

**TOWNSHIP OF MAHWAH PLANNING BOARD  
REGULAR /WORK SESSION MEETING MINUTES  
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.  
MONDAY, MARCH 22, 2021 AT 7:30 P.M.**

**I. CHAIRMAN 'S OPENING STATEMENT, ROLL CALL, AND FLAG SALUTE**

The combined public/work session meeting of the Planning Board of the Township of Mahwah held via Remote Zoom Conference was called to order at 7:30 p.m. by Mr. Crean. The Opening Statement was read according to the Sunshine Law followed by the flag salute and a reminder that Planning Board meetings are being videotaped and broadcast live. It was noted that adequate notice of the meeting was provided specifying that this meeting would be held remotely and that electronic notice of both general access instructions and specific meeting invitations were posted to the Township Website.

These minutes are a synopsis of the meeting. A verbatim audio recording is on file at the Planning Board Office, 475 Corporate Drive, Mahwah, NJ. Copies may be purchased for a fee.

**II. Roll Call:**

The following individuals were present:

Mayor Wysocki  
Mr. Crean  
Mr. Donigian  
Mr. Ervin  
Ms. Galow  
Mr. Goldstein  
Ms. Jankowski  
Mr. Lo Iacono  
Mr. Olear

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Debbie Alaimo Lawlor, P.P.

The following individuals were absent:

Mr. Grewal  
Mr. Pallotta

**III. APPROVAL OF BILLS:**

Colliers Engineering & Design	2/08/21	Meeting Attendance	\$200.00
Colliers Engineering & Design	2/22/21	Meeting Attendance	\$200.00
Peter Scandariato	2/08/21	Meeting Attendance	\$250.00
Peter Scandariato	2/22/21	Meeting Attendance	\$250.00

A motion to approve the above bills was made by Mr. Olear and seconded by Mr. Donigian. A roll call of members present revealed 9 aye votes by Mayor Wysocki, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Olear, Ms. Jankowski and Ms. Galow.

**IV. APPROVAL OF MINUTES:**

1. February 22, 2021

A motion to approve the above minutes was made by Mr. Lo Iacono and seconded by Ms. Galow. A roll call of members present revealed 8 aye votes by Mayor Wysocki, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Lo Iacono, Mr. Olear, Ms. Jankowski and Ms. Galow.

**V. RESOLUTIONS FOR MEMORIALIZATION:**

1. **Docket #617 – Guido Realty, LLC**

295 and 305 State Highway Route 17, Block 63, Lots 10.01 and 10.02

Preliminary and Final Amended Site Plan Application, Soil Movement Permit Application, Movement of Soil Exceeds 1,000 cubic yards, Resolution of Approval

A motion to adopt the above resolution was made by Mr. Olear and seconded by Ms. Jankowski. A roll call of members present revealed 8 aye votes by Mayor Wysocki, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Olear, Ms. Jankowski and Ms. Galow.

**VI. OPEN TO THE PUBLIC – 15 MINUTES:**

A motion to open the meeting to the public was made by Mr. Ervin and seconded by Mr. Donigian. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Ervin and seconded by Ms. Galow. All voted in favor.

**VII. PUBLIC HEARINGS:**

1. **Docket #618 – Bolla Operating NJ Corp**

131 State Highway Route 17, Block 26, Lot 5

Preliminary and Final Amended Site Plan Application, Amended Signage

Ms. Alyson Kasetta of Prime and Tuvel at 2 University Plaza Drive, Suite 109, Hackensack NJ, stated that she represented the Applicant. Ms. Kasetta gave an overview of the application explaining that last summer the Applicant performed some remediation and rebranding on the site. The Applicant sought and obtained permits for internal renovations to the building. During this work, some signage was installed on both the gasoline canopy and on a freestanding sign that identified the new operator as Sunoco. The Applicant did not have approval for these signs. Ms. Kasetta clarified that the proposal within this application is for a freestanding sign that is larger than what currently exists on site. She explained that this Application seeks approval for:

1. The proposed larger freestanding sign

2. The gasoline canopy signage that was previously installed
3. The diesel canopy signage

Ms. Kasetta explained that the signage on the building was previously approved so it was not a part of this application. Ms. Kasetta reviewed the variances that were requested as part of the application:

- Maximum ground or pylon sign area
- Maximum ground or pylon sign setback from the property line
- Maximum number of canopy signs
- Maximum sign area

Mr. Scandariato stated that the notice and publication was in proper form.

Mr. Joshua Kline of Stonefield Engineering and Design at 92 Park Avenue in Rutherford, NJ provided his qualifications and was accepted as an expert in Civil Engineering. Mr. Kline noted the benefits of the environmental remediation and renovations that the new operator has completed. Mr. Kline explained that the newly proposed signage was a part of the rebranding of the station. Mr. Kline displayed Exhibit -A1 - Aerial & Street view photos - dated 3.22.21. Mr. Kline discussed the existing site conditions and surrounding area. Mr. Kline pointed out the street view that is partially obstructed by the propane tanks next door, the utility poles and overhead highway signs. Mr. Kline stated that the proposed canopy signs will be smaller than the Liberty Gas signs depicted in the Street view photos.

