

RAMSEY PLANNING BOARD
MINUTES OF MEETING HELD ON JULY 2, 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 06/04/19 was made by **Ms. Cusick** seconded by **Ms. Green**. All eligible members voted in favor. **Carried**.

CORRESPONDENCE

Letter received on June 25, 2019 from **Mr. Braggin** regarding pending application for Minor Subdivision & Variances for Maywoods Grove Two, LLC.

A motion to receive and file the correspondence was made by **Mr. Carey** seconded by **Mayor Dillon**. All in Favor. **Carried**.

COMMENTS OF BOARD MEMBERS - None

COMMENTS FROM THE PUBLIC

Mr. Bumiller of Ramsey, N.J. commented on the Master Plan and Zoning Committee. **Mr. Bumiller** read his letter concerning the pending application for Maywoods Grove application.

Mr. Braggin of Ramsey, N.J. commented on the pending application for Maywoods Grove, Wawa, 83 Grant Street, New Jersey Land Use Law and the tax map.

Joan Mettler of 229 Grove Street commented on the pending application for Maywoods Grove. **Ms. Mettler** said that she's opposed to the application. **Ms. Mettler** said that building two (2) large homes each having a frontage of only 100 feet will destroy the aesthetics of the street. **Ms. Mettler** said that with the houses facing sideways the proposal doesn't conform to the look of Grove Street. **Ms. Mettler** said that they are building two (2) homes where there should only be one.

Chance Parker of Park Place commented on the status of the Master Plan.

ORDINANCES - None

Mr. Whitaker said that the application for Alejandro & Andrea Frezza will be carried to August 20, 2019 at 7:30 pm. No further notice to the public. The only notice required is to the newspaper.

WAIVER APPLICATIONS

Applicant: Kidz Club, LLC
Location: 4 East Main Street
Leased Area: 1,425 sq. ft.
Proposed Business: Children's/Family Party & Event Space

The business will be open 7 days a week, Monday through Sunday 10:00 AM to 9:00 PM. The number of employees is 2 F/T and the number of parking spaces is 8.

Applicant: The Electronics Powerhouse LLC
Location: 37 Swan Street, Unit C
Leased Area: 680 sq. ft.
Proposed Business: Ebay Online Sales

The business will be open 5 days a week, Monday through Friday 9:00 AM to 5:00. The number of employees is 1 F/T and the number of parking spaces is 4.

Applicant: Special Properties
Location: 19 Spear Road, Suite 304
Leased Area: 1,100 sq. ft.
Proposed Business: Real Estate Office

The office will be open 6 days a week, Monday through Saturday 9:00 AM to 5:00 PM. The number of employees is 4 F/T and the number of parking spaces is 6.

Applicant: Spark Freight Service, LLC
Location: 19 Spear Road
Leased Area: 595 sq. ft.
Proposed Business: Administrative Office-Freight Service

The office will be open 5 days a week, Monday through Friday 9:00 AM to 5:00 PM. The number of employees is 3 F/T and the number of parking spaces is 3.

Applicant: Neura Flash, LLC
Location: 600 B Lake Street, Suite C
Leased Area: 602 sq. ft.
Proposed Business: Consulting

The office will be open 5 days a week, Monday through Friday 9:00 AM to 5:00 PM. The number of employees is 2 F/T and the number of parking spaces is 3.

Applicant: Wellness Solutions Counseling Services, LLC
Location: 19 Spear Road, Suite 303
Leased Area: 1,050 sq. ft.
Proposed Business: Therapy

The office will be open 6 days a week, Monday through Saturday 9:00 AM to 9:00 PM. The number of employees is 3 F/T and the number of parking spaces is 6.

Applicant: Drew Cali, LLC
Location: 400 C Lake Street, Suite A
Leased Area: 481 sq. ft.
Proposed Business: Spiritual Therapy

The office will be open 6 days a week, Monday through Saturday 9:00 AM to 9:00 PM. The number of employees is 1 F/T and the number of parking spaces is 3.

Applicant: Cascadia Managing Brands
Location: 500 C Lake Street, Suite 500C
Leased Area: 1,840 sq. ft.
Proposed Business: Building Brands Office

The business will be open 5 days a week, Monday through Friday 9:00 AM to 5:00 PM. The number of employees is 5 F/T and the number of parking spaces is 10.

