

**TOWNSHIP OF WASHINGTON, BERGEN COUNTY
SPECIAL PLANNING BOARD MEETING MINUTES
July 24, 2019 7:30 p.m.**

CALL TO ORDER – 7:31 p.m.

SALUTE TO THE FLAG

OPEN PUBLIC MEETINGS ACT

Welcome to the Special Public Meeting of July 24, 2019 of the Township of Washington Planning Board. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Planning Board Secretary to the Bergen Record, The Ridgewood News and The Pascack Press newspapers. This notice has been posted on the Township Bulletin Board and on the Township Web Site.

Please notify the Planning Board Secretary of any disability requirements necessary for attendance at Planning Board meetings. The fire exits are located through the double doors to your right and through the door on your left. Please silence all cell phones.

Chairman Murphy: Roll call, please.

ROLL CALL: Mr. Pinnick: Absent, Mr. Sabino: Present, Mr. Sears: Present, Mr. Toro: Present, Mr. Vinagre: Present, Councilman Cumming: Present, Mayor Calamari: Present, Mr. Scudieri: Absent, Chairman Murphy: Present.

Chairman Murphy: The first item on the Agenda tonight is the appointment of a new member to the Planning Board, and before I ask the Mayor to take over, I just want to read and put into the record the letter that the Council, the Mayor and I received from Bernie Golick that was dated June 26, 2019:

“Please accept this letter as my formal resignation from my position as a member of the Planning Board with the Township of Washington. It is with a heavy heart that I leave this position which I have assumed for over 40 years. My last day will be on Monday, July 1, 2019. I would like to take this opportunity to thank you for the support I have received over the years from you and the members of the Planning Board. I am very grateful for the time I have spent on the Planning Board, and the professional relationships I have built. It has been a pleasure working with you and I hope our paths will cross again in the future.”
Sincerely, Bernard Golick

Chairman Murphy: “I served with Bernie just about eight or nine years, and in my tenure learned a lot from Bernie, and I can tell you that Bernie was very, very passionate about his position here on the Board, and what we were doing, and how we were going to make this town look and function as well as it does. So, Bernie was, as he says, 40 years on the Planning Board, and obviously a very big influence on what took place in this town over the last 40 years, and I know, in my experience that he did it very, very professionally, and with the utmost concern for the residents of the Township. So, with that, I just wanted to let everyone know that we did receive that letter from Bernie, and I, as well as everyone else, I am sure, wishes Bernie nothing but the best, and a long and healthy retirement.

Mr. Vinagre: Brian – one question: Mr. Mayor, is the Mayor and Council giving any type of proclamation for Bernie, for forty years of...

Mayor Calamari: I was just going to ask this Board if it is okay – I would like to prepare a plaque for him, and present it to a meeting of ours, assuming he is up to coming to one of our upcoming meetings. Yes – he certainly deserves that honor and distinction.

Mr. Sears: I'll second that motion.

Chairman Murphy: All in favor? Motion passes unanimously.

Mayor Calamari: Thank you. I will work on that and talk to him about coming to a meeting.

Chairman Murphy: Okay – Mr. Mayor it is all yours.

Mayor Calamari: Thank you, Brian. Just add my quick words, it was with great sorrow that I accepted his resignation, but he didn't see himself coming back any time soon, so he thought it was the right time to do it. With that being said, I recruited Said Toro, and he has happily accepted to become a member of this Board in addition to keeping his position on the Zoning Board. Our Town Code does allow for 1 Board member to sit on both boards, so it works out very well, because he brings the experience of the Zoning Board to the Planning Board. I am very happy to welcome him aboard.

Mr. Toro: Thank you.

Mr. Toro recites The Oath of Office and will fill the remainder of the Term of Bernie Golick, expiring December 31, 2021

MOTION TO OPEN PUBLIC PORTION:

Motion: Mr. Sears **Second:** Mr. Cumming

Chairman Murphy: All in favor:

Ayes – Sabino, Sears, Toro, Vinagre, Councilman Cumming, Mayor Calamari, Scudieri, Chairman Murphy.

