

RAMSEY PLANNING BOARD
MINUTES OF MEETING HELD ON FEBRUARY 18, 2020

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
Councilman Verdone	X	
Mayor Dillon		X
Chairman Iorio	X	

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

APPROVAL OF MINUTES

A motion to approve the minutes of February 4, 2020 was made by **Ms. Cusick**, seconded by **Mr. Carey**. All eligible members voted in favor. **Carried**.

CORRESPONDENCE - None

WAIVER APPLICATIONS

Applicant: Positive Living Psychological Services, LLC
Location: 79 North Franklin Turnpike
Leased Area: 113 sq. ft.
Proposed Business: Psychologist

The office 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 1.

Applicant: Ramsey Ice, LLC
Location: 96 East Main Street
Leased Area: 850 sq. ft.
Proposed Business: Ice Cream/Italian Ice

The business will be open 7 days a week, Monday through Sunday 9:00 AM to 5:00 PM. The number of employees is 1 F/T and the number of parking spaces is 1.

Applicant: Najo Khan, LLC
Location: 98 East Main Street
Leased Area: 1,575 sq. ft.
Proposed Business: Pizza

The business will be open 7 days a week, Monday through Sunday 10:30 AM to 1:00 AM. The number of employees is 4 F/T and 3 P/T and the number of parking spaces is 8.

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 **Garbasz**.

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Councilman Verdone, Chairman Iorio

NAYES:

ABSTAIN:

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

PUBLIC COMMENTS

Mr. Braggin of Ramsey N.J. commented on the American Bulldog Coffee, LLC, parking on Arch Street at the intersection of North Spruce, a handicap parking sign, 13 North Central Avenue and the Master Plan.

COMMENTS OF BOARD MEMBERS

Mr. Carey said the Ramsey Environmental Commission is co-sponsoring with the Ramsey Juniors a Ramsey Clean-up Day on Saturday, April 18, 2020 from 10 am to 2 pm starting at Ramsey Rescue. **Mr. Carey** said that he would look into **Mr. Braggin's** comments with respect to the Master Plan.

Chairman Iorio answered some of **Mr. Braggin's** comments.

ORDINANCES - None

PUBLIC HEARING

**Lithia Northeast Real Estate, LLC-Toyota
1096 Route 17 North; Amended Site Plan/Variance**

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 there was an issue with the certified mailings. **Mr. Jaworski** said that they received a visit from the Post Master in Mahwah and was informed that for reasons not disclosed many of the certified mailings did not make it into the mail. **Mr. Jaworski** said that they did everything that they needed to do to provide notice for the December 3, 2019 meeting. That meeting was subsequently carried until February 18, 2020. **Mr. Jaworski** said that with the approval of Mr. Whitaker they had enough time to re-notice and Mahwah's Post Master covered the cost for the certified mailings. **Mr. Jaworski** said that a few issues were brought up as per Mr. Hals' review letter dated October 25, 2019. **Mr. Jaworski** said that the first issue is that Lithia inherited the obligations of the former Krisujen Realty that owned the Toyota, Lexus, BMW and Mini stores in town. One of the obligations was set forth in the Resolution of 2003. The Resolution of 2003 stated that the property owner was to convey Lot 14.04 to the Borough. **Mr. Jaworski** said that he alerted his client to this issue and they have now produced a Discharge of Lien which has been sent to the County. **Mr. Jaworski** said that when they receive that back from the County, they will order a Title Search and prepare a Title Certification for Mr. Whitaker's satisfaction. **Mr. Jaworski** said that they will do a Form of Deed for review by Mr. Hals and Mr. Whitaker prior to sending it to the County for filing. **Mr. Jaworski** said that the second issue from Mr. Hals' review letter is that Krisujen Realty was also obligated to do some signalization of egress movement from Route 17 North to Franklin Turnpike. The Development of the PUD District required the improvement of a traffic signal at the intersection of North Franklin Turnpike and the exit ramp from Route 17 North. Lithia has hired an attorney, William Sullivan of Scarinci Hollenbeck, for purposes of bringing the signalization to fruition. **Chairman Iorio** asked **Mr. Sullivan** if he can keep the Borough informed of any status updates. **Mr. Sullivan** said yes.

