

RIVERDALE PLANNING BOARD MINUTES

July 28, 2011

The Regular meeting of the Riverdale Planning Board / Zoning Board of Adjustment opened on the above date at 7:30 p.m. Chairman Al Heimall read the Sunshine Law.

ROLL CALL: **Present:** Glenn Venza
 Vincent Pellegrini
 Bradley Clinton
 Michael Reilly
 Bobby Roberts
 Sal Poli (Alternate)
 Vice-Chairman Brendan Magennis
 Chairman Al Heimall

Absent: Mayor William Budesheim
 Councilman Joseph Falkoski

Also present is John Barbarula, Board Attorney.

APPROVAL OF MINUTES:

April 28, 2011

Thereupon Vice-Chairman Brendan Magennis set forth the motion seconded by Bradley Clinton to approve the minutes as written and submitted.

ROLL CALL: **Ayes:** Magennis, Clinton, Venza, Pellegrini, Reilly, Heimall
 Nays: None
 (6 Ayes – 0 Nays – Motion Carried)

May 5, 2011

Thereupon Bradley Clinton set forth the motion seconded by Bobby Roberts to approve the minutes as written and submitted.

ROLL CALL: **Ayes:** Clinton, Roberts, Venza, Pellegrini, Poli, Magennis,
 Heimall
 Nays: None
 (7 Ayes – 0 Nays – Motion Carried)

APPROVAL OF BILLS:

Thereupon Bradley Clinton set forth the motion seconded by Glenn Venza to approve payment of five bills as listed on the agenda totaling \$2,880.00.

ROLL CALL: **Ayes:** Clinton, Venza, Pellegrini, Reilly, Roberts, Poli,
 Magennis, Heimall
 Nays: None
 (8 Ayes – 0 Nays – Motion Carried)

CHANGE OF OWNERSHIP FOR A COMMERCIAL PROPERTY:

1. Application No. COO07272011 / Albert Balonze / Efficient Air Service / 109 Route 23 South (Horace Stringfield property) / Block 38 Lot 7.02 / PO2 Zone

The record notes that Mayor Budesheim is now in attendance.

Mr. Balonze came forward and was sworn in by the board attorney. Mr. Balonze stated he is purchasing the property on his own. Mr. Balonze stated the building at this time is vacant, and he has a sheet metal shop; he would like to run his business from the

property. He would have an office at the location as well as his machine shop. He currently has three field employees and one office employee. Hours of operation are 7: am to 5: pm depending on the workload Monday through Friday. Most of his time is spent on the road and not in the building. This is a five day operation. The building is normally not open on Saturday and is not open on Sunday. There would not be any outside storage, everything will be in the building. The metal will be in the building. Most of that work is subbed out, but some has to be done in house. Mr. Balonze stated he does use a hand brake for the metal. There are no flammable materials used or stored in the building. Mr. Balonze stated he has light vans and one pick-up truck. Mr. Balonze stated he has a one to three year plan to renovate the building and the site itself. There are a lot of overgrown weeds and undeveloped parts that I would like to take care of. There is enough space in the back of the building to create parking spaces for the trucks when the work is done. There are four to six spaces in the front of the building for parking at this time. Mr. Barbarula explained to Mr. Balonze that if he would like to cut down the weeds and etc., in the back of the building to create parking he would have to come back to the board with a site plan and that nothing can be done at this time until an approved site plan is in place. Mr. Balonze stated he understands that and he will come back with a site plan, and he intends to make the building and the site look much better than it does at this time. Mr. Venza asked if any vehicles will be parked overnight at the site. Mr. Balonze stated there will be one van at this point. Mr. Balonze stated he would have some deliveries by van; however he usually picks up his own deliveries.

There was a discussion about scrap metal and Mr. Balonze stated at some point he would be getting a metal dumpster but that would be kept inside as well. Eventually when a site plan is submitted the dumpster would be have a space outdoors. Mr. Balonze stated he would provide more parking when the site plan is submitted.