Chairman Murphy: Is there anyone in the public tonight that has anything to discuss other than what is on the Agenda? Seeing there is no one else here but our Applicant, can I have a motion to close?

MOTION TO CLOSE PUBLIC PORTION:

Motion: Mr. Sears **Second:** Councilman Cumming

Chairman Murphy: All in favor:

Ayes – Sabino, Sears, Toro, Vinagre, Councilman Cumming, Mayor Calamari, Scudieri, Chairman Murphy.

Chairman Murphy: Okay, that takes us to our Resolution for old business, Jeffrey Picinic, 669 Jacquelyn Road, Block 2108, Lot 3.

We have the Resolution that our Attorney has prepared.

Mr. Sears: Before we read the Resolution, we asked him, at the last meeting, to have his framer send us a letter, and his arborist send us a letter, especially because they took down

more walls than what they were required to do. So, his framer, he couldn't remember his name, sent us a letter, and in his own words, he states that 'he has been in the business for 20 years, in the industry, and as he was looking at the framing, he realized it was rotten. He talked to the homeowner, Mr. Picinic, and advised him of it, and he told him "go ahead and do it." My concern with this is, number 1, if there is going to be any fines issued, the framer should also receive a fine, because if he's been in the business 20 years, he should know that his diagram says 1 wall. Talking to the homeowner does not give him the permission to rip down the rest of it. And I know we talked about there were some fines being issued, and I don't know if it was going all the way through, but I strongly suggest that we attach this Mr. Cole, who has been in the business for 20 years, and he just took the wall down because he said it looked bad. Then we ask for his arborist report for taking down trees. Usually an arborist would tell you if a tree has a disease, or if its branches are broken, or something else. His arborist reports just states, "well the tree is close to the street, one might be dangerous and close to the house and that's it. That's his arborist report, to have 4 trees taken down. I just find it very odd that we allow this to go forward, but, I know he has to put down to replace 2 for every 1 – that would be 8 trees, but an arborist should tell us, and Mr. Cumming, please tell me because you are quite familiar with this – if a tree is diseased, an arborist should say "well, the tree is too close to the street, so we have to take it down. It makes no sense to me.

Mr. Cumming: No, that is not a diagnosis. It's a target – there are 3 things that determine a bad tree; the weakness, the decay, rot, growths of fungus on the outside, certainly a lack of leaves, etc., branches falling, and then a true target, a dangerous target. Well, it could be close to the street, and it can be a redeeming tree, too. This is not sufficient.

Mr. Sears: Exactly. I'll refer this to the Board – what decisions do we allow him to go ahead and takes these trees down, or do we bring his arborist in here.... I drove up there – I don't see what is dangerous, but, I'm not a certified arborist like Mr. Cummings is.

Mr. Sabino: Do we have a copy of this letter?

Councilman Cumming: I was just handed a copy. It says he is a Board-Certified Master Arborist, New Jersey. This isn't well written.

Board Engineer: I believe everyone received the letter from the Board Secretary on July 3rd – the entire Board, both pieces of correspondence.

Mr. Sears: June the 28th is his general contractor, who he didn't know who the framing person was. I find if someone is in the business for 20 years, you should know that you just don't go ahead and take down walls, when you only have a requirement to take down one. I find that, if we are going to fine this homeowner, this contractor should be fined also. That is strictly my opinion.

Chairman Murphy: Well, I would agree with you 100%. If you are doing this for 20 years, you know you can't just take something down, based on the homeowner, you've got to raise your hand and say "go talk to the Building Department" or go do something, and I would say the same thing for the tree individual. Unfortunately, I wasn't here, so I don't know what you ended up talking about, so I will give my two cents, but I really can't... other than... I guess my question would be, "Do we have the ability on the books, to fine the owner and their contractors, or is the fine restricted to just the homeowner"?

Mayor Calamari: I was just going to ask Lou, if you know off-hand – does the buck stop with the homeowner, and the contractors are his responsibility...?

Board Attorney: First it is not in our ability to fine...

Mayor Calamari: I mean if you know from the Building Department perspective.

Board Attorney: I would say it should be both.