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** presented the following exhibits:

- Exhibit A-1 Planning Board Resolution dated August 5, 2003
- Exhibit A-2 Partial Release of Mortgage, dated January 30, 2020
- Exhibit A-3 Aerial Photo, dated February 18, 2020
- Exhibit A-4 Site Plan, last revised November 11, 2019
- Exhibit A-5 Colored Rendering of Site Plan for both Toyota & Lexus Sites, dated February 18, 2020
- Exhibit A-6 Architectural Plan for Toyota of Ramsey, last revised November 11, 2019
- Exhibit A-7 Toyota Before and After Color Rendering, dated February 18, 2020
- Exhibit A-8 Architectural Plan for Lexus of Ramsey, last revised November 11, 2019
- Exhibit A-9 Lexus Before and After Color Rendering, dated February 18, 2020
- Exhibit PB-1 Correspondence of Dave Hals-Toyota, dated October 25, 2019
- Exhibit PB-2 Correspondence of Dave Hals-Toyota, dated November 21, 2019
- Exhibit PB-3 Correspondence of Dave Hals-Lexus, dated August 15, 2019
- Exhibit PB-4 Correspondence of Dave Hals-Lexus, dated November 21, 2019
- Exhibit PB-5 Correspondence of Crew Engineering, Inc., dated November 5, 2019

Mr. Jaworski said that they are adding 327 sf at the site. **Mr. Jaworski** said that there will be no heavy maintenance at the facility other than quick lube changes. **Mr. Jaworski** said that the facility is strictly for sales.

TESTIMONY OF MICHAEL DIPPLE

Michael Dipple of L2A Land Design, LLC of Englewood, N.J. was sworn in and deemed an expert in civil engineering. **Mr. Dipple** described the existing and proposed changes. **Mr. Dipple** said that they are proposing to reconfigure the interior of the building to provide a drive-in/drop-off service department lane. **Mr. Dipple** said that there is no change to the façade. **Mr. Dipple** said that a new “Service Reception” façade sign is proposed over the service entrance door. **Mr. Dipple** said that they are seeking a variance for this additional façade sign. **Mr. Dipple** said that they are enclosing the existing vehicle prep area and converting the area to six (6) quick-lube service bays. **Mr. Dipple** said that there is a small 327 sf addition to the east of this enclosure. **Mr. Dipple** said that the parking for the Toyota Dealership is shared with the Lexus Dealership. The parking total for both locations require 485 parking spaces where 681 parking spaces exist and 658 parking spaces are being proposed.

BOARD QUESTIONS

Chairman Iorio asked **Mr. Dipple** if he addressed items #12 and #13 in Mr. Hals’ review dated November 21, 2019. **Mr. Dipple** said they can address both items. **Chairman Iorio** asked **Mr. Dipple** if a variance for the parking space size is required. **Mr. Dipple** said that it’s a substandard size for vehicle storage only for smaller vehicles. **Mr. Dipple** said that he would request a second variance. **Mr. Whitaker** asked **Mr. Dipple** if they will comply with the Ramsey Police Dept. report dated November 7, 2019. **Mr. Dipple** said yes.

PUBLIC QUESTIONS

Jim Deminno of 7 Windsor Lane, Ramsey, N.J. asked **Mr. Dipple** if repairs are currently being done at the site. **Mr. Dipple** said that they will do minor fluid and oil changes. **Mr. Whitaker** asked **Mr. Dipple** if someone entered the service bay and need an oil change will an attendant take the car to the back part of the building so that the owner of the vehicle will be out of the queue. **Mr. Dipple** said yes.

Mr. Braggin of Ramsey, N.J. inquired about the certified mailings. **Mr. Whitaker** clarified the procedure of the certified mailings. **Mr. Braggin** inquired about the proposed signage. **Mr. Dipple** described the proposed signage.

TESTIMONY OF VALDEMAR FRACZ

Mr. Fracz of Environetics, 180 Sylvan Avenue, Englewood Cliffs, N.J. was sworn in and deemed an expert in architecture. **Mr. Fracz** described the proposed changes. **Chairman Iorio** had concerns regarding the drop-off/pick-up and the loaner car process. **Mr. Fracz** addressed his concerns. **Chairman Iorio** asked **Mr. Fracz** about the drainage for any potential oil spills. **Mr. Fracz** said that any oil spill will be captured in a trench drain.

