

**BOROUGH OF OLD TAPPAN  
PLANNING BOARD  
REGULAR MEETING  
WEDNESDAY, June 13, 2018  
MINUTES**

In compliance with the Open Public Meeting Law, notification of this meeting has been sent to our official newspapers and other publications,  
Circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the ([www.oldtappan.net](http://www.oldtappan.net)) web site.  
Please note fire exits located at the main entrance to the Council Chambers and in the rear of the Council Chambers.

**MEETING CALLED TO ORDER: 7:37 p.m.**

**Chair Weidmann reads open public meeting comments/Meeting called to order**

**Salute Flag / PLEDGE OF ALLEGIANCE**

**Chair requests ROLL Call of all present**

**Present:**

Mr Weidmann Chairperson  
Ms Nilsson  
Mr Alessi  
Councilman Gallagher  
Ms Louloudis Alt. #2  
David Keil (7:42 PM)  
Vice Chair Mamary (7:40PM)  
Mr Eller Alt # 1 (7:45PM)

**Also Present:**

Mr. Regan, Esq. Board Attorney  
Robike Noll Land Use Admin/Recording Secretary  
Mr. Szabo Board Planner

**Absent**

Mr Boyce Alt # 3  
Mr. Murphy Alt # 4  
Councilwoman Haverilla Cl I Council Liaison  
Mr. Skrable Board Engineer

**Open to Public for Non Agenda Items**

Motion Alessi/ Second Nilsson- all in favor  
Close to Public for Non Agenda Items  
Motion Nilsson/ Second Alessi- all in favor

**Environmental Committee Report:**

None

**Construction Report**

Read by Robike Noll

**Borough Engineer**

Mr. Skrable off this evening

**Council Liaison Report**

Councilman Gallagher reports :

Memorial Day Parade was well received and rainfree

Emergency Services as of July 1<sup>st</sup> will be independent of RiverVale with a new Dispatch

In October visiting fire departments and chiefs will be attending a parade in OT.

Affordable housing discussions continue at the MAC meetings

**Environmental Committee Report:**

Mr. Keil arrives and reports – OT community garden is doing well, short discussion with PB members regarding membership.

EC has submitted for Sustainable NJ recertification.

Last meeting is next Tuesday June 19 and then EC is off for the summer until September.

**Borough Engineer**

Mr. Skrable off this evening

**Financial Secretary Report**

\$ 1780. in Budget, \$173.10 in Escrow expenditures for a total of \$ 1953.10

Motion to approve by Mr. Maggio, Second by Councilman Gallagher, passed on all in favor

**Minutes**

Adopt Regular meeting minutes from April

Motion by Mr Mamary / Second by Mr Eller

Vote by Members attending April Meeting:

Chair Weidmann, Ms. Nilsson, Mr. Alessi, Councilman Gallagher, Mr Eller, Ms Louloudis ALL YES

No Nay.. Minutes approved

**Old Business**

None

**New Business**

Discussion of Proposed Ordinance 1128-18

Mr. Szabo explains the requirements that state the Planning Board commentary is needed to return to the Mayor and Council as they have their second hearing. The role of the Planning Board is to confirm that this proposed ordinance is not inconsistent with Master Plan. Mr Szabo further explains that this ordinance will protect OT from any Builders' Remedy cases that might otherwise arise.

Borough Attorney, Mr. Regan adds that in other towns the settlement have been far worse than what OT has agreed to.

Councilman Gallagher also explains involvement of the 19 acres pending at the former Prentice Hall/ Pearson property. Mr. Szabo confirms that this settlement ensures no more interveners can get involved including the Pearson site.

A vote is taken to recommend approval/adoption, Motion by Maggio, Second by Nilsson. All in favor.

Ms. Noll is directed to send a letter to the boro admin, Mr. O'Brien as well as the MAC that the PB approves of the ordinance, and does not find it to be inconsistent with the Master Plan

**Communications.**

Issue of Senior Accessory dwellings in OT that have lost their status due to either qualifier or failure to submit yearly affidavit is briefly discussed. There are homes currently for sale in OT that previously had the variance approvals, PB members direct Ms. Noll to ask Zoning officer to check and reach out to those to be sure they know

the variance does not carry to new owners, whether still valid or not, does not carry to new owners, they either convert back to one family, or come before the PB with an application.

### **Applications:**

Second Appearance MG Fuel Bl 1204 lot 3 continued from January.