Mr. Sears: So, can this Board send a referral to the Building Department to issue these fines on a recommendation from this Board?

Board Attorney: The Mayor can certainly say, “Look, this is what happened. Here’s a letter, and we think you should look into it, or something.” I don’t think a Board should be telling another agency to...

Mr. Sears: Well, we are not telling them, this is the results of what we have seen.

Board Attorney: You can certainly send in the letter and certainly send him a memo or letter saying this is what happened, the contractor took it down without permission. And I think the Building Department knows him.

Board Engineer: The Building Department has the letter – I know that for a fact.

Mayor Calamari: So, I will follow up, and if he needs anything stronger from the Board, I will let the Board know at our next meeting.

Board Attorney: It’s still on the Building Department. Say that he never came to us, he still should be fined by the Building Department, not us – it’s not really our place to say.

Councilman Cumming: The way that we would have worked in property maintenance in the other town, would have been that the property owner is ultimately responsible for whatever happens on the property, so he is the one that would receive the fines, although he may turn around to the contractor, and back charge him, as it were.

Board Attorney: It all depends on your vote.

Councilman Cumming: I’m not sure what Mr. Scialla would do.

Mayor Calamari: I will ask him tomorrow.

Councilman Cumming: I find that there are good reasons on 2 of the trees – number 1 and number 3. The large oak leaning over the house, and number 3 – a large tulip with fungal activity. That is only 2 of 6. However, if I may...

Board Attorney: My notes reflect that we need a report from the arborist that is subject to approval by the Board – it could be reviewed by Mr. Cumming and Board Engineer. That is what my notes reflect. So, I, of course put in that it is approved, but you guys do not have to approve it, you could simply say, we don’t approve it, and I can alter the Resolution.

Board Engineer: Just so the Board knows, I did have a conversation with Mr. Picinic about this arborist’s report. I noted the same weaknesses that Mr. Sears is stating, I just want everyone to know that these trees are not removed, they are still... I questioned him on it. I recommended that he attend the meeting to justify some of these findings, and I don’t know

if he chose not to attend, or forgot to attend. I did recommend that he actually be here tonight.

Mr. Sears: Thank you, Paul.

Board Attorney: On number two, I know certain trees can't be saved, because it is too close to....

Board Engineer: Yes. There are certain of these trees that do fall into that category, so I think some of them are legitimately... what I questioned him about were the trees that were on the rear property line. They are not close to anything, so are they tall enough to topple onto this house? Yes, they are probably 100 feet tall, and his rear yard is probably 50 or 60 feet, so theoretically, if they were to come down and fall in a westerly direction, yes.

Mayor Calamari: If we applied that same logic to every tree in town – we'd be clear cut.

Councilman Cumming: I see 1 and 3, and I could grant you 2. So, 1, 2 & 3, but not the two large tulip trees that I think you are talking about on the property line in the rear of the property, because hopefully they won't fall on anyone's building. But trees save us 30% on our air-conditioning, shade the cars and houses, make the environment more pleasant, filter the air, and are a wonderful thing, which is why people move to places like the Pascack Valley.

Mr. Sears: In that section of town, we have already lost 22% of our canopy since 2009. I don't see adding more losing of our canopy, even though he is putting new trees up there, but I think we need to stay firm and try and build up our environment here.

Mayor Calamari: In light of him not being here in light of these things, I would like to make a motion to table this until we go back to him... he's not here tonight, and as Paul said, he invited him to attend, and so – we can't ask these questions, I make a motion that we table this...

Mr. Sears: I second it.

Board Attorney: Do you want to table the Resolution, or just this part of it? You can approve everything else if you want. I can take that out of the Resolution – it's totally up to the Board. You can make him reapply on Shade Tree. You can say "we are not granting your approval". You can grant for the 2 or 3 trees – you basically can do whatever you want. Because it was subject to review. We had the Board Engineer here who looked and spoke to the gentleman, and as did Councilman Cumming. So, you have the right to say "no-we are not approving that part of it."

