

May 12, 2014

A meeting of the Allendale Planning Board was held in the Municipal Building on May 12, 2014. The meeting was called to order at 8:00PM 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. Sirico, Mr. Sasso, Ms. Sheehan, Mr. Scherb, Mr. Barra, and Ms. Checki. Mr. Walters, Mr. Zambrotta, and Mr. O'Connell were absent.

The minutes of April 17, 2014 needed updating due to corrections to the Resolution and were not voted on that evening.

Mr. Quinn changed the order of the agenda because Mr. Snieckus who is the Borough Planner had another meeting to attend and needed to leave early. Mr. Quinn told the Board that Mr. Snieckus would explain more about the Ordinances being reviewed. Mr. Quinn reminded the members that these changes were discussed when the Master Plan was revised. The Mayor and Council have been waiting to vote on these Ordinances for the traffic light to be placed at the intersection of Myrtle Avenue and West Crescent Avenue to see if the light had any negative impact on the proposed changes to the Zone. Mr. Quinn said that it is up to the Board to refer the Ordinances back to the Council with changes if needed.

Mr. Snieckus said that back in 2012 the Board had done a thorough analysis of the D-Zone which is a light industrial area. There is a northern area by West Crescent Avenue and a southern area by Chestnut Street. The Ordinance includes uses that would be appropriate in an industrial zone that is near a residential area. There are two Ordinances 14-10 and 14-11 and Mr. Snieckus discussed 14-11 first. Adult day care is a use that the Board is looking to encourage to be placed in the D-1 Zone. Mr. Snieckus said that there is a recommendation to divide the D Zone into two separate districts called D-1 Zone in the northern area and D-2 Zone in the southern area. Some uses were more appropriate for one area but not the other. Adult Day Care will become more popular as the population ages. It is a nonresidential and low impact type of use but we wanted to define it as specifically as we could. The State does not currently regulate Adult Day Care but that may change in the future. Mr. Snieckus said that Section three of the amendment replaces a few of the paragraphs A through H with an introduction of what the uses are in the districts and a list of uses that are permitted in each zone. The D-1 and D-2 Districts are intended for office, light manufacturing, processing, and assembly operations, together with the wholesale sales and display rooms if needed by the companies. They were cognizant of the C-1 and C-2 Districts which entail the downtown retail area and did not want to cause any conflict or competition with the proposed uses in the D-1 and D-2 Zones. The Board recognized that some of the buildings may need to be adaptively reused. In the D-1 Zone they are permitting indoor individualized instructional sports training facilities with a maximum floor

area of 5000 square feet and this excluded health clubs and bowling alleys because they did not want the intensity that those uses can bring with them. Also included were martial arts and gymnastic instruction; studios for the instruction of individualized musical and other fine and performing arts not to exceed a maximum floor area of 2500 feet; state licensed rehabilitation and physical therapy clinics; medical and dental offices; medical imaging and medical dialysis facilities excluding testing laboratories or medical clinics; and state licensed adult day care facilities. Mr. Snieckus continued with the permitted uses in both the D-1 and D-2 Zones listed under part B are all pre-existing except item eight which allows for digital data storage facilities and that accessory generators shall be regulated herein. Mr. Snieckus said that the last part was added due to the aquifer system in Allendale and from a sound generation standpoint. Mr. Snieckus continued with the prohibited uses in the D-1 and D-2 Zones which include cross loading dock type facilities, refrigeration facilities greater than 10% of the lease area of the user, exterior refrigeration and equipment, and retail sales. Section four is in regards to accessory buildings which shall be separated from each other and from the principal building by at least fifteen feet. Accessory emergency generators shall meet the following setback requirements: front yard is one hundred feet, side yard is fifty feet, and rear yard is fifty feet except six feet where adjacent to a fifty foot wide railroad right of way. Emergency generators need to meet the standards applicable in Chapter 170 of the Borough Code. Each unit shall be contained in a sound attenuating cover that meets the standards. In addition such enclosures shall be screened from view by landscaping. The testing required for these back-up generating systems shall be confined to the hours between 9am and 6pm. Mr. Snieckus said that Section five is about the new zoning map that is being prepared by Mr. Yakimik. The new D-1 and D-2 Zones will be on the map. The remaining sections have not been changed. Mr. Yakimik told the Board that the zoning map has yet to be revised showing the D-1 and D-2 Zones. Once it is referred officially to the Town Council from the Planning Board Mr. Yakimik said he could work on updating the map.

