt there was so much testimony that things had to be narrowed down for the resolution

especially when it came to drainage. If any issues arise in the future about the off-site impact, drought impact, or storm impact on any particular property people can refer to the record.

Mayor Barra asked Mr. Dunn to make sure it was clear in writing upcoming documents for this application that it was the applicant's responsibility to take care of the detention basin. He doesn't want to have problems or lawsuits against Calvary Lutheran Church in the future. Mr. Barra asked if there would be any difference in dealing with a church or nonprofit versus a regular residence. Both Mr. Whitaker and Mr. Dunn talked about the legal ramifications if there are problems.

On a motion from Mr. Sasso, seconded by Mr. Zambrotta, the board voted to accept the Resolution for Memorialization for the subdivision at Calvary Lutheran Church. Mr. Strauch had recused himself from this application so he abstained from voting.

#### Continuation of Discussion on the D-Zone

Mr. Snieckus said that the purpose of the meeting was to finalize the recommendations for the D-zone so that the Planning Board would be ready to have a public meeting for more input before sending the final recommendations to the Town Council. Mr. Snieckus updated the memorandum from the last meeting to reflect changes that the Board wanted to see addressed. One of the changes was the amount of parking spaces for office and professional offices which would be one parking space per 250 square feet. Another change was for childcare centers there would be one space per six children maximum attendance plus one space for every employee on the maximum shift. Mr. Walters asked about the definition of a professional office and Mr. Snieckus responded a CPA, a planner, or an engineer would qualify under that term.

Mr. Snieckus continued with the section on page eight under the Master Plan which removes a few uses that were determined to be obsolete or could adversely affect the function of adjacent roadways, underground aquifers, or the adjacent residential neighborhoods in both of the D-districts. The uses taken out were biological and chemical laboratories, jewelry manufacturing, leather goods manufacturing, textile products manufacturing, and cosmetics. Mr. Snieckus also changed a sentence on page nine that read this distinction from the southerly area of the borough is reflective of the uses existing developed condition, lot size and arrangement, adjacency to residential uses and the need to minimize adverse impacts to the traffic conditions of West Crescent Avenue. The rest of the document remained the same. Mr. Strauch asked about the wellhead protection as to whether it needed to be added now or later and Mr. Snieckus recommended doing it later as it may take some time. They also briefly discussed generators but Mr. Snieckus felt that part was well covered already.

Mr. Zambrotta asked why the recommendations were not less restrictive in specific exempling. Mr. Snieckus said there was deliberation at the last meeting for keeping it the same or for making the examples less restrictive and he thought the board concluded that the list should be kept more restrictive. It would be easier to enforce the things the Board did not want than in a less

restrictive ordinance. Mr. Zambrotta thought examples were to be given on a less restrictive list and that is how the board left it at the last meeting. Mr. Strauch replied that they are going through the same type of questions in the land use committee as they look at ordinances on signs. Mayor Barra added that if it is not said it is not approved and they have to be cautious about how things are worded in ordinances. Mr. Snieckus felt the D-zone list would be definitive enough. Mr. Zambrotta thought the list should be less restrictive and more expansive so there would be more options for people to bring in new industries. Mr. Strauch thought the performance standards (lighting, noise, hours of operation, etc.) should help with controlling what businesses go in an area. He agreed that a list should be a bit more expansive so they did not have to revise it every few years but cautioned that the businesses should not steal anything from the C-district. Mr. Snieckus did not think it was a good idea to rely on the performance standards alone as a use could come in and become a problem and it then becomes an enforcement issue. Mr. Strauch stated that it would probably be a good idea to look at the list again in a year or two. Mr. Quinn thought that was a good idea and Mr. Snieckus agreed. Mr. Zambrotta felt the Board really needed to come up with a different list as things on the list were outdated and not going to happen in the town of Allendale. He felt it would be more work but they needed to keep in mind that they didn't know what industries were going to become big in the future. Mr. Strauch said he could see someone from Allendale renting space to invent something new or use the building for the initial development. Mr. Strauch said he could understand both views. Mr. Zambrotta said that the economy has changed from manufacturing to service and that they want to encourage people to take space in the D-zone. He felt there was nothing listed for service in the D-zone. Mr. Quinn felt the Board needed to take a stand with the list and look over it again in the future. He felt there should be more service-oriented ideas on list but he did not want to leave the list wide open as the board could have problems. Mr. Snieckus said he could list computer repair and other types of repair. Mr. Sasso asked if Mr. Zambrotta was worried about how the list of industries would exclude people who want to come in because they won't be on the list. Mr. Zambrotta thought he had heard at a previous meeting how it is difficult for some businesses to come in because it is expensive and none of the uses are allowed. Mr. Quinn felt that it was the Board's job to set the standards so the town doesn't end up with businesses they don't want.

Mr. Snieckus commented that the office machine listing was actually a broad category. Mr. Snieckus said he would add servicing to B1 so that it expanded the selection on office machines. He also changed cash registers to POS terminals which Mr. Zambrotta said would be considered to be an office machine. Mr. Zambrotta and Mr. Quinn had a discussion on whether the list should be expanded or not. Ms. Sheehan asked if someone new came to town they would go to the construction code official. Mr. Zambrotta replied that if it wasn't on the list, they couldn't come in with a business. Mr. Walters disagreed as he felt a business would go in and ask the code official about which use the business would be under and the code official would steer the company in the right direction.