Mr. Barbarula stated that Mr. Balonze is here for a change of occupancy with the building to be used as it is now. It was a machine shop and again with the change in occupancy would be used as a machine shop. The board asked if there was anything on record. The board secretary stated we have nothing on file at this time except for a very old site plan, which has no changes. There is nothing that can be done at the time on unpaved areas until the site plan has been submitted and approved. Mr. Reilly asked about the oils in the equipment that is being returned. Mr. Balonze stated that what they do at this time is they have a machine that recovers refrigerate and they contain it in a recovery cylinder and when that is done they shut the valves and the two ends are welded shut. From there it is taken to the scrap yard and right now it is Park Stein. In a busy day and the employees come back to the office with the truck, it could go into the metal dumpster if we had one. Most of the work is done in the field and the scrap is taken care of on the same day. I would rather not keep the scrap at the shop facility. There was a discussion about the signs. Mr. Barbarula stated before a site plan is approved, the applicant can only replace the signs that are in place at this time and everything would have to be inside the building such as the scrap metal dumpster. Mr. Balonze stated this is what he would like to do. Mr. Balonze stated at this time he is trying to secure financing for construction work and then seek out an engineer. Mr. Balonze stated he would like to be back before the board with a site plan within six months or a little longer. There is extensive work that has to be done inside the building which I can do without a site plan, such as the plumbing work and the electrical work and the septic. The building has been vacant for thirty years or more. Mr. Bolonze stated he would like to work inside with building permits to bring the inside of the building up to standards. The bathroom isn't in working order and will require a new septic system.

Mayor Budesheim told Mr. Balonze to get in touch with Walt Mahon or Steve from the DPW in reference to the metal waste and the proper disposal due to the town gets credit for those items by volume or tonnage. Mr. Balonze will call for the numbers.

Chairman Heimall opened the application to the public. No one from the public came forward, thereupon; Glenn Venza set forth the motion seconded by Bobby Roberts to close the public portion of the application.

ALL IN FAVOR / Motion Carried

Mr. Barbarula explained that this application is for change of ownership as it exists to be compliant with the Municipal recycling ordinance, all the supplies in compliance with the Fire Department and the Board of Health. No outside storage is allowed.

Thereupon Glenn Venza set forth the motion to approve with the condition Mr. Barbarula reviewed, seconded by Vice-Chairman Brendan Magennis.

Mr. Pellegrini stated he would like to add the site plan be submitted six months from the closing. The closing should be sometime in July or September. Mr. Barbarula stated that way the site plan would have to be submitted by March 12, 2012. After discussion Mr. Venza stated he did not want that to be a condition of his approval, and Vice-Chairman Magennis stated the same. Therefore the approval will not include the site plan time limit condition.

ROLL CALL: Ayes: Venza, Magennis, Budesheim, Pellegrini, Clinton,
Reilly, Roberts, Poli, Heimall
Nays: None
(9 Ayes – 0 Nays – Motion Carried)

OTHER BUSINESS:

The board secretary stated that Greg Bogert came to see her about a week ago in reference to the Riverdale South building and the problems with the traffic accidents. Mr. Bogert asked Paul Darmofalski for help and Mr. Darmofalski contacted the owner and the owner refused to do anything because he feels this is DOT property. Mr. Darmofalski stated this is definitely the owners property. Chairman Heimall stated he was over there and quite possible if they changed the signs it would help. Mr. Venza stated the bushes have to be trimmed back in order for this to work. Mr. Barbarula stated the zoning official should send him a letter for property maintenance and see how far that goes. There is no site plan on file with the borough; however, John Barbarula stated he may have one and it is possible Mr. Darmofalski will have a site plan. Ms. Roetman stated she would send a letter of abatement tomorrow. A workshop meeting will be next Thursday, so there would be no agenda per say, it is for the workshop.

Vice-Chairman Magennis stated he would like to bring to the zoning officers attention the property on the corner of Hamburg Turnpike and Post Lane. There are sandwich signs and you can't see the oncoming traffic.

Also Mr. Venza stated the property next to Maroon property where the billboard is needs to be cut back as well for property maintenance.