Mr. Kline displayed Exhibit - A2 - Sign Location Site plan date 12.1.20. Mr. Kline used the display to show where the new pylon sign would be located. He stated that a variance was still required for this location but that they had decreased the nonconformance as the sign was moved away from the highway right of way. Mr. Kline discussed the measurements of the freestanding sign. He explained that they needed to decrease the height due to site conditions while widening the sign for visibility from Route 17.

Mr. Kline stated that the signage on the canopy areas was decreasing but still required a variance. Mr. Kline testified that the canopy sign boxes and lettering would be internally illuminated; the diesel canopy would not be illuminated; and the pylon sign would be internally illuminated. The illumination would be 24 hours where present.

Mr. Kelly noted that he did not see a problem with granting the Applicant the waivers that are listed on Item #10 from his report of March 16, 2021.

Mr. Kelly asked if the Canopy signage graphics will be installed as proposed. Mr. Kline indicated that this was a Sunoco branding graphic and was part of this Application's proposal.

Mr. Kelly recommended that a condition of approval be added so that the Township has the right to request changes to the lighting for six (6) months after installation.

A motion to open the meeting to the public was made by Ms. Jankowski and seconded by Mr. Ervin. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Ervin and seconded by Mr. Lo Iacono. All voted in favor.

Ms. Kathryn Gregory of Gregory Associates located at 96 Linwood Plaza #350, Fort Lee, NJ was sworn in, provided her qualifications and was accepted as an expert Planner. Ms. Gregory explained the C variances that were being sought. Ms. Gregory testified to the unique properties on this site that create constraints and hardships regarding the placement of the signage. Ms. Gregory also pointed out the sight distance required for cars traveling on Route 17. Ms. Gregory discussed the differences between the proposed freestanding sign and the existing Sunoco sign that was proposed and approved previously for another application, on the other side of the highway. Ms. Gregory reiterated that these renovations and upgrades to the site are an improvement to the disrepair that was existing. Ms. Gregory didn't feel there would be any substantial detriment to the public good in granting these variances. Ms. Gregory noted the signage changes would be in agreement with the Township Master Plan goals, noting that goal # 10 is to preserve and enhance the Township commercial areas. Ms. Gregory testified that these variances would allow for this preservation and enhancement, meeting both the negative and the positive criteria for the granting of the variances.

A motion to open the meeting to the public was made by Mr. Ervin and seconded by Mr. Lo Iacono. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Ms. Galow and seconded by Mr. Donigian. All voted in favor.

Mr. Crean discussed a very difficult dangerous issue that has been happening at the Bolla site on Route 17 South. Ms. Kasetta suggested that she could go back to the Applicant and discuss this issue. Ms. Kasetta also suggested that the Zoning Officer issue a written notice. Ms. Kasetta stated that she would address it with the Applicant's attorney and be sure that some action was taken.

The Zoning Permit denial was reviewed to be sure all requirements identified had been met.

A motion to conditionally approve the application was made by Mr. Ervin and seconded by Mr. Pallotta. A roll call of members present revealed 9 aye votes by Mayor Wysocki, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Lo Iacono, Mr. Olear, Ms. Jankowski and Ms. Galow.

## **VIII. WORK SESSION:**

### **A) NEW BUSINESS:**

1. Docket #619C - RP Prime  
209 Ramapo Valley Road, Block 132, Lot 4  
Conceptual Review of Outdoor Dining Plan

Mr. Adnan A. Khan, P.E., C.M.E. of AWZ Engineering Inc. at 150 River Rd, Montville, NJ provided an overview of the proposed paver patio for Outdoor Dining. Mr. Khan displayed the submitted Concept Plan dated March 16, 2021. Mr. Kahn stated that the

area would increase the seating by approximately 12 seats. Mr. Khan stated that no new parking is planned and reviewed the proposed traffic flow. Mr. Khan displayed the submitted renderings of the proposed changes. Mr. Khan pointed out where the proposed patio and covered walkway would be located. Mr. Khan stated that they didn't feel additional parking would be needed but they did identify where stacked parking could be used in the future if additional parking was required.

There was further discussion about the flow of traffic. Mr. Kelly indicated that the Amended Site Plan would need to provide signage to manage the traffic flow. Mr. Kelly stated that testimony would be needed to demonstrate that additional parking was not needed. Mr. Kelly also reviewed the Site Plan requirements that might be waived for this type of application.

Mr. Lawlor questioned how many extra seats would be added and asked that the Amended Site Plan application include a detailed explanation of the seating both indoors and outdoors as this is needed to determine the parking requirements.

The Applicant indicated that they would begin the work to submit an Amended Site Plan Application.

**B) OLD BUSINESS:**

1. Mr. Kelly stated that we was following up on a status of the landscaping at the Valley Wellness Center.
2. Mr. Kelly discussed the steps that have been taken in the past to remediate the traffic safety problems with the Bolla Market on Route 17 South and offered to gather the parties involved in order to work towards a solution.

**C) COMMITTEE REPORTS: None**

**IX. ADJOURNMENT:**

A motion to adjourn the meeting at 8:46 p.m. was made by Mr. Olear and seconded by Ms. Galow. All voted in favor.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on April 22, 2021 for approval at the Regular Meeting to be held on April 26, 2021.