

**Township of Washington
BERGEN COUNTY, NEW JERSEY
Planning Board Meeting
Minutes
May 29, 2013**

Call to Order: In compliance with the Open Public Meetings Act of the State of New Jersey, notification of this meeting has been published in the Ridgewood News, our official newspaper in the Township of Washington, notice has been advertised on the official Township of Washington website, and posted on the bulletin board at Town Hall.

First Order of Business: Salutation to the Flag

Roll Call Taken:

Messrs. Dumaresq (Absent), Golick, Murphy, Pinnick, Sabino, Sears (Absent), Chairman Calamari, Councilman D'Urso, Mayor Sobkowicz

Approval of Planning Board Meeting Minutes for May 1, 2013: Golick, Sabino

Roll Call Taken: All in Favor

Messrs. Golick, Murphy, Chairman Calamari, Councilman D'Urso, Mayor Sobkowicz

Motion to Open Public Portion: Golick, Sabino

No Public Comment

Motion to Close Public Portion: Pinnick, Murphy

Ongoing Business:

BP Products North America, Inc., Property Located at: 615 Washington Avenue, Block 3203, Lot 33: application to change signage to BP brand and paint the building. Site layout is to remain the same.

Chairman Calamari: stated that new correspondence had been received from BP, L2A, Mr. Paul Azzolina, High Point Engineering and from the Township's Health Officer, Mr. Dan Levy.

Mr. Constantine Stamos, Attorney for Applicant/BP: introduced himself to the Board and also introduced Mr. William Vogt, Engineering Consultant for applicant.

Mr. William Vogt sworn in by Board Attorney, Mr. Robert Wertalik.

Mr. Stamos and Mr. Vogt: discussed the revised plans, **Exhibit A-3 (changed to A-4 by Board Secretary due to the fact Exhibit A-3 was marked during the April 24, 2013 meeting.)** It was stated that after hearing comments from the Board and the public at the meeting on 4/24/13, the plans have been revised. Mr. Azzolina's letter was discussed and the hours of operation will be 7AM-10PM; anticipated number of employees is three; there are three 6,000 gallon tanks underground; another firm made the notice of intent to the DEP to replace these tanks in approximately 9-12 months.

Mayor Sobkowicz: asked if there are three 6,000 gallon tanks in addition to the originally reported three--4,000 gallon tanks, or there are only three--6,000 gallon tanks on site.

Mr. Vogt: stated that there are only three -6,000 gallon tanks on the site.

Chairman Calamari: confirmed that the three 6,000 gallon tanks will be replaced with the same.

Mayor Sobkowicz: stated that the original BP application mentioned only signage and the painting of the building, and there was no mention of the tanks.

Mr. Vogt: stated that he was not privy to any information other than signage and the upkeep of the property, but that the tanks do coincide with the rest of the application. Mr. Vogt further stated that the tanks are 30 years old and will need to be removed regardless.

Mr. Stamos: asked if the tank removal would affect the landscaping and/or fence.

Mr. Vogt: stated it would not, and that all the landscaped areas would not be disturbed, and if by chance they were, they would be corrected. Mr. Vogt further stated that the fuel deliveries would be one to two times per week during hours of operation/off peak hours with access off of Washington Avenue.

Councilman D'Urso: asked for the definition of "off peak" hours.

Mr. Vogt: stated that typically the hours would be between 7:45AM and 9:00AM and before 5:00PM to about 6:15/6:30PM, or very early in the AM.

Mayor Sobkowicz: asked how long it takes for the truck to make its delivery.

Mr. Vogt: stated approximately one hour.

Mayor Sobkowicz: asked how many gallons the truck delivers at a time.

Mr. Vogt: stated that it depends on how much fuel is needed on the site which would be anywhere from 10-20k gallons. Mr. Vogt further discussed the waste oil tank currently on the site and that it did not show up on the last survey. The waste oil tank is preexisting on the site and is kept outside for extra room in the bay area. Mr. Vogt asked if the waste oil tank could be kept at its current location and it would be protected by 1 -2 bollards. In addition, Mr. Vogt discussed parking spaces; clean-up of the site; three planting beds that would be maintained and pruned to a maximum height of 30 inches; and the removal of overgrown vegetation.

Mayor Sobkowicz: asked if the existing fence would be repaired.

Mr. Vogt: stated that there are a couple of sections of the fence that need to be replaced.

Mayor Sobkowicz: stated that in her opinion the fence should be higher than six feet.

Mr. Vogt: discussed the right of way improvements; deciduous trees; barren section will be filled in with shrubs; repair of the building's downspout gutters and the tank replacement scheduled for next year.