Mr. Strauch wanted to remind everyone about the residents who lived in the area and that should be the focus. He felt he would back off on revising the list for now and worry about doing that in a year or two. Mr. Barra mentioned if there weren't residents and stressful traffic conditions in the area that the Board could be more wide open with the list. It is a balancing act. Mr. Quinn told the Board that they are more liberal with the Boroline Road businesses because there are no residences and are close to Route 17. Mr. Yakimik mentioned about the Karate School and how this process all began and was a trailblazer for that building. When a new tenant comes in to that building in the future, Mr. Wittekind has to make sure that parking arrangements are planned accordingly. It has been successfully developed. All the costs put on that building were not necessarily for the Karate School. Mr. Yakimik reminded the Board that applicants still have to come in for site plan approval. Mr. Barra stated that he was concerned about the Black Millwork building becoming available in the next year or so. He knows that some people will come in and look at it and be turned away because of the ordinance. Mr. Barra commented that this building has also compounded the discussion a bit because it will be available and it is a very large building. Mr. Barra felt that being stricter with the ordinance at this time would be the right way to proceed.

Mr. Snieckus asked to poll the board to see if the Board wanted additional uses or if the Board wanted to work with what they had so far on the list. Mr. Fliegel asked if more service oriented types will be added to the list in front of them. Mr. Snieckus said he would add service uses or new light manufacturing with low impact to the list. Mr. Barra, Mr. Strauch, Mr. Fliegel, Mr. Walters, Mr. Quinn, Mr. Sirico, Ms. Sheehan, and Mr. Sasso voted to leave the document as it is and adjust the document with necessary tweaks like adding some service uses. Mr. Zambrotta voted to expand the list. Mr. Quinn, Mr. Sirico, and Mr. Snieckus did state that they still have to listen to what the public has to say as someone from the public might suggest something that the Board had not thought of that would be a good added use. Mr. Walters mentioned that he thought laser printing would be okay, but other types of printing might be troublesome. Mr. Sirico asked about a company coming in to produce something with nanno particulates. Mr. Barra said the code deals with noxious materials and that is where the code official comes in and questions the applicant or stops the process. There was some discussion between Board members on hazardous materials. Mr. Sasso asked Mr. Walters if the code official would take this list literally or not. Mr. Walters said if some code official was totally unreasonable the word gets around quickly to businesses which would stay away from those towns. However, Mr. Walters was pleased with the list as he felt that the Board made good progress.

Mr. Snieckus said he would add servicing to B1 so the sentence would read manufacturing, servicing, or reconstruction of light machinery and assembly. He will also change cash registers to POS terminals and add business machines. Mr. Snieckus read the stricken uses from the list including biological and chemical laboratories, jewelry manufacturing and gem polishing, leather goods manufacturing, photo finishing, textile products, and cosmetics. Mr. Snieckus said that commercial food preparation, professional office buildings, and digital data storage facilities

were uses all added to the list. He concluded with the following uses being prohibited in the D-1 and D-2 Zone Districts as per discussion at the last meeting between Board members and that included cross loading dock distribution facilities and refrigeration facilities greater than 10% of the lease area of the user. Mr. Snieckus stated that the section on accessory emergency generators was updated as well. Mr. Barra suggested that some of the businesses already in the zone may be able to provide a list of types of businesses that have inquired about the properties. Mr. Barra asked Mr. Walters about his experiences with real estate and the uses the Board approved already and Mr. Walters felt that the list was sufficient as adding medical uses and updating the parking requirements were the areas of concern to him. Mr. Fliegel commented that the list allows businesses to come in that will not add to the parking or traffic problems. Mr. Quinn said the next step was to invite the public to come forward and give other ideas. He suggested help desks and computers and computer software would fit in with the uses, but the public might be able to add to the ideas.

Mr. Snieckus stated that the parking requirements were separated for the draft ordinance. Mr. Walters asked about parking for childcare centers and Mr. Snieckus said it was a standard that he has used in other communities. Mr. Sasso asked about guidelines for childcare centers and adult day care centers. Mr. Snieckus said he could add the adult day care centers and parking standards for it. He went over the parking standards for offices and professional offices, medical and dental offices, and physical rehabilitation and therapy offices.

The next steps are for Mr. Snieckus to revise the document based on what was discussed and send to the Board members ahead of time. Mr. Quinn said the next meeting will be Thursday, April 19<sup>th</sup> for the public meeting. Mr. Barra asked if a copy of the draft ordinance could be made available to the public ahead of time. He wanted residences and businesses within 200 feet of the D-1 and D-2 zones to be notified by letter but it was decided that the letter did not have to be certified. Mr. Barra suggested having a copy available at the Borough Hall and putting it on the website. Mr. Snieckus said he would put it in a PDF. Mr. Barra asked Mr. Quinn to contact The Town Journal to put an article in the paper asking the public to attend the meeting. Mr. Sasso asked if the Chamber of Commerce would be personally invited and the answer by Mr. Quinn and Mr. Barra was yes they would be invited. Mr. Snieckus said he would draft a letter to be sent to the people in the 200 foot area.

On a motion from Mr. Walters, seconded by Mr. Zambrotta, the meeting was adjourned at 10:10PM.

Respectfully submitted,

Diane Knispel