Mayor Calamari: I have to go along with that, based on what we are saying tonight, that the framers – that's already done, and he will probably be fine, but the trees – yeah, let's pull that part out, and that way he can continue on his construction, so we are not unduly holding him up, but let's get him back here on the trees.

Board Attorney: So, all trees, so we can then... looking at the Resolution, Paragraph 1 – I will just reword it to say "The Board does not approve his application and requires the Applicant to return to address the issue of removal of the 6 trees."

Mayor Calamari: I would be fine with that, if it covers it in your opinion.

Councilman Cumming: Before the next meeting, I am going to go up and look at the trees.

Mayor Calamari: Yep, me too.

Councilman Cumming: I could go with one, two or three, if you want to do something tonight.

Mr. Sears: So, I would make that... Since Brian was not here, and I was chairing the Board, I will make that recommendation from the Board attorney, that we go forward with the correction on the Resolution. I am making that motion.

Mayor Calamari: I will second that.

Board Attorney: So, what I have written is the Applicant's tree removal application is not approved. The Applicant is directed to return to the Board to produce additional evidence.

Chairman Murphy: If I could add my two cents – should somebody be making the Building Department or someone aware that he does not take these things down tomorrow.

Mayor Calamari: I will also, yes.

Chairman Murphy: You run that risk if he thinks he was approved, and he has taken them down, Paul was there today....

Mayor Calamari: If he chose not to come and he does that, I see the fines going up.

Chairman Murphy: I wish I could vote on this.

Board Attorney: Again, this is to approve the Resolution with that language I just gave you. I will read it one more time for the record:

"The Applicant's Tree Removal Application is not approved. The Applicant is directed to return to the Board to provide additional evidence. I will send a new page tonight."

Chairman Murphy: Or he can certify he is leaving the trees up and he doesn't have to show up.

Board Attorney: I don't need that, but the implication is that if you don't come back, you don't get it - so he is not approved. Okay, so the motion is to approve the Resolution with that language.

Board Secretary: So, we had Tom motioned, Peter seconded.

ROLL CALL: Mr. Pinnick Absent, Mr. Sabino Abstain, Mr. Scudieri Absent, Mr. Sears Yes, Mr. Toro Recused, Mr. Vinagre Yes, Councilman Cumming Yes, Mayor Calamari Yes, Chairman Murphy Abstain.

MOTION CARRIES

Mr. Sears: Mr. Mayor, while we are on old business, if I may, what is the status on Washington Commons with the trees that they needed to replace? I know they asked for some time, and ...

Mayor Calamari: Paul and I were just talking about that as part of our pre-meeting, we had a few things to cover, and since neither one of us is 100% sure of the status, I will pay them a visit in the next day or two with Joe Setticase, our Code Enforcement Official.

Mr. Sears: Also, 158 Lafayette – the gentleman that came in and took down all the trees, and his permit was only for 3 and he took down 9. Was he fined – do we know?

Mayor Calamari: I don't know, but when I am down in Building, I will be happy to ask.

Mr. Sears: The last one is, the house on Hudson Avenue, where the guy cut down 17 trees, I just passed there, and he has taken down just about the whole house, and I don't understand how he can move forward when we do not have a landscaping plan from this gentlemen. I took pictures of it, and the only thing that is standing is a little piece of wood that I believe he is calling the old foundation.

Board Engineer: Those two applications – 158 Lafayette – they did prepare a revised landscape plan that provides the evergreen buffer that the resident behind them was seeking, so, they have not planted it yet, but it will be constructed before the issuance of a C.O.

Mr. Sears: Thank you, Paul. I knew you would be on it.

Board Engineer: The demo down the street (Hudson Ave.) – I spoke to the Construction Official regarding that yesterday – he was following up on it yesterday.

Mr. Sears: I don't see how he can move forward when we don't even have the plans.

Board Engineer: Well – that application was never before this Board. That was a Building Department application.

Mayor Calamari: Now that they have taken down that much, is it the same as the Picnic thing where they have to come before this Board, Paul?

Board Attorney: Possibly. That's why I made the Construction Official aware of it, so he was following up on it yesterday afternoon. I didn't not have the opportunity to talk to him today.