Mr. Maggio and Mr. Eller certify that they have reviewed minutes and listened to CD's of prior meeting

Ms Noll certifies that the attorney's proofs and publication are in order to continue the application.

Attorney Mr. Gary Giannantonio continues with application by presenting the engineer.

Mr. Calisto Bertin is sworn in as the engineer for MG Fuel.

A2 is admitted as a traffic study

A3 is site plan, 3 pages dated 4/20/18

Mr Bertin is asked if county application has been made, Mr. Bertin answers that he feels that part of Orangburgh Rd is not county and OT Police Chief disagrees. County Application will be confirmed.

Mr Bertin begins to explain site plan and starts with striped parking spots. He is of the opinion that a change in use from the small office to a convenience store will not affect the parking situation as it is now.

OT engineer Mr. Skrable is not present but has sent a report, which is reviewed as well as original engineer's review of the application in January.

The board, Chairman and Mr. Szabo all have concerns that questions from Mr. Skrable and requests from the Board in January have still not been addressed. Items need to be clarified, including the parking, nighttime lighting, etc.

Also, Mr. Szabo, as planner is concerned with the theory that just striping the lot will manage the circulation.

Concerning to the board is currently there are multiple entrances and exits without restriction or observance. Mr.

Szabo questions if curbing and islands would provide better flow management and Vice Chair Mamary suggests one way flow of traffic to control as well. Mr. Bertin disagrees with those recommendations.

Chair Weidmann questions the stacked parking as well as the parking being squeezed as it is now. In Mr. Skrable's report, he asked for clarification of how many spaces are proposed with restriping, which does not appear on proposed site plan. Mr. Regan states the plans should have specificity, not "can do", Mr. Bertin states he only did what his client asked and it's not his scope to address the questions at hand.

The 1962 approval resolution for the use of a nonconforming property is mentioned, concerning designated parking stalls, and specifically that parking is prohibited when the station is closed. Mr. Bertin again states he was not asked by the client to address these issues, only to do a preliminary proposal and a traffic study.

Mr. Alessi questions the location of the enclosed dumpster, which requires moving any parked cars to access (is located behind a proposed possible parking stall) Again, Mr. Bertin believes there is no dumpster, just cans, but was not asked by the client to address this.

NJDEP status of contaminated field is also addressed, as the area has been covered with grass and loose stone and is used for parking or storing vehicles. Mr. Giannantonio states it is ongoing but his client is not responsible, the previous owners are handling and they are under the impression the situation has been 85% rectified. . Chair Weidmann requests a report be submitted on the progress and he does not feel cars should be parked there at all.

Chair asks about item #3 of Mr. Skrable's recent report which states:

1. The parking stall/striping along Orangeburgh Road are located within the County right-of-way, which cannot be approved. The applicant should provide status of County approval.

Mr. Bertin states that he feels the county is OK with it, but admits nothing has been submitted to the county as of yet.

Chair mentions the summary of the previous 1962 site plan and conditions of approval and Mr. Bertin will not address as his client did not ask him to review previous approval and conditions. Chair wants the applicant to return with a more clarified plan, and the applicant's attorney states that money is an issue.

Mr. Bertin is questioned by the board members, including Ms. Louloudis questioning only southbound traffic count, not northbound was submitted. Mr. Bertin states the results were combined and presented.

Mr. Eller questions if the store hours will remain as per previous resolution for hours of operation.

Mr Maggio states that he is not supportive of the application, until Mr. Scrable's concerns are addressed. Mr. Maggio also has concerns about the hazardous conditions due to configuration, suggests as well that new specific plans be submitted in order to address the parking spaces and have a definitive plan for the Board to either approve or deny.

Vice chair Mamary states that he does not feel confident that the original 1964 nonconforming use would have been approved in the current day conditions, with more congestion, cars on the road etc. He believes the property is over trafficked as is.

Motion to open to Public to question Mr. Bertin, by Maggio/ second by Eller. None come forward, motion to close by Alessi/ Second by Eller.

Mr. Regan confirms that no new notice is needed and this application will continue at the July meeting.

**Public Opportunity to speak on non-Agenda items**

Motion to open by Mr. Alessi second by Ms Nilsson

Seeing none,

Motion to close to the public by Mr Eller/ Second by Mr. Alessi

**Adjournment**

Mr. Keil/ Second by Ms Nilsson, all in favor, meeting adjourned.