

Borough of Wood-Ridge Land Use Board

Minutes of the April 2, 2019 Meeting

Wood-Ridge Municipal Building Council Chamber

The meeting was called to order at 7:00 pm by Chairman Finke. Chairman Finke read the Open Public Meetings Act Statement. The Pledge of Allegiance was recited. Attendance was as follows:

Class IV Members:	Chairman Frank Finke – present
	Vice Chair Kevin Trotter - present
	Jonathan Braid – present
	Dominick Azzolini – present
	Jeffrey Magnusson – present
	Robert Ruhle – present
Class I Member (Mayor’s Alternate):	Borough Administrator Christopher Eilert – present
Class II Member:	Zoning Officer Richard Pronti – excused
Class III Member:	Councilman Joseph DiMarco – present
Class IV Alternate Members:	Michael Donato (Alternate #1) – present
	Anthony Iacovino (Alternate #2) – present
Secretary:	Cathleen Calabro – present
Attorney:	Gerald Salerno, Esq. – present
Engineer:	Brian Intindola, PE – present
Planner:	Ken Nelson, PP – excused

The minutes of the **March 5, 2019** meeting were approved on a motion by Ruhle second by Magnusson and a roll call of all members present voting yes, except Trotter and Azzolini who abstained

Under new business the following applications were presented.

Application -2019-9A Todd Marino

Rear yard setback

76 Charter Oak – 220/16

The applicant submitted improper proof of publication to the newspaper. The Borough’s Attorney advised the applicant needs to re-notice to the newspaper identifying the town in which the application will be held and submit the affidavit to the board’s secretary. The notice to the residents were correct. He announced the application will be carried to the May 7, 2019 meeting. Ronald Marino, the father of the applicant asked if he could appear on the applicant’s behalf, since they will be away on their honeymoon. The Board’s Attorney announced on record that the father is authorized to appear on the applicant’s behalf.

Application 2019-10A – Duke Realty

Request for Tenant Site Plan Waiver

5 Ethel Blvd – 229.02/4

Ken Porro the applicant's attorney introduced the professionals who would be testifying this evening. They were sworn in. The applicant is requesting a waiver of tenant site plan. The site already has approval from 2015.

David Hernandez is this Senior Vice President of Grace Kennedy Group. He summarized the operation. They are a distributor of different food products, dairy, refrigerated and grocery. They travel from Philadelphia up to Maine. There would be about twenty 26 foot trucks.

Ray Rodriguez is the warehouse manager, he explained the hours of operation would be Sunday's from 7am-3pm thru to Friday. Out of state drivers come in at midnight on Sunday to pick up their pre-loaded truck and the local drivers come in Monday morning around 4:00 am to avoid traffic. All the trucks return back to the warehouse from their routes between 12:00 and 5:00 pm.

Mike Davis is the Senior Service Manager/Owner of Duke Realty. He reviewed the concept plan and explained that about 70% of the warehouse would be leased to Grace Kennedy Group. He stated it is a permitted use.

The applicant is giving notice to their current warehouse in Moonachie. They would like to be in for June 1, 2019. The main road would be Ethel Boulevard and make a right onto Park Place East to get onto the main roads. There would be 20 leased trucks. Trailers would also be on the site for deliveries. Eighty-nine parking spaces have been designated to Grace Kennedy, the remainder would be for the second tenant. Ten spaces would be for the trucks. There would be 14 bay doors for the trucks. No onsite maintenance on the trucks. Drivers of the trucks are employees of Grace Kennedy. The property will have a security remote sensor gate. The police and fire department will have access.

The exhibits were marked in.

Brian Intindola of Neglia Engineering reviewed the plan and confirmed applicant would comply with the truck route that was previously approved.

The board advised Duke Realty that the second tenant will have to submit a full application before the board.

Chairman Finke declared the hearing of citizens to be open. With no one wishing to be heard, the hearing of citizens was closed.

Application 2019-10A Request for Tenant Site Plan Waiver was approved on a motion by Eilert second by Azzolini and a roll call of all members present voting yes.