Mr. Quinn asked Mr. Snieckus if this document was viewed by the public and Mr. Snieckus responded that it was discussed at a public meeting back in 2012. During that discussion a member from the public suggested that the Town Council wait until the light was installed at the intersection of Myrtle and West Crescent before making a final decision. Mr. Quinn asked if this would be open to the public again and Mr. Barra confirmed that there would be another public hearing. Ms. Checki remarked that she thought there were sports facilities in the Zone already and Mr. Snieckus responded that there were because the businesses went for use variances so the Board is recognizing what is already in the Zone. Mr. Quinn added that the Board limits the intensity by limiting the size of the building.

Mr. Snieckus said 14-10 was providing amendments to the parking standards as he felt that this needed updating. Currently in the ordinance there is no separation between office and medical use. Medical offices typically have a greater intensity of use. Office and professional offices will be changed to one parking space per 250 square feet of gross floor area. Adult or child day

care centers would be one space per six participants during maximum attendance plus one space per employee on the maximum shift. Physical rehabilitation and therapy offices would have one space per 200 square feet of gross floor area. Mr. Quinn asked if these standards were what other municipalities use and Mr. Snieckus said yes.

Mr. Quinn opened the meeting to the public and since no one approached he closed the meeting to the public and brought the meeting back to the Board. Mr. Dunn read both Resolutions to the Board. Copies of the Resolutions are on file at the Borough Hall. Mr. Sirico asked if there was a need for a sports training definition. Mr. Snieckus said he did not have any conflicts as to the interpretation with the other towns he has worked with in the past as the sports training facilities do not have memberships and are not health clubs. There was some discussion between Board members about fire arms training facilities.

On a motion from Mr. Sasso, seconded by Mr. Scherb, the Resolution for Ordinance 14-11 was approved. On a motion from Mr. Sirico, seconded by Ms. Checki, the Resolution for Ordinance 14-10 was approved.

The next matter before the Board was the Northern Highlands Regional High School property acquisition. Richard Wostbrock from Lan Associates located at 445 Godwin Avenue in Midland Park approached the Board to speak on behalf of Northern Highlands. The school district asked him to come and share with the Board what they intend to do with purchasing the property next door designated as Block 103, Lot 1. It is to the west of the school entrance and to the left if you are looking at the school from Hillside Avenue. Mr. Wostbrock passed out some photographs of the property to the Board. The property is in a state of disrepair. As part of the process the Board of Education needs to submit plans to the Board to seek a letter from Mr. Yakimik about the utilities. The Board of Education plans on demolishing the home. Mr. Quinn asked what he was seeking from the Board and Mr. Wostbrock said he wasn't seeking anything. Mr. Dunn said that the State Department of Education has jurisdiction and that since there was no application before the Board there was not much the Board could do at this point. Mr. Dunn said that is probably an item on the checklist to come before the town planning board. Mr. Wostbrock agreed with Mr. Dunn and read from the checklist that the school is supposed to approach the Planning Board and ask for recommendations. Mr. Barra noted that he understood that the school has no plans for the land after demolition at this time and Mr. Wostbrock said that was his understanding too. Mr. Barra asked if they would cover over the land with topsoil and Mr. Wostbrock said that they would probably stabilize the lawn and make it look like the rest of the front lawn. Mr. Wostbrock added that they would be demolishing the house, barn, and sheds. There are many old trees on the property. Mr. Barra asked if there would be asbestos removal and Mr. Wostbrock said that they started the process but he did not know the results as of that evening. Mr. Barra wanted to make sure that an asbestos removal would be done the correct way and Mr. Wostbrock said they would work with the building and health departments to make sure that things were done in a safe way. Ms. Sheehan asked about underground oil tanks and Mr. Wostbrock said they would be looking for that too. Mr. Wostbrock said all the utilities would be

