

**Township of Washington
BERGEN COUNTY, NEW JERSEY
Planning Board Meeting
Minutes
August 28, 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, Golick, Murphy (absent), Pinnick, Sabino (absent), Sears, Chairman Calamari, Councilman D'Urso, Mayor Sobkowicz

Approval of Planning Board Minutes: Golick, Dumaresq

July 31, 2013

Ayes: Dumaresq, Golick, Pinnick, Sears, Chairman Calamari, Mayor Sobkowicz

Abstain: Councilman D'Urso

June 6, 2012

June 27, 2012

July 25, 2012

August 1, 2012

Ayes: Dumaresq, Golick, Pinnick, Chairman Calamari, Councilman D'Urso, Mayor Sobkowicz

Abstain: Sears

Roll Call Taken

Please note: the Public Portion of the meeting was not held due to the fact there was no public in attendance.

Old Business:

Resolution: Fidelity Cemetery Association of Bergen County, NJ, beth El Cemetery-Garden of Memories-Building 8, Pascack/Soldier Hill Road, Block 3702, Lot1: approval of application for an addition to the existing

mausoleum buildings; two story additions; 1st level: 23,317 sq. ft.; 2nd level: 23,567 sq. ft.; Total: 46,884 sq. ft.

Chairman Calamari: stated there are two Resolutions for the cemetery; one for the site plan and the other for soil movement.

Site Plan Resolution read aloud by Board Secretary.

Mayor Sobkowicz: spoke regarding lighting mentioned in item #7; asked if it is documented what was agreed to.

Mr. Robert Wertalik, Board Attorney: stated it is part of the record and will be part of the minutes; his notes indicated there would be lights on two corners.

Ms. JoAnn Carroll, Board Secretary: stated that motion sensor lighting is mentioned in the minutes from the August 7, 2013 meeting.

Vice Chairman Golick: asked if the Fire Safety Bureau is in agreement with any violations that may be open for anything that was discussed and was not covered by them.

Mr. Thomas Sears: stated the applicant has yet to respond to the Fire Prevention Chief; no issues have been addressed.

Vice Chairman Golick: stated this is an important issue.

Chairman Calamari: asked Mr. Sears if these are serious violations.

Mr. Sears: responded the violations are serious.

Chairman Calamari: stated the Resolution will be tabled until the issues are resolved. Instructed the Board Secretary to draft a letter on Thursday, August 29th to then be reviewed by the Board Chairman and sent to Mr. Vincent Sweatlock; a vote will be taken at the next meeting if the applicant complies with the letter.

Soil Movement Permit Resolution read aloud by Board Secretary.

Motion on this Application to Approve: Golick, Dumaresq

Ayes: Dumaresq, Golick, Sears, Chairman Calamari, Mayor Sobkowicz
Abstain: Pinnick, Councilman D'Urso

Resolution: Sky Trading LLC, 700 Washington Avenue, Block 3104, Lot 1: approval of major soil movement application; to remove contaminated soil, to install building foundation; new UST and dry wells.

Mayor Sobkowicz: spoke directly to the Board Attorney; stated the building itself was approved by the Zoning Board and the Planning Board's only responsibility is the soil movement; in their application, the purpose of the soil movement is to remove contaminated soil and other soil moving as necessary for the project; Mayor Sobkowicz does not feel anything pertaining to the building or any other site plan details should be approved by the Planning Board; if this application needs further approval, the applicant needs to go back to the Zoning Board; the Planning Board was not involved in the beginning and should not be involved now; there is a discrepancy between the building size the engineer states in his report and the building size noted in the Zoning Board Resolution; Mayor Sobkowicz spoke with the Building inspector on this date and he has no plans for a building foundation and it is not known at this time if they will need to test the soil underneath the UST; Mayor Sobkowicz does not feel that any reference to the building or the engineer's report in the Resolution should be approved by the Planning Board.

Mr. Wertalik: stated he does not feel the Resolution prepared reflects any of the Zoning Board approvals.

Mayor Sobkowicz: stated that reference is made to the Township Engineer's report, but believes the report should be specifically outlined as to soil movement only. In addition, Mayor Sobkowicz stated she does not feel comfortable with this applicant and did not feel comfortable a few months ago when the applicant was looking to receive a demolition permit; as far as the Mayor is concerned, she is not happy with the way the applicant operates; this is a very sensitive application; several people are watching this application and several people have contacted the DEP regarding this application as well; any other reference, other than soil movement, should not be allowed.

Chairman Calamari: stated that Item "D" is very specific to soil movement.

Mayor Sobkowicz: wants clarification as to what sections in the engineer's report the Resolution refers to.

Chairman Calamari: asked what the Mayor would recommend regarding the wording in the Resolution.

Mayor Sobkowicz: asked once again for clarification as to the sections of the engineer's report which deal only with soil movement; the Mayor wants to know how the Board can protect themselves and have nothing to do with the site plan approval.

Mr. Wortalik: stated that implicitly and explicitly, those issues the Mayor is concerned with are addressed in item "D", but possibly not as specific as the Mayor is suggesting; the Planning Board is not trying to usurp the jurisdiction of the Zoning Board.

Mayor Sobkowicz: stated that she does not want the Planning Board to approve any part of this application that has to do with anything other than the soil movement, which was not already approved by the Zoning Board. Mayor Sobkowicz stated once again that there is a discrepancy in the building size.

Chairman Calamari: stated the building has nothing to do with the soil movement application.

Board Secretary read aloud the Resolution.

Mayor Sobkowicz: (after the Board Secretary finished reading Item "D-1") stated the approval of the truck route needs to be approved by the Town Council.

Mr. Wortalik: will check the Ordinance relating to the Council approving the truck route.

Board Secretary finishes reading aloud the Resolution.

Chairman Calamari: stated item #7 needs to be modified because, by the applicant's own plan, they will not be stockpiling any soil; it will only be "hot loaded." In addition, in regards to item #5, any clean-up to be done is to be

handled by the applicant according to DEP regulations; the Town's Road Department is not equipped to handle contaminated soil.

Mr. Wortalik: stated he will eliminate item #7 completely and will reference the daily "hot loading" which will take place; in regards to item "D" on the first page, Mr. Wortalik suggests we reference Paul's report on Page 4 Section 4, which deals with soil movement.

Chairman Calamari: stated the Board will have another reading of the Sky Trading Resolution at the next Planning Board meeting on Wednesday, September 11, 2013; the Board will have a chance to review the Resolution before the September 11th meeting.

Vice Chairman Golick: asked if items 5 and 7 were being changed.

Chairman Calamari: stated both items 5 and 7 will be modified and D on Page 1 will be narrowly defined in reference to Paul's letter.

Vice Chairman Golick: asked for a summation of the tabling of the Sky Trading soil movement application.

Chairman Calamari: stated the Sky Trading soil movement application will be tabled until the September 11, 2013 Planning Board meeting which will give the Board Attorney enough time to make the necessary changes to the Resolution and enough time for the Board to review the changes.

Motion to Adjourn: Golick, Dumaresq

All Board Members present approve Motion to Adjourn.

Respectfully submitted by:

JoAnn Carroll
Planning Board Secretary
September 4, 2013