Mr. Sears: If you go down there, there is nothing there, except a little piece of wood that's popping out of the ground.

Board Attorney: When I drove by in the morning, when I called him, I suspected by lunchtime everything would be down. It wasn't, so I asked him to follow up, because that is his purview, not mine – I just happened to see it.

Mayor Calamari: I will follow up with him tomorrow.

Mr. Sears: And the issuance of fines for taking down all those trees. I suggest we do the max for this person – whatever the max fines are. Thank you – that's all I have.

Chairman Murphy: So that takes us to new business. We have an application of Ulus Taso, seeking Site Plan approval in connection with the leasehold of Unit number 257-B in Washington Town Center for the operation of a Dairy Queen.

The Applicant is sworn in by Board Attorney.

Chairman Murphy: Your name and address for the record.

Mr. Tasoz: Ulus Tasoz, 16 Johnson Court, Paramus, 07652.

Chairman Murphy: Thank you. Why don't you just give us.... Do you have the report from the Board Engineer?

Mr. Tasoz states that he does.

Chairman Murphy: So why don't we just run through that quickly. Paul, is there anything in your report that you want to bring up – any details here that you have.

Board Engineer: Just some operational issues that the Applicant could expound on the items under Item 6 – the first one – is this your first Dairy Queen?

Mr. Tasoz: This will be my third one.

Board Engineer: Other locations?

Mr. Tasoz: Allendale and Rochelle Park.

Board Engineer: So, this is a franchise-type operation, correct?

Mr. Tasoz: Yes.

Board Engineer: Anything that the Board needs to know relative to Dairy Queen requirements of franchisees?

Mr. Tasoz: Well, to get certified. So, anybody working there, as far as managers go, we are all certified to run the store.

Board Engineer: Person who is responsible and in charge of operations – are you there on a daily basis?

Mr. Tasoz: Yes, I will be there on a daily basis.

Board Engineer: The title block reads "Dairy Queen/Orange Julius". Is that a separate product that will be...?

Mr. Tasoz: No, it is together. It's just Orange Julius is part of the franchise, as well.

Board Engineer: Is that a product that you will be offering here?

Mr. Tasoz: Yes – it is a smaller product, but it is part of the name.

Board Engineer: Okay. The size of the vehicles that are doing your deliveries?

Mr. Tasoz: We are not doing any deliveries. Oh, incoming? We have deliveries once a week.

Board Engineer: What size vehicle? A semi-trailer? A box truck or van?

Mr. Tasoz: One is a box truck, and I believe one is a van – so nothing too major. I think once a month, there is a trailer – semi-trailer – for a larger delivery, but that is once a month.

Board Engineer: So that is the question I am posing. So those deliveries will be to the back corridor.

Mr. Tasoz: Yes, there is an entrance in the back, so they are going to come to the back.

Board Engineer: The seating for 10 – those are fixed seats?

Mr. Tasoz: Yes. There is going to be a bench against the wall, and there are tables in front of it, and there are chairs on the opposite side.

Board Engineer: Are they movable chairs?

Mr. Tasoz: Yes.

Mr. Sears: Is that seating for 10 or 16? Because your plans say 10.

Mr. Tasoz: 10 – yes.

Mr. Sears: So, is it 10 or 16?

Mr. Tasoz: It's 10.

Board Engineer: Under Item No. 9 in my report – signage review. Signage as presented is slightly above the permitted maximum length when you consider the aggregate of the logo – the DQ logo, plus the lettering. So, they are approximately 13 feet. Where 12 feet, 6 inches is allowed, so the Board can either waive its limitation, or the Applicant could say he is going to make the sign conform. Are you requesting relief, or are you going to revise the sign?

Mr. Tasoz: We would request relief, if its possible, just because we are in a new location, and it is not in the same spot – it's more toward the movie theater, so we are hoping to get as much visibility as possible.

Mr. Sears: So, you are going to be between the Vietnamese restaurant and Lili's?

Mr. Tasoz: I think it is Vietnamese and then Tai Kwan Do on the other side. So, we are in between both.

Board Engineer: That would be a decision for the Board if they would allow the Applicant to have the slightly larger sign.