marked out before demolition. Mr. Quinn questioned whether they would be capped off or not and Mr. Wostbrock said yes at the curb. Mr. Sasso inquired about the timeline but Mr. Wostbrock did not know. Mr. Quinn said he thought they would want to do the demolition outside of the school season and Mr. Wostbrock agreed. Mr. Sirico asked about the stone wall which Mr. Wostbrock explained was on the school property and went from the front lawn to the back driveway. There was discussion about what would be happening to all the items in the sheds and barn and Mr. Wostbrock answered he did not know the terms of the negotiations. Ms. Checki stated that this would definitely be an improvement to what is there now. Ms. Checki asked about the oil tanks and whose responsibility it would be and he said the sellers. Mr. Yakimik asked why the school would buy this type of property and Mr. Wostbrock said he did not know why. He was only asked to help the school through the process of buying the property. Mr. Yakimik asked if all the impervious surfaces would be removed and Mr. Wostbrock replied that he did not know Northern Highland's agenda with what they are proposing to do with the property. He assumed they would remove the driveway as it would lead to nowhere. Mr. Yakimik said if they are just going to have the grass and trees on the property and not build anything on the property all the utilities should be removed to the main on the street. Mr. Wostbrock reiterated that he was hired to help the school acquire the property and he did not know the long term plans. He agreed with Mr. Yakimik that if the school was not doing anything with the lot that it should be removed to the main but if they were going to build it should be removed to the curb line. Mr. Barra asked Mr. Yakimik if those would be questions that the Code Official would ask when the property was acquired and demolition permits requested and Mr. Yakimik agreed. Mr. Wostbrock said he was not hired to design or build anything. Mr. Yakimik asked if the lot line would be removed and Mr. Wostbrock said possibly but he did not know if the discussions had gotten that far yet. The lot is about three quarters of an acre at 37,056 square feet. Ms. Sheehan questioned if the school could sell it and the answer was yes especially if they kept it a residential lot and did not incorporate it into their own lot. Mr. Barra and Ms. Checki stated that it would be awhile before the school would make a profit on selling the lot. Ms. Checki said they might move the Superintendent's office out into a new building as some other local school districts have done in the past. Mr. Quinn asked if Mr. Yakimik was comfortable with the fact that the Code Official would handle some of the matters that were brought up by the Board and Mr. Yakimik said yes as he will talk to the Code Official about the concerns. Mr. Sasso said he hoped the Board of Education would not take down any trees on the new property until they have plans for it or unless a tree is in bad shape. Mr. Quinn asked if the property was going to be clear cut and Mr. Wostbrock said that the demolition plan has not been developed yet. Mr. Quinn remarked that since the Board members did not have an application in front of them that Mr. Wostbrock could check visiting the Planning Board off his list. Mr. Yakimik said he would mention the requirements for the utilities in his letter to Northern Highlands so the school would know what was expected. Mr. Quinn thanked the Northern Highlands for keeping the Board informed.

Mr. Quinn said he received a notice about a soil erosion permit which is needed for the Elm Street Bridge over Allendale Brook. Mr. Yakimik said that it was for the Board's information that an application had been submitted to the County for that project. The rail has been replaced and now the bridge is being fixed. There was some hurricane damage done to the area about seven years ago and the town has been waiting for the county to fix it. Mr. Quinn asked if there were going to be problems with traffic on Franklin Turnpike and Mr. Yakimik said he didn't know what the detour scenario would be. The permit is expiring in September so it has to go out to bid soon. It may be six months or so for the construction of the bridge.

Mr. Sasso updated the Board on what the Land Use Committee had been discussing. They are talking to the owner of Pastafino who is working with the insurance company and a contractor to fix the building. The Committee is still working on an inter-local search for the Code Official. There was discussion between the Board members and Mr. Sasso on some local businesses and whether they are permitted uses or not. There are also concerns about backlit signs and whether certain businesses are grandfathered or not. Mr. Sasso said he would have the Code Official and Land Use Committee check into the concerns of the members. Mr. Barra commented to Mr. Scherb that at some point there should be consideration on designing fifteen minutes parking spots in the downtown area. Mr. Scherb said he would look into it.

On a motion from Mr. Sirico, seconded by Ms. Sheehan, the meeting was adjourned at 9:10PM.

Respectfully submitted,  
Diane Knispel