

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR /WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, MAY 10, 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 7:32 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:

Mr. Crean

Mr. Donigian at 7:34 p.m.

Mr. Ervin

Ms. Galow

Mr. Goldstein

Mr. Grewal

Ms. Jankowski *Ms. Jankowski was present prior to the start of the meeting but her Zoom connection was lost when the attendance roll call was taken.

Mr. Lo Iacono

Mr. Olear at 8:16 p.m.

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Debbie Alaimo Lawlor, P.P.,
Geraldine Entrup, A.O.

The following individuals were absent:

Mayor Wysocki

Mr. Pallotta

III. APPROVAL OF BILLS: None to Present

IV. APPROVAL OF MINUTES:

1. April 26, 2021

A motion to approve the above minutes was made by Mr. Lo Iacono and seconded by Mr. Donigian. A roll call of members present revealed 5 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Lo Iacono and Ms. Galow. *Ms. Jankowski was present prior to the start of the meeting but her Zoom connection was lost when this roll call was taken.

V. RESOLUTIONS FOR MEMORIALIZATION: None to Present

VI. OPEN TO THE PUBLIC – 15 MINUTES:

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

Mr. Muhammad Faiaz of 1 Great Hall asked if this was the time to speak about the proposed development on Fyke Rd. Mr. Scandariato explained that this was an active Application before the Board that would be continued to be heard on May 24, 2021. Mr. Scandariato explained that the Board could not discuss matters related to this active application during this meeting and suggested that Mr. Faiaz share his questions or concerns with the Board during the Public Hearing for Fyke Brook Estates, LLC, scheduled for May 24, 2021.

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

VII. PUBLIC HEARINGS:

1. Docket #622 – Tesla Inc.

280 Route 17 South, Block 136, Lot 5.02

Amended Site Plan Application – Electric Vehicle Charging Station

Mr. Duncan Prime of Prime & Tuvel at 14000 Horizon Way, Suite 325, Mount Laurel, New Jersey stated that he was representing the above Applicant in this Amended Site Plan Application. Mr. Prime gave an overview of the proposed Application explaining that the Electric Vehicle Charging Station would be an ancillary use to the primary fueling at the Quick Chek station.

Mr. Prime introduced two witnesses who would provide testimony. Both Mr. Jesse Karp of Tesla, Inc. at 160 Van Brunt Street Brooklyn, NY and Mr. David Revette, P.E. of Dewberry Engineers, Inc. at 600 Parsippany Road, Suite 301 Parsippany, NJ. were sworn in. Mr. Karp provided his professional qualification as a business expert in the installation of Tesla's Electric Vehicle Charging Stations. Mr. Revette provided his qualifications in the area of Civil Engineering. Both witnesses were accepted by the Board as Experts in their area of expertise.

Mr. Karp is Tesla's Deployment Lead for the installation of Tesla's Electric Vehicle Charging Stations. Mr. Karp identified where other charging stations were located regionally and gave an overview of how a typical charge would work. Mr. Karp testified that the user interface would not require any interaction with Quick Chek and was fully remote. Mr. Karp stated that

the standard design width of the parking space is 9 feet and that this is the nationwide standard. A waiver is being requested for the parking width size.

Answering Ms. Lawlor's questions, Mr. Karp indicated that the station would be used for charging only Tesla vehicles. Mr. Karp did indicate that other charging companies could also add to the charging station if that is what Quick Chek wanted.

Answering Mr. Kelly's questions, Mr. Karp indicated that approximately 50-80 vehicles would be using the station per day but that the traffic would not increase significantly. The Applicant agreed to place a garbage receptacle in the area.

Mr. Kelly and Ms. Lawlor stated that they saw no problem in granting the requested design waivers.

Mr. Karp clarified that the process is all self-serve through the Tesla interface. Mr. Karp also indicated that the utility service from Rockland Electric might need to be upgraded if other companies add charging services. Mr. Karp testified that there is no exclusivity agreement with the Owner that would prevent other companies from offering charging stations also.

There was further discussion of charging times under various conditions and whether this would create traffic or parking issues. Mr. Karp indicated that 4 of the parking spaces were exclusively used for Tesla Vehicles.

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. Lo Iacono and seconded by Ms. Galow. All voted in favor.

Mr. David Revette of Dewberry Engineers was previously sworn in and provided his credentials again. Mr. Revette displayed Exhibit A-1 Site Plans dated January 19, 2021 and revised March 31, 2021. Sheet Z-3 and Sheet Z-4 were displayed showing the existing conditions and proposed detailed site plan which Mr. Revette described. Mr. Revette indicated where the utility lines would be run by Rockland Electric. Mr. Revette reviewed the parking on the site and where the mechanical equipment would be located. Mr. Revette reviewed the proposed signage displaying Sheet Z-6.

Referencing Item E.3 of Ms. Lawlor's letter of April 2, 2021, Mr. Revette agreed that the Applicant would compensate for the landscaping loss where trees are being removed.

Ms. Lawlor noted that her report was updated to state that these were accessory uses and a waiver not a variance would be required.

There was discussion regarding access to the Quick Chek from the charging station area and whether security cameras were used.

Mr. Kelly indicated that the Applicant's professionals addressed all the items listed in his report of April 6, 2021 and clarified that there was 1 waiver for the parking space size and other design waivers.

A motion to open the meeting to the public was made by Mr. Donigian 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.

A motion to conditionally approve the application was made by Mr. Donigian and seconded by Mr. Goldstein. A roll call of members present revealed 8 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Grewal, Mr. Lo Iacono, Ms. Jankowski and Ms. Galow.

Mr. Olear joined the meeting at 8:16 p.m.

VIII. WORK SESSION:

A) NEW BUSINESS:

1. Review of Town Council Resolution #176-21 – “Authorizing and directing the Planning Board of the Township of Mahwah to undertake a Preliminary Investigation to determine whether (1) Certain real property within the Township of Mahwah qualifies as a Non-Condensation Area in Need of Redevelopment and (2) Certain real property within the Township of Mahwah qualifies as a Condensation Area in Need of Redevelopment.”

Ms. Jankowski was recused from this business.

Mr. Scandariato provided an overview of the Area in Need of Redevelopment Process and the Planning Board's role. Mr. Scandariato explained that the current task is to authorize the Planner, Colliers Engineering, to complete the study of the proposed area. There was further conversation about the process, what Block/Lots were included and how the Planning Board would be involved in subsequent steps. Ms. Lawlor discussed that the use of condemnation powers must be indicated at the start of the process and could not be changed. Ms. Lawlor indicated that the added Lots were without condemnation.

A motion to approve and adopt a resolution authorizing Colliers Engineering to undertake a Preliminary Investigation was made by Mr. Lo Iacono and seconded by Mr. Olear. A roll call of members present revealed 8 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Goldstein, Mr. Grewal, Mr. Lo Iacono, Mr. Olear and Ms. Galow. Ms. Jankowski was recused.

Council President May addressed the Board and there was discussion regarding the communication between the Council President and the Board.

B) OLD BUSINESS: -

C) COMMITTEE REPORTS: - Mr. Donigian discussed the possibility of meeting with the Ramsey Planning Board.

IX. ADJOURNMENT:

A motion to adjourn the meeting at 8:50 p.m. was made by Mr. Olear and seconded by Mr. Goldstein. All voted in favor.

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on May 21, 2021 for approval at the Regular Meeting to be held on May 24, 2021.