Under old business the following application was presented

Application 2019-8A Dr. Robert Gagliardi, 102 Fourth Street – 239/8
Rear and side yard setbacks, Building Coverage
Rear yard Cabana

The Board's Attorney Gerald Salerno recused himself due to conflict of interest. James Novello, Esq. of East Rutherford continued with the application.

Gary Cucchiara the applicant's attorney explained to the board that his applicant is seeking a bulk variance for a rear yard covered cabana.

The cabana will be moved to satisfy the rear yard setback. There is a variance for a side yard setback. The applicant is looking to enter into a mutual property easement for the side yard setback variance. The applicant's in-laws live next door.

The other bulk variance is for the roof of the cabana, the ordinance states it must be an opened sky. The building coverage is 11% over the 30% allowed. There is no negative impact.

The exhibits were marked in. The witnesses were sworn in.

Dr. Gagliardi built his house in 1995 and has lived there ever since. His in-laws live next door since the 1970's. They do not have any objection to the application or the proposed easement.

The applicant was not aware needed to get a permit for the cabana. He previously had a pergola that was not sturdy and would not last very long.

Thomas Mesuk is the applicant's architect, he was asked to prepare plan for the purpose of this application. He prepared revised plans, which is A-9. He took 20 ½ inches off the rear of the cabana so it is now 3 feet off the property line and is now in compliance. The roof columns were pulled inboard by 3 feet. The only encroachment would be the North side were the in-laws live. The structural integrity of the cabana is fine.

William Stimmel is the applicant's engineer. He reviewed exhibit A-10 the photo exhibit. He stated the cabana cannot be seen from Union Ave. The plans have been revised so that the cabana is 3ft at all points off the rear property line so there is no more encroachment to the rear. Then only encroachment is the side yard where as applicant and the in-laws have agreed to enter into an easement.

The remaining variance relates to the building coverage, 30% is allowed the proposed coverage is 41%. Mr. Stimmel stated the benefit will outweigh the detriment. There will be no negative impact. The cabana is located at the NE corner of the property. The roof is to be compared to a shed roof.

Brian Intindola, Neglia Engineering asked the applicant to consider to install a gutter on the back roof for the water to drain into a drainage pit. The applicant would comply with Neglia's report. The applicant will tap the cabana gutters into the house gutters for all roll off to go out into the street.

Chairman Finke declared the hearing of citizens to be open. With no one wishing to be heard, the hearing of citizens was closed.

Application 2019-8A was approved by Eilert second by Braid with roll call of all members present voting yes with the conditions that the Applicant will install a complete gutter system on the cabana to discharge and tie into the house system and there would be a shared property easement with the owners of 108 Fourth Street that would run with the land, this would eliminate any potential future conflict.

The following presentation was given:

Christopher Eilert is the Borough Administrator but for the purpose of the presentation of the 2019 Wesmont Station Redevelopment Plan he is the director of the Redevelopment Agency. He was sworn in. The exhibits were marked in. Mr. Eilert explained the purpose of this presentation is that the Mayor and Council acting as the redevelopment agency has introduced an ordinance to amend the 2012 Wesmont Station Redevelopment Plan. The documents presented to the board are the full agreements and not a concept plan. Three zoning areas are what changed in the plan. The zoning map was reviewed to reflect the changes. The public benefit is significant.

Under new business, the following Resolutions were approved.

Resolution 2019-11BR Land Use Board recommending the adoption of the 2019 Wesmont Station Redevelopment plan which amends the 2012 Wesmont Station Redevelopment Plan was approved by DiMarco second by Trotter with roll call of all members present voting yes.

Resolution 2019-7AR Aylin Mahmut was approved on a motion by Magnusson second by Braid and a roll call of everyone present voting yes except Trotter and Azzolini abstained.

There may be an application for the Dannex property subdivision at Wesmont Station for the athletic field for the May meeting.

With no other business before the board, the meeting was adjourned at 8:30 pm.

Submitted by:

Cathleen Calabro, Land Use Board Secretary

Date