

MINUTES
August 24, 2011

Meeting of the Wood-Ridge Planning Board
The meeting was called to order at 7:10 p.m. with the
Pledge of Allegiance led by Chairman Finke.

SUNSHINE NOTICE:

Chairman Finke read:

"This meeting is being held in accordance with Public Meeting Law 1975 Chapter 231 and the requirements of the law met by publishing in The Record, and The Herald News and posted on the bulletin board in the Municipal Building and filed with the Borough Clerk."

ROLL CALL: Attendance

Present: Kevin Trotter, Edward Marino, Debra Gentile, Jeffrey Magnusson, Paul Clemente, Frank Finke.

Absent: Renata Helstoski, Mark Stellato, Chris Eilert

Attorney: Gary Cucchiara

Application 2011-3/GTS Welco
Block 282/2 Change of Tenancy
179/185 Berger Street

William Torre, Esq. the attorney for the applicant presented the application. The exhibits were marked into evidence. He stated the applicant has been in business for about 30 years and is presently located on the Route 17 South ramp and is proposing to move to Berger Street. They are downsizing and would like to stay in Wood-Ridge.

Wayne Feret, was sworn in. He is the regional manager for the Eastern Region. He stated they are a stand alone store where local contractors come in and pick up various welding supplies and/or compressed gas. There are about 20 walk-in customers per day. The store would have one employee and 3 parking spaces. Outside of the showroom is an area where they store compressed gas bottles, helium, CO₂, and oxygen. They are regulated by OSHA. To the applicant's knowledge, there have never been any incidents relative to their product.

Erik Boe, was sworn in. He is an Engineer with LAN Associates. He explained the site plan. The existing site is L shaped. There are two buildings, one for the applicant's business operation and the other used by a marble company. The parking is in between the two buildings. The proposed retail space would be located at the front left building. There are few site changes except for the outside storage area to store their cylinders in the parking area. That would entail a concrete pad fenced with an 8' chain link fence and privacy slats and a firewall which would not be visible from outside the storage area. The storage area would take up two parking spaces, one being for a handicap space which they are proposing to move to the other side. There was a parking variance in 2006 for this site. The buildings were divided into industrial warehouse use and retail. The applicant would like to classify this space as industrial use and not retail. They are also proposing a sign that would sit on the roof of the front building and the rear portion of the building behind it. The sign would be 6' high 8' wide.

It was asked if this is a sub-lease application. The applicant stated that it is a lease which is conditioned upon approval by the board. There is one landlord and 2 tenants. The calculations are based on the entire site parking. There was testimony from the other tenant and landlord.

The engineer explained the calculations for the allocated parking spaces.

Chairman Finke opened the floor to the Hearing of Citizens and asked anyone wishing to be heard.

Valerie Coulter 172 Park Place East. She lives right next door to the site. She is concerned with oxygen containers and their dangers. The applicant explained oxygen is not dangerous unless it is mixed with another element. It would be surrounded by a firewall. She is also concerned with the added traffic and all the other difficulties the residents in that area have to contend with.

Ellen DelRosso 28 Berger Street. She feels this type of business should not be put anywhere near residents. It will reduce the value of their homes. It is not safe for children to play. She also feels it is too congested in that area, and there is no room for another large business.

Alemsha Darwish 74 Berger Street. She lives across the street from the building. She does not feel safe having her children play outside, and doesn't want the added noise and congestion. She stated that the applicant should move to an industrial area, not residential.

Chairman Finke declared the Hearing of Citizens closed.

The Professional reports were reviewed.

Applicant stated that deliveries would be between 7:30 am and 10:00 am.

Testimony was provided on drainage and lighting, which are relatively new and is working just fine.

Ken Nelson asked that site plan option 2 be reviewed. It changes the configuration of the storage area. The door would also be moved. This is a fall back option if the parking became an issue in option 1. Applicant's policy is to store all gases outside. The existing dumpsters would be used. The existing tenant under the 2006 approval is a compounded operation with a retail component.

Harry Gates is the realtor and he was sworn in. The existing tenant is no longer using the retail component. The existing tenant gave the unit back to the landlord in order to try and rent out. The existing tenant has no objections to this arrangement.

Ken Nelson confirmed a borough ordinance provides that the storage of gas in excess of 50,000 cubic feet is prohibited. The applicant stated that it is not near that amount. Mr. Nelson suggested a board on board type of fence with out barbed wire would be more attractive.

Michael Vance was sworn in. He is the regional operations manager. He explained a wood fence is flammable and would be counter productive. Barbed wiring fencing is required by company policy.

Members indicated that the application is unclear with regard to the retail component, parking, deliveries, cylinders, bathrooms, signs, and whether or not it is an industrial site. The board was also concerned with the lack of testimony from the other tenant. Discussion ensued regarding the 2006 application, and placement of the cylinders.

Member Jeff Magnusson stated that he needs to recuse himself from the application due to a conflict.

Motion: Member Clemente seconded by Member Gentile moved to deny the above application.

Discussion: applicant asked if they could have an extension.

Rollcall: Trotter yes, Marino yes, Helstoski absent, Gentile yes, Stellato absent, Magnusson yes, Eilert absent, Clemente yes, Finke yes.

The applicant's attorney asked if the applicant could have the chance to return and provide the board with additional information.

The Board's attorney had no objections to the request.

It was suggested the applicant seeks clarification from the other tenant and meet with our professionals prior to the next meeting to work out all the issues stipulated.

The motion was withdrawn.

The application will be carried until the September 28th meeting and they will not have to re-notice.

Approval of Minutes:

Motion: Member Clemente seconded by Member Trotter moved to approve the minutes of Meeting June 22, 2011 with the changes stated.

Discussion: NONE

Rollcall: Trotter yes, Marino abstained, Helstoski absent, Gentile yes, Stellato absent, Magnusson abstained, Eilert absent, Clemente yes, Finke yes.

Jeff would not have to come to the next meeting if GTS/Welco is the only application being heard. A discussion ensued regarding what constitutes a conflict.

Motion: Member Clemente seconded by Member Trotter moved to accept the resignation of Nicholas Riccardella.

Discussion: NONE

Rollcall: Trotter yes, Marino yes, Helstoski absent, Gentile yes, Stellato absent, Magnusson yes, Eilert absent, Clemente yes, Finke yes.

Board's secretary read the following resolution advising Gary Cucchiara, the Board's attorney, has joined the firm of Scarinci & Hollenbeck LLC.

Motion: Member Clemente seconded by Member Gentile moved to approve the above resolution.

Discussion: NONE

Rollcall: Trotter yes, Marino yes, Helstoski absent, Gentile yes, Stellato absent, Magnusson yes, Eilert absent, Clemente yes, Finke yes.

adjourn 8:40 pm.

Respectfully submitted,

Cathleen Calabro