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 **Mr. Daul**.

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

NAYES:

ABSTAIN:

ABSENT: **Mr. Garbasz**

Carried.

PUBLIC HEARING:

**Maywoods Grove Two, LLC- Continuation
Block 1402, Lot 6 & 7
213 Grove Street**

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 a Phase I Report was submitted to the Board as per their request at the last meeting. **Mr. Jaworski** said that a subsequent clarification letter was submitted with respect to one issue that was of a concern. **Mr. Jaworski** said that they are ready for the Board to act on this application.

Chairman Iorio said that at the last meeting the presentation was concluded and the public was given time for their questions and comments. **Chairman Iorio** said that the Board had a couple of concerns regarding the underground cable and had asked for further information before the Board made their final comments. **Chairman Iorio** said that he has reviewed both the Phase I Site Assessment that was prepared by Environmental Consulting Inc. and their subsequent letter that was provided dated July 1, 2019. **Chairman Iorio** said that based on their review of the property and their standards underground cables are not typically a recognized environmental condition (REC) as defined by the American Society of Testing and Measurements (ASTM) nor would an underground AT&T phone cable be considered an area of concern (AOC) to the NJDEP. **Chairman Iorio** agrees with the review with that the underground AT&T phone cable contains physical telecommunication lines and does not contain hazardous substances and is not used to store or transport fluids that may contain petroleum products or other hazards substances.

BOARD COMMENTS

Mr. Carey said he believes that the AT&T cable was installed in the early 1960's and is safe. **Mr. Carey** said that the proposed homes are fully conforming to the front, rear and sides and he is in favor of this application.

Chairman Iorio said that neither the NJDEP nor the other standards lists this type of cable as an area of concern which is why it is not tested for or deemed to be an issue from an environmental standpoint. **Chairman Iorio** said in his opinion this is not an area of concern and is not something that the NJDEP sees as an area of concern and is not something that The Board has the authority to go beyond what the NJDEP determines to be an area of concern that needs to be investigated.

Chairman Iorio said that he reviewed the testimony and the Site Plan that was submitted and although the frontage of the lots may not be as large as some people may like they do conform to the frontage that's permitted in the zone. **Chairman Iorio** said that he would be in favor of the application with the stipulation that back lot would not subdivided.

PUBLIC COMMENTS

Mr. Braggin of Ramsey, N.J. was previously sworn in. **Mr. Braggin** said that he asked the Board at the last meeting to have applicant contact AT&T about the construction of the cable. **Mr. Braggin** said that in his letter the Phase I Report is meaningless if it didn't test in the vicinity of the cable. **Mr. Braggin** said that although the NJDEP considers telecommunication cables safe, there were telecommunication cable in the era that this cable was produced that used dielectric fluids to prevent stray currents from the telecommunication cable. **Mr. Braggin** said that we need to find out where that cable is and what it is constructed of to protect the public. **Mr. Braggin** believes that this application should not be approved until that documentation and technical information is known.

George Bumiller of Ramsey, N.J. was sworn in. **Mr. Bumiller** said one of the items with regards to telecommunications facilities such as a facility like this is that the FCC must be notified. **Mr. Bumiller** said that the company that put the cable in must keep records. **Mr. Bumiller** said that an easy solution would be to contact AT&T.

Mr. Hals was sworn in. **Mr. Hals** said that he reviewed the Phase I report dated August 3, 2009 and the supplemental letter dated July 1, 2019 from Environmental Consulting Inc. The Phase I Report specifically doesn't mention the cables. **Mr. Hals** said that he has personal knowledge of the AT&T cables in Upper Saddle River and HoHoKus. He believes that these are the same line and they are not oil filled. They were the AT&T long lines. **Mr. Hals** said he is not aware what the concrete hut was used for. Usually the cables are in underground manholes and chambers.

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

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, Ms. Green, Mr. Haas, Mr. Strollo, Councilman Verdone, Mayor Dillon, Chairman Iorio**
NAYES:
ABSTAIN:
ABSENT: **Mr. Garbasz**

Carried.

Committee Reports:

- Subdivision Committee: Nothing to report
- Application Review Committee: **Next Meeting: July 11, 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 07/02/19 **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

Baseline Line Associates, LLC
Block 4201, Lot 6
425 Island Road
Major Subdivision

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. Stollo, 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 8:30 P.M.