The Mayor stated he would like the plans for the 60-62 Riverdale Road before next Thursday so the board could have a better view of what the options are on this property.

John Barbarula stated hopefully everyone will be able to make the meeting next week in order for the workshop for the Riverdale Road property, etc.

ADJOURNMENT:

Thereupon Sal Poli set forth the motion seconded by Bradley Clinton to adjourn the meeting.

ALL IN FAVOR / Motion Carried

Meeting Adjourned at: 8:06 p.m.

Minutes respectfully submitted by:

Linda Roetman
Board Secretary

PLANNING BOARD MINUTES
August 4, 2011

The Workshop meeting of the Riverdale Planning Board / Zoning Board of Adjustment opened on the above date at 7:31 p.m. Chairman Al Heimall read the Sunshine Law.

ROLL CALL: **Present:** Mayor William Budesheim
 Councilman Joseph Falkoski
 Glenn Venza
 Vincent Pellegrini
 Bradley Clinton
 Michael Reilly
 Bobby Roberts
 Sal Poli (Alternate No. 1)
 Chairman Al Heimall

Absent: Vice-Chairman Brendan Magennis

Also present is John Barbarula, board attorney and Paul Darmofalski, board engineer.

WORKSHOP:

1. John Barbarula stated he had gone through his files and did not find a site plan for Riverdale South. Paul Darmofalski stated he had submitted a copy of the site plan and the landscaping plan to Ms. Roetman before the meeting.

2. John Barbarula stated he had not been able to reach Trammel Crowe for the information on 60-62 Riverdale Road. In talking with Paul and having gone through the ordinance in reference to the Riverdale Road, it is definitely under the 168-20 zone which is the Multi-family Overlay District. It must be a minimum of 12.5 acres for construction of a multi-family use. Anything that comes before us that is less than 12.5 acres is not entitled to the multi-family overlay status. Any of the lots that come in that are less than 12.5 acres are in the Industrial Zone. The reason for this discussion is that we have been getting phone calls and questions regarding these two properties. We still do not have the answers to the question about Trammel Crowe having an option on these properties. The site with the house is less than an acre and even combining the two properties would be much less than the 12.5 acres. Trammel Crowe has the approval under next year, however; the moment that one piece of the land is sold, the approval is not valid anymore. Any application on any lot with contamination would have to be subject to the condition of the DEP, Stream Encroachment, Morris County, etc.

3. Ms. Roetman stated going back to the Riverdale South building for a moment, she sent a letter to the owner requesting the work to be done on the bushes and shrubs and if there is no answer within ten days, I will be taking him to court. Paul Darmofalski stated that he and Greg Bogert had meetings with the owner different times and the owner felt that DOT was the one in charge of taking care of the bushes, etc. Paul explained that the highway was widened and that the owner of the building is the one responsible for the bush. Mr. Venza stated that the bush in question isn't on the landscaping plans. Chairman Heimall stated that bush should be removed because coming out of the exit, the view is blocked. Mr. Poli stated there is a law that states the bushes cannot be more than 30" tall. Mr. Barbarula stated the landscaping is violating the approved site plan. There was a discussion on the property. Mr. Darmofalski stated under the 30" tall shrubs, is under the site plan ordinance.

4. Councilman Falkoski stated he has receive calls from people on Williams Street across from the Alexan Club House and it seems that they have put a fire pit on the deck across the street from the residents and have been playing loud music with the loud speakers, and sit there all hours of the day and night. The neighbors are complaining about the noise. Councilman Falkoski stated he looked up the site plan and there was no fire pit on the site plan. He understands that it is fueled by gas and therefore a permanent structure.

He checked with the construction official Joe Montemorano today to see if there were permits issued for that. Mr. Montemorano wasn't sure and went over to look at it. He told the councilman that he was not aware of it when the building was constructed; so he issued a summons today for the structure. If they have a permit we can follow it up from there, but as of now, there is not permit in the building office. Mr. Pellegrini stated he remembers inspecting the fire pit for the Borough, so there had to be permits issued. Mr. Falkoski asked how were they able to get a permit if it wasn't shown on the site plan. Mr. Barbarula asked if it was built on the structure it would not have to be on the site plan, however; if out inspector inspected the pit, there must be permits. Mr. Pellegrini asked the councilman if the people were complaining about the fire pit or the loud music. Councilman Falkoski stated both, the fire pit because people were congregating around it and the music because it's loud and is played all hours.