PUBLIC QUESTIONS

Mr. Braggin of Ramsey, N.J. asked **Mr. Fracz** inquired about the exits. **Mr. Fracz** described where they were located. **Mr. Braggin** asked **Mr. Fracz** if the addition of 327 sf will affect the required parking spaces. **Mr. Jaworski** said that they have an excess of parking spaces required. **Mr. Braggin** asked **Mr. Fracz** if there is air handling equipment in the lube

area. **Mr. Francz** said yes. **Mr. Whitaker** asked **Mr. Francz** if the proposed building including all modifications will meet all building code requirements. **Mr. Francz** said yes. **Mr. Whitaker** said that the Planning Board only has the ability to confirm that it will be code compliant. The Planning Board does doesn't have jurisdiction to approve any variances, waivers or modifications to a building code requirement.

TESTIMONY OF ANDREW JANIW

Andrew Janiw of 315 Highway 34, Coltsneck, N.J. was sworn in the deemed an expert in professional planning. **Mr. Jaworski** asked **Mr. Janiw** to verify the variances being requested. **Mr. Janiw** did so. **Mr. Janiw** said that they are requesting a C-2 variance. **Mr. Whitaker** asked **Mr. Janiw** from a planning perspective if he could justify the sign going over the service area. **Mr. Janiw** said it's a wayfaring sign. **Mr. Janiw** said that they are trying to avoid customers entering the site and driving around the building causing a traffic problem on the property. **Mr. Janiw** said that as you drive up to the building customers will be able to see exactly where they need to enter the building creating a better customer experience. **Mr. Carey** asked **Mr. Janiw** if most service bays at an auto dealership would be marked with a service sign. **Mr. Janiw** said yes. **Mr. Carey** asked **Mr. Janiw** if the 35 sf proposed sign a customary size for a service area. **Mr. Janiw** said it's a normal size for most dealerships.

PUBIC QUESTIONS

Mr. Braggin of Ramsey, N.J. asked **Mr. Janiw** if there is a definition in the Ramsey code relative to size. **Mr. Janiw** said he doesn't recall.

PUBLIC COMMENTS

Mr. Braggin of Ramsey, N.J. was sworn in. **Mr. Braggin** said that the he doesn't have any issue with the parking of the smaller cars. He does have a concern with the wayfaring sign. He feels it's too large and there's an excess of the number of signs. He doesn't think the sign variance should be granted.

A motion to approve the application subject to the conditions listed below was made by **Mr. Carey**, seconded by **Ms. Cusick**.

Conditions:

1. Compliance with Dave Hals' letter of November 21, 2019
2. Compliance with the Police Dept. letter of November 17, 2019
3. Compliance with the prior Resolution

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Councilman Verdone, Chairman Iorio

NAYES:

ABSTAIN:

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

Mr. Whitaker said that any witnesses that were previously sworn in will remain under oath for the next hearing

**Lithia Northeast Real Estate, LLC-Lexus
1000 Route 17 North; Amended Site Plan/Variance**

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 they will be using the same exhibit list as the previous hearing.

TESTIMONY OF MICHAEL DIPPLE

Mr. Dipple described the site modifications and variances being requested. **Mr. Dipple** said that a dual faced Lexus Logo façade sign is to be added to the entrance wing wall. The proposed sign is 34.17 sf and the building will have a total of seven (7) façade signs where one (1) is permitted. **Mr. Dipple** said that the six (6) existing façade signs have received prior approval. **Mr. Whitaker** asked **Mr. Dipple** if he's considering the proposed dual faced sign a pylon sign. **Mr. Dipple** said no. **Mr. Whitaker** said that the proposed façade signs are considered two (2) proposed façade signs as opposed to one. **Mr. Dipple** said that they will be amending the table shown on the Amended Site Plan requesting two (2) additional façade signs as opposed to one. **Mr. Dipple** said they are now requesting a total of eight (8) façade signs where one (1) is permitted and six (6) exist that were previously approved.