Mr. Stamos: asked what machinery is involved in the removal of the tanks.

Mr. Vogt: stated that the removal of the tanks is a large operation. Mr. Vogt further stated that the survey does not reflect the five monitoring wells and that field work was done by another engineering firm for the tank replacement. The work done was not for environmental purposes.

Mr. Leonard Sabino: asked if an environmental issue arose when the old tanks are replaced, what would be the protocol for remediating the environmental hazard.

Mr. Vogt: stated that there has been environmental testing on the site and the information has been sent to the DEP.

Vice Chairman Golick: asked if BP were held to the same standards as if they were buying the property instead of renting it and why did BP not buy the property.

Mr. Stamos: stated that the properties are not always for sale and Getty may not have been willing to sell the property. Mr. Stamos further stated that BP is "on the hook" to maintain everything in regards to the property according to law.

Mayor Sobkowicz: asked who the owner of the property was.

Mr. Vogt: answered "Getty."

Mayor Sobkowicz: asked who was ultimately responsible for the property.

Mr. Vogt: answered “BP.”

Mr. Vogt and Mr. Stamos: discussed Exhibit A-2 sheets 1, 2 and 3; the sign is back to the preexisting height of the Getty sign which is 21 ft.; the application is basically the swap out of existing signs/lens; pumps (just the structure is replaced); the modernization of the pumps; other signage remaining is the same and/or reduced; 2 signs along frontage; one “shop” sign and one “service” sign; no retail sales on the site; exterior will be painted and cleaned up; landscaping will be done around the perimeter and repair and/or replacement of the fence; there is no expansion of the facility.

Councilman D’Urso: asked if the sign could be lowered.

Mr. Stamos: stated that the sign is the same height as the Getty sign and that they are trying to work with the Board but doesn’t feel there is any leeway in regards to the sign. Mr. Stamos further stated that signage is not given up and the pylon sign will not be removed.

Chairman Calamari opened up the meeting to the public for comment.

Ms. Agnes Smith, 646 Valley Court: spoke regarding the shop and wanted to make sure there was no food being sold; gas deliveries and the safety of children who use the park on Cleveland Avenue.

Mr. Stamos: stated that the park is located further down the street than was being represented. Mr. Stamos discussed the station’s frontage on Cleveland and that the park was over 500 ft. away. Mr. Stamos further stated that the entrance driveway is only 50ft. which is closer to Washington.

Councilman D’Urso: asked if windows of time could be set up and adhered to for fuel deliveries.

Mr. Stamos: stated that he could convey this request to BP to have them contact their supplier to arrive at a less crowded time. Mr. Stamos further stated that the area the station is located in was previously approved for commercial use even though it is located in a residential area.

Chairman Calamari: stated that there were no more comments from the public and asked if Mr. Paul Azzolina was satisfied with the testimony given and revisions made.

Mr. Paul Azzolina, Board Engineer: stated that all issues were covered that were raised in his reports.

Councilman D’Urso: stated that Mr. Thomas Sears, Fire Dept. Director and member of the Planning Board, had asked that keys to the facility and plans of

the facility be supplied to the Town's Fire Department in case of an emergency at the property.

Mr. Vogt: stated that both would be made available to the Fire Department.

Motion to Approve BP Products North America, Inc., Property Located at: 615 Washington Avenue, Block 3203, Lot 33 application: Sabino, D'Urso

Roll Call Taken: All in Favor

Messrs. Golick, Murphy, Chairman Calamari, Councilman D'Urso, Mayor Sobkowicz

Mayor Sobkowicz: asked if the tanks weren't removed in the next twelve months, the Town may ask that something be done with landscaping.

Mr. Vogt: stated that BP is looking to remain on schedule.

Councilman D'Urso: asked who the main contact would be for the station.

Mr. Vogt: stated that BP is required to file documentation with the State which gives all contacts and their information and he will also have a copy sent to the Township.

Mayor Sobkowicz: asked how long the renovation would take and when will the station open.

Mr. Vogt: stated that work would begin at the site as soon as the Resolution is drafted and memorialized and the renovation should take two months at a minimum.

Mayor Sobkowicz: asked who will be doing the repairs on the property.

Mr. Vogt: stated that all that information would be contained in the forms submitted to the Town's Building Department.

Motion to Adjourn meeting: D'Urso, Sabino

All Board Members present in favor of Adjournment.

Respectfully submitted by:

JoAnn Carroll
Planning Board Secretary
May 30, 2013