Mr. Barbarula stated there are ordinances protecting the residents from the loud music, but the fire pit is different. Councilman Falkoski stated that is exactly why he contacted the building official. Councilman Falkoski stated he would handle the loud music part of the complaint. Chairman Heimall asked councilman Falkoski if he checked with the police to see how many police reports on noise are on file. Councilman Falkoski stated he has not done that. The residents have complained directly to the councilman.

5. Mr. Darmofalski asked about the date of our last Master Plan review. Mayor Budesheim looked up the date and the Master Plan was done in 2008, there is no need for review at this time.

AUDIENCE PARTICIPATION:

1. Jennifer Craft came forward and is the attorney for people who are interested in purchasing the 60-62 Riverdale Road properties. Ms. Craft stated that the people interested in the property are a container company. They are looking to utilize the property in the same way as it is currently being utilized, would there be a requirement for variances for continued use. Mr. Barbarula asked which property. Ms. Craft stated Rovic is now occupying the space and they have a container business and they would like to store their containers and trucks. There is a site plan on record stated Mr. Darmofalski and if you would have to adhere to that site plan as far as the operation and the parking of trucks, etc. This property is in the flood plain. Mayor Budesheim stated every time there is a flood we have to get boats to bring the drivers to their trucks. It happens all the time. The Mayor stated he could understand once but not every time there is a flood which has happened three times in a short time span. Ms. Craft asked about the outside storage. Mr. Barbarula stated the outside storage is limited to the items listed on the Resolution or site plan. Mr. Barbarula stated he has been trying this week to reach TCR to find out if they still have options on these properties. Ms. Craft asked if there was a flood and the driveway right now is on the right side of the property, could they construction a driveway on the left side of the property. Mr. Barbarula stated the board would have to look at the site plan and at this time the site plan is expired. Mr. Darmofalski stated he remembers the application very well and the adequacy of parking would have to be considered.

Mr. Barbarula stated to find out how much parking you would have to look at the site plan. Mr. Reilly asked if the board was bound by the site plan of the house property. Mr. Barbarula stated the site plan is expired and the board is not bound to that site plan. Mr. Darmofalski reviewed the septic system requirements. Mr. Darmofalski looked for the answer about the highest elevation of the water flooding.

Mr. Barbarula stated not to be misleading to the prospective buyers, however; this property is part of the land that the borough is looking at to get funding to buy and tear down. Ms. Craft stated she read that in one of the newspapers.

Ms. Craft questioned the funding and what other properties the town is looking at. Mr. Darmofalski reviewed the contamination on the site.

Mr. Pellegrini asked if the taxes were up to date on these properties. The taxes have not been paid since 2009 and the taxes would have to be completely paid before the property is sold.

Mr. Darmofalski suggested the prospective buyers call the engineer from the TCR project due to them spending a great deal of time with this property for their project. The board secretary gave Ms. Craft the telephone number for SESI.

Thereupon Vincent Pellegrini set forth the motion seconded by Glenn Venza to close the public portion of the meeting.

ALL IN FAVOR / Motion Carried

NEXT MEETING:

Thereupon Glenn Venza set forth the motion seconded by Bradley Clinton to cancel the meeting for August 25th, 2011 due to lack of agenda.

ALL IN FAVOR / Motion Carried

ADJOURNMENT:

Thereupon Bradley Clinton set forth the motion seconded by Bobby Roberts to adjourn the meeting.

ALL IN FAVOR / Motion Carried

Meeting adjourned at 8:36 p.m.