PUBLIC QUESTIONS

Mr. Braggin asked **Mr. Dipple** if there are any wayfaring signs on the property. **Mr. Dipple** said no. **Mr. Braggin** asked **Mr. Dipple** if he's aware of any ordinances in Ramsey that limit the number of wayfaring signs or the size of it. **Mr. Dipple** said he's not aware of any.

TESTIMONY OF VALDEMAR FRACZ

Mr. Francz described the proposed changes. **Mr. Francz** said that the element is a signature component of the new Lexus design. It's a free standing wall or "Blade Sign". **Mr. Francz** said that they are actually increasing the setback from the building to Route 17.

BOARD QUESTIONS

Chairman Iorio had a concern with the amount of Lexus logo signs on the same side of the building. **Mr. Francz** said that they will be open to removing the smaller Lexus logo signs already existing on the façade. **Mr. Hals** confirmed that they will be removing signs "C" and "F" and adding sign "A" on two sides of the blade. **Chairman Iorio** asked **Mr. Francz** if any lighting proposed on the blade will be code compliant. **Mr. Francz** said yes.

PUBLIC QUESTIONS - None

TESTIMONY OF ANDREW JANIW

Mr. Janiw said that the improvements to the building will give it a visual upgrade. **Mr. Janiw** said this is requirement of dealers to upgrade their corporate logo. **Mr. Janiw** said that it maintains the modern appearance of the building. **Mr. Janiw** said that they are requesting a C-2 variance.

BOARD QUESTIONS - None

PUBLIC QUESTIONS

Mr. Braggin of Ramsey, N.J. asked **Mr. Janiw** if he agrees that dealerships are required to provide signage branding in accordance to corporate headquarters providing they meet the local code. **Mr. Janiw** said he disagrees with that statement.

PUBIC COMMENTS

Mr. Braggin of Ramsey, N.J. was already sworn in. **Mr. Braggin** said he agrees if the signage makes it better.

A motion to approve the application subject to the removal of the two (2) smaller logo signs and replacing them with two (2) similar logo signs at a different location and size and was made by **Mr. Carey**, seconded by **Ms. Cusick**.

- 1. Plan will be modified to reflect the relocation of the signs
- 2. Compliance with Dave Hals’ letter of November 21, 2019
- 2. Compliance with the Police Dept. letter of November 17, 2019

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Councilman Verdone, Chairman Iorio

NAYES:

ABSTAIN:

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

Committee Reports:

Subdivision Committee: Nothing to report

Application Review Committee: **Next Meeting: February 27, 2020 @ 12:00 P.M.**

Finance Committee: Vouchers/Performance Bonds/Letter of Credit:

Motion was made by **Ms. Cusick** seconded by **Mr. Garbasz** and was carried to approve the 02/18/20 **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

Ramsey Board of Education-School Improvements Presentation

Ramsey High School

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

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

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Chairman Iorio

NAYES:

ABSTAIN: Councilman Verdone

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

Ramsey Board of Education-School Improvements Presentation

Eric S. Smith Middle School

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

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

Garbasz.

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Chairman Iorio

NAYES:

ABSTAIN: Councilman Verdone

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

Ramsey Board of Education-School Improvements Presentation

Wesley D. Tisdale Elementary School

A motion to waive the reading of the resolution was made by **Mr. Carey**, seconded by **Mr.**

Garbasz. All in favor. **Carried.**

A motion to approve the resolution as drawn was made by **Mr. Garbasz**, seconded by **Mr.**

Carey.

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Chairman Iorio

NAYES:

ABSTAIN: Councilman Verdone

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

Carried.

Ramsey Board of Education-School Improvements Presentation

Mary A. Hubbard Elementary School

A motion to waive the reading of the resolution was made by **Mr. Carey**, seconded by **Mr.**

Garbasz. All in favor. **Carried.**

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

Cusick.

Roll Call: AYES: Mr. Carey, Ms. Cusick, Ms. Green, Mr. Garbasz, Chairman Iorio

NAYES:

ABSTAIN: Councilman Verdone

ABSENT: Mr. Haas, Mr. Strollo, Mayor Dillon

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 10:30 P.M.