Chairman Murphy: Is that sign the standard Dairy Queen sign?

Mr. Sears: Are we restricted by what the management in the shopping center will allow also?

Chairman Murphy: I think that changed.

Board Engineer: Yes, I believe you have the ability to allow it. I would assume that the Landlord has seen your signage proposal...

Mr. Tasoz: Yes, he has.

Board Engineer: So, I would think he would need to know about it, and he would have the ultimate say, so....

Mr. Sears: How much bigger is it than the regular sign?

Board Engineer: 6 inches – and the difference is the gap between the logo and the letter.

Mayor Calamari: Does anyone remember – have we given sign relief in the past. I don't want this to be the start of everyone comes to us asking for their sign to be a little bigger, and it's a war of signs up there.

Mr. Sears: We had the problem with Foodtown going back awhile with their sign.

Board Engineer: Well they asked, and Rite-Aid asked. They both have larger than...

Mr. Sears: ...and it was the management person – what's his name?

Mayor Calamari: Alex. And, again, I don't know if it makes a difference – I don't know if I would consider those two anchor tenants, as opposed to everyone else. I just hate to see a sign war start, and do we open something up here that – “you gave it to Dairy Queen, give it to the next tenant...”

Chairman Murphy: To your point, didn't we have the same issue, or was it the length, with the rowing company? We said to him he couldn't do that, right?

Board Engineer: He was asking for more than the 6 inches. He never formally asked – that's the difference. I am sure the sign could be made to comply – it's definitely not hard to do.

Mr. Toro: Paul, is the 8-inch gap creating the overage on the length?

Board Engineer: Yes.

Mr. Toro: So, if you remove the gap, you will be under.

Board Engineer: I would say most likely do a combination of reducing... I don't think visually, you want them right on top of each other.

Mr. Tasoz: If we just made them closer, a little bit closer. So, it's the logo, and then it says Dairy Queen.

Board Engineer: Yes. So, looking at the first drawing sheet – the logo is 4 ft. 7 inches in length, and the Dairy Queen lettering is 8 ft. 5 inches in length – that equals 13 feet. So, the length of the sign is 6 inches greater than required and then there is that space in between. So, if you include the gap, then it is 6 or 8 inches greater. But if you just look at the size of the signs themselves, they total up to exactly 13 feet, and that is 6 inches greater than the 12 ft. 6 inches allowed.

Chairman Murphy: So, your suggestion, Paul is the Dairy Queen spelled out, make that a little bit smaller, and then also close the gap a little bit and then they are in conformance.

Board Engineer: There are probably a multitude of ways to do it, I don't know if there is any flexibility on the logo – that seems to be kind of fixed, but I'm not a sign maker, so I don't know. I will throw it back to the Applicant to discuss it with his sign fabricator if you can make it a 12 ft., 6-inch sign.

Mayor Calamari: If I can speak personally for a moment, I don't think that 6 inches is going to buy you much – everyone in town is going to know you are there – they've been clamoring for this. So, I would ask if you could try and stay within those limits for that reason – I don't want to start a sign war in the shopping center.

Mr. Tasoz: Okay.

Mr. Sabino: I have a question for the Applicant. You mentioned you are responsible for the operations.

Mr. Tasoz: Correct.

Mr. Sabino: Are you also 100% owner of the Dairy Queen, or do you have any partners?

Mr. Tasoz: I am 100% owner.

Mr. Sears: Is it just strictly ice cream?

Mr. Tasoz: Correct.

Mr. Sabino: You are not doing hot dogs?

Mr. Tasoz: No, strictly ice cream.

Chairman Murphy: Just for the record, because it was kind of two separate things. Mr. Sears asked about one thing, you asked about hot dogs. So, we just want to be sure that it is strictly ice cream. I believe that's it -anything else, Paul?

Board Engineer: The standard comment regarding the Knox box.

Mr. Sears: On the Knox box, Mr. Mayor - the Fire Department has a problem. We were about 2 minutes away from ripping the door one of the buildings because the keys weren't working.