Minutes respectfully submitted by:

Linda Roetman
Board Secretary

bin owner's have been contacted and will have to come to the Mayor and Council for permits. John Barbarula stated the board should take into consideration is the location appropriate as far as traffic patterns, safety, location as to other elements on the site, and the access to the bin and back onto the road. Mr. Venza stated the fill side is on the American Gutter side and he doesn't know how much auto traffic that site gets. Chairman Heimall stated it is only really accessible from that side of the bin and you can't see if there was a truck backing out on that location. The board secretary stated there is no site plan for that location. Michael Reilly stated that his kids were part of the PLYO and the organization is near to his heart, however; his personal opinion is he does not like the idea of having a whole lot of bins in town to start with and this ordinance was passed to tighten that up a bit and make the bins legal by permit. Mr. Reilly stated he did not feel this was a good site for this organization, with that said; I do not think that having a bin on this site is a prudent decision.

Mr. Gruzdis stated he is from this area and his first thought was to place the bin by the hot dog stand (Busy Bee), but he couldn't find the right person for that location, and then this site came to our attention and I felt this was a good site. It's not a situation like the hot dog stand where you have people coming in and out of there all the time, it's just pull in drop off and leave, there would not be a line of traffic there. Mr. Gruzdis stated he will look through the town again to find a better location. Environmentally this is a worthwhile cause. I understand stated Mr. Gruzdis that there are a lot of bins in all towns, and I will abide whatever your decision is, if you could just give me a little time to find a new location. Mr. Barbarula stated this is only the board recommending to the Mayor and Council and not a decision, only the Mayor and Council can either approve or reject.

For the record there is no one in the public therefore the Chairman will not open this hearing to the public.

Thereupon Michael Reilly set forth the motion to **not** recommend this site to the Mayor and Council, seconded by Bobby Roberts.

Mr. Reilly stated he implores Mr. Gruzdis to please find another site in the Borough for this bin; it is an extremely worthwhile organization and he supports it 100%.

ROLL CALL: **Ayes: Reilly, Roberts, Venza (he would like to agree with member Reilly to please find another location in the Borough, this is an absolute worthy cause; just a bad location) Pellegrini, Poli, Urban, Heimall (worthy cause, poor location)**
 Nays: None
 Abstain: Budesheim
 (7 Ayes – 0 Nays – 1 Abstain – Motion Carried)

CANCELLATION OF MEETING FOR SEPTEMBER 1, 2011:

Thereupon Chairman Heimall set forth the motion seconded by Michael Reilly to cancel the meeting for September 1, 2011.

ALL IN FAVOR / Motion Carried

ADJOURNMENT:

Thereupon Glenn Venza set forth the motion seconded by Chairman Al Heimall to adjourn the meeting.

Time of Adjournment: 8:02 p.m.

Respectfully submitted by:

Linda Roetman
Board Secretary

site, so what they would like to do is change that to two signs, due to using the rear of the building for the front office. We would like to have one façade sign in the front so people will know what the office is and one in the back to depict the main entrance of the building. That is the reasoning for the two signs. The two signs are less than half the sign area that the previous sign was. Additionally there is a free standing sign out front, but the size of that sign is also depicted on the drawing as 19 square feet and we have a proposal to replace that sign with a 15 square foot sign, so it would be in the same exact location, however; it will be somewhat smaller than what was there. Other than that stated Mr. Cutillo, with signs showing entrance and exit. There are drawings of the signs and what they will look like. The following exhibits were submitted to the board:

P1-10/27/2011.....rear and front elevation façade signs

P2-10/27/2011.....freestanding sign 60" x 36"

P3-10/27/2011.....entrance and exit signs 30" x 15" double-sided

Mr. Cutillo stated that the signs were 43 foot sign and now we are reducing the sign to 27 square feet. One of those signs is 10 ½ square feet and the other sign is 16 ½ square feet.

The Vice-Chairman Brendan Magennis is now in attendance at 7:36 p.m.