Mayor Calamari: As part of my "Board" things I am going to be doing with the Building Department, and I will also raise that with Alex again tomorrow and explain how it is in his best interest and the Tenants' best interest.

Mr. Sears: Thank you.

Chairman Murphy: Your hours of operation?

Mr. Tasoz: 11:00 a.m., well it's a seasonal business, so it changes. In the summer peak season, we will probably be open from 11:00 a.m. to 10:30 – 11:00 p.m. We don't know just yet, but it won't be past 11:00 p.m. for sure.

Board Attorney: The application did say until 10:00 p.m.

Mr. Tasoz: 10:00 p.m. – correct.

Board Attorney: So, I will put that in the Resolution.

Mr. Sabino: Paul, I have a question – have you checked out the illumination of the sign, and... it's been an issue in the past, especially Bethany Church – the sign is too bright.

Board Engineer: There are no specifications provided. It appears to be standard LED lighting.

Mr. Tasoz: Yes, they are standard LED's – they are not very bright.

Mr. Sabino: And you will keep the signs on in accordance with...

Mr. Tasoz: Yes. They will turn off as soon as we are closed. There will probably be a timer on that.

Mr. Sabino: How about on the windows in the front – will you have any neon signs?

Mr. Tasoz: Maybe just a small "OPEN" sign that is neon, and a few posters. Dairy Queen is very strict as far as what we can put on the windows anyway.

Mr. Sabino: That's why I am asking. We have had issues in the past.

Mr. Tasoz: No, they keep that to a minimum, so it is not all covered.

Chairman Murphy: How long have you had the other locations?

Mr. Tasoz: Rochelle Park, we have been there about 14 years – we own that with the family. In Allendale, I just purchased that about 3 years ago. That is just me, as well.

Chairman Murphy: Does anyone have any other questions for the Applicant.

Mr. Sabino: Do you have an opening planned date?

Mr. Tasoz: Not a date, but we will be opening probably by the fall – sometime in November.

Chairman Murphy: If there are no other questions, we are going to accept this with you looking to see about getting the sign to be conforming – so that is how I am going to present it. Can I have a motion?

Mr. Sears: So moved – to accept the application as presented.

Mr. Cumming: I second it.

Board Attorney: With the provision that the sign will be reduced.

Mr. Cumming: The sign will be in conformance with the ordinance.

Board Engineer: Can I get a clarification with that gap... if he were to reduce the length of the lettering and the logo, such that the summation is 12' 6" or less, would that be acceptable? Whatever the gap is...

Chairman Murphy: Yes – as long as we are within the 12' 6" – that's it.

Mr. Tasoz: So, the gap is not the issue...?

Mr. Toro: It's the entire width.

Mr. Tasoz: Okay.

Chairman Murphy asks for a roll call.

ROLL CALL: Mr. Pinnick ABSENT, Mr. Sabino YES, Mr. Sears YES, Mr. Toro: YES, Mr. Vinagre YES, Councilman Cumming YES, Mayor Calamari YES, Mr. Scudieri ABSENT, Chairman Murphy YES.

MOTION CARRIES - Board Members offer the Applicant good luck.

MOTION TO ADJOURN:

Motion: Mr. Sears **Second:** Councilman Cumming

ROLL CALL: All Ayes

ADJOURNMENT - TIME NOTED: 8:27 p.m.

AGENDA SUBJECT TO CHANGE

ROLL CALL: Mr. Pinnick ABSENT, Mr. Sabino YES, Mr. Sears YES, Mr. Toro: YES, Mr. Vinagre YES, Councilman Cumming YES, Mayor Calamari YES, Mr. Scudieri ABSENT, Chairman Murphy YES.

MOTION CARRIES - Board Members offer the Applicant good luck.

MOTION TO ADJOURN:

Motion: Mr. Sears **Second:** Councilman Cumming

ROLL CALL: All Ayes

ADJOURNMENT - TIME NOTED: 8:27 p.m.

AGENDA SUBJECT TO CHANGE

PLANNING BOARD

APPROVAL DATE 10/2/19

CHAIRMAN [Signature]

SECRETARY Barbara Coleman