Mr. Sordillo asked Mr. Cutillo, since these signs are basically the same as the signage that was here before, only reduced, and in the same location, do you feel this was cause any detriment to the site or the neighboring sites. Mr. Cutillo stated he did not feel these signs would cause any problems for the owner of the site or any of the neighboring properties. The reason for the rear elevation sign is so the people will know where to enter the building in the back of the building. Mr. Cutillo stated the building signs will not be lit and the freestanding sign has an existing illumination out there and it will be lit exactly the same way as it was. The angle of the sign will be slightly different than it was. The sign in the rear will be seen only by patrons of the building. The Girl Scouts have special events when the front door would be used as well and the signage will ensure the people enter the correct door.

Mr. Darmofalski stated the boards understanding of the history of the PO zone, when the time the signing of the zone was established it established a 12' sign which is relatively small and the planner at that time thought it was appropriate however; this building is much larger than the buildings on the Newark Pompton Turnpike. A professional might have a 12' sign which would be large enough for that, but this is a bigger building and people don't come here on a frequent basis and he felt it should stand out a little better for easy visibility of the visitors.

John Barbarula stated due to the size of the building and the fact that the signs will be smaller even though they are requesting a variance, he saw no problem with this application.

Vice-chairman Magennis asked why the signage over the doors in the rear, he didn't feel this was necessary. Mr. Cutillo stated that they feel the sign in the rear is important because people are so used to entering the building a different way.

Betty Varga stated that the people have always entered the building from the front door and they have to be reeducated about the entrance in the rear. The sign above the doors in the rear of the building will be necessary for the people to understand this is a new entrance. Even the people who used to come to the building are going to the front because that is what they used to do. The entrance and exit signs are hopefully going to help as well.

Glenn Venza asked why put the sign on the front if you don't want people to use that door. Vice-Chairman Magennis stated that is my point the sign in the back is not needed. The door that is there stated Vice-chairman Magennis is clearly where you should enter the building. Ms. Varga stated it might be clear to use, but it is not to the people that come to the building.

John Barbarula stated the sign in the front is needed for identification of the building. Glenn Venza stated you have the freestanding sign and if you have the sign over the front

RIVERDALE PLANNING BOARD MINUTES

November 10, 2011

The regular meeting of the Riverdale Planning Board / Zoning Board of Adjustment opened on the above date at 7:36 p.m. Chairman Al Heimall read the sunshine law.

**ROLL CALL: Present: Mayor William Budesheim
Glenn Venza
Vincent Pellegrini
Vice-Chairman Brendan Magennis
Chairman Al Heimall**

**Absent: Councilman Joseph Falkoski
Bradley Clinton
Michael Reilly
Bobby Roberts
Sal Poli (Alt. No. 1)
Todd Urban (Alt. No. 2)**

Also present is John Barbarula, Board Attorney.

APPROVAL OF MINUTES: October 27, 2011

Thereupon Vice-Chairman Brendan Magennis set forth the motion seconded by Glenn Venza to approve the minutes as written and submitted.

**ROLL CALL: Ayes: Magennis, Venza, Budesheim, Pellegrini, Heimall
Nays: None
(5 Ayes – 0 Nays – Motion Carried)**

RESOLUTION:

1. Application No. BOA09282011 / Girl Scouts of Northern New Jersey, Inc. / 95 Newark Pompton Turnpike / Block 26 Lot 22.06 / Zone: Professional Office 1

A copy of the Resolution was submitted to the board members prior to the meeting. Attorney John Barbarula read the Resolution into the record.

Glenn Venza stated he did not feel sentence No. 1 was clear. Mr. Venza felt it should be clarified to state there will be two signs, one on the front and one on the rear entrance as opposed to two signs on the front and rear entrances. The board agreed with the word change.

Thereupon Glenn Venza set forth the motion seconded by Vice-Chairman Brendan Magennis to approve the Resolution with the word change as listed above.

ROLL CALL: **Ayes: Venza, Magennis, Pellegrini, Heimall**
 Nays: None
 (4 Ayes – 0 Nays – Motion Carried)

ADJOURNMENT:

Thereupon Glenn Venza set forth the motion seconded by Chairman Al Heimall to adjourn the meeting.

Meeting adjourned at: 7:42 p.m.

Respectfully submitted by:

Linda Roetman
Board Secretary