

WEST CALDWELL PLANNING BOARD
CONFERENCE MEETING MINUTES
November 14, 2022

A Conference Meeting of the Planning Board of the Township of West Caldwell was held on November 14, 2022 at 7:12 p.m. in person. Chairman Smith opened the meeting and read the opening statement.

ROLL CALL

Members Present: Chairman Smith, Councilman Docteroff, Daniel Snider, Nikole Baltycki, and Michael Failla

Members Absent: Mayor Tempesta, Vice Chairman Otterbein, and Bryan Perez

Advisors Present: Robert Cosgrove, Esq., Planning Board Attorney, Planning Board Engineer Ben Martorana, Daniel Bloch, P.P., AICP, and Deborah Gill

APPROVAL OF MINUTES

The Minutes of the October 24, 2022 Conference Meeting were accepted by the Board members present who were entitled to accept them. (4-0-1)

DISCUSSION

- Applications for completeness review and classification.

1. **PB22-18 Penta International Corporation, 4 Dedrick Place (Block 1500, Lot 12) (M-2 Zone District).** Applicant seeks to install two security gates along the eastern driveway and parking area along with related fencing near the gates.

Thomas Garlick, Esq. attorney for the applicant appeared. He stated that the applicant is looking to install two security gates along the eastern driveway and parking area for security. They security issues with trespassers and dumping. They want to secure the area. They will comply with the fire report. The gates will open if the alarm goes off. They will open with alarm on weekends and nights.

Chairman Smith stated it needs to be a clear run for fire and to mark out for water.

Mr. Bloch asked if the fence would start at 48" with highest being 54" if so, a variance for fence height would be required. Mr. Garlick asked if changed to 4 feet being the highest would it comply, and Mr. Bloch advised it would.

Chairman Smith asked about the emblem and Mr. Bloch advised it would have to go to the sign committee.

Mr. Snider asked about the gates and if there was fencing all around or if open and where they were entering to dump. He asked if they had exterior cameras. Owner explained the existing fencing, the proposed gates, and the issues they have had. She stated they did have cameras installed and no trespassing signs and were still having issues.

Chairman Smith asked if anyone in the public had any questions or comments. There were no questions or comments.

Chairman Smith commented that he had no objection to a referral of this matter to the Minor Site Plan Committee and the Board had no objection to this recommendation.

2. **PB22-20 Teresa's Dog Grooming, 134 Central Avenue (Block 504, Lot 13) (R-4 Zone District).** Applicant seeks a change of use to operate a dog grooming business.

Theresa Avoglia, the applicant and Frank Busby, the owner both appeared. Applicant stated she would like to open a dog grooming and dog accessories store. She has been running a dog grooming from home since covid and has now decided to open a store. She said this is a great spot for her. It will be quiet. Only her no other employees. No more than 2 dogs at a time. No parking issues. She explained her planned layout for the store.

Councilman Docteroff stated it was tough parking in that area.

WEST CALDWELL PLANNING BOARD
CONFERENCE MEETING MINUTES
November 14, 2022

Mr. Failla asked if only small dogs. Applicants said up to 45lbs and no more than 2 dogs at a time.

Chairman Smith asked what items would be sold. Applicant stated they would sell collars, clothes, beds and oils.

Chairman Smith asked about noise and if there were windows. Mr. Busby said it is a brick wall, no windows and is a quiet location.

Mr. Bloch asked if there would be any rooftop equipment changed and odors. Mr. Busby said only changing sink area and no odors.

Chairman Smith inquired if applicant had any licenses, what the hours of operations would be and if it would be drop off and pick up.

Applicant stated NJ does not require a dog groomer to be licensed, but she is a certified dog groomer. It would be drop off and pick and the hours of operation would be Tuesday through Saturday 9:00 am to 6:30 pm.

Mr. Martorana advised the level of activity should be consistent with area and to keep an eye on the noise.

Chairman Smith said trash is fine and the sign would be a separate application.

Mr. Bloch asked if any boarding overnight and applicant stated there would be no boarding.

Chairman Smith asked if anyone in the public had any questions or comments. There were no questions or comments.

Chairman Smith commented that he had no objection to a referral of this matter to the Minor Site Plan Committee and the Board had no objection to this recommendation.

3. PB22-21 Northeast Warehouse Logistics, LLC, 1 Dodge Drive (Block 1002, Lot 37) (M-1 Zone District). Applicant seeks a change of tenancy to operate a warehouse for third party good and related office use in the space formerly occupied by Exide Technologies.

John Dusinberre, Esq. attorney for the applicant appeared. He stated we have a problem. He received Mr. Bloch's report, and it has a variance for parking. Mr. Bloch did a thorough job and picked up on the containers over 30 feet that will be parked overnight. This a perfect location for this applicant. There are 6 loading docks but that is not enough. They would need to use some of the parking spaces for about 12 containers and 12 trailers. This is in objection to Mr. Bloch's report. Should we go to hearing for approval, possibly waive this section to get in and limit to just the loading location. Applicant has another location in Linden that could be used temporarily. Application was submitted as a change of use.

Chairman Smith stated that would put the Board in an oversight and enforcement position because the applicant will eventually need the containers. Mr. Dusinberre said the applicant will have to give up the property if he cannot get in.

Chairman Smith asked if the Board had jurisdiction with a variance. Mr. Bloch said the Planning Board tries to keep to nonresidential. Mr. Martorana agreed with Mr. Bloch. He said given proximity to residential even though it is higher should make them aware. He thinks it needs to go to hearing for review.

Mr. Dusinberre said he believes it needs review by neighbors and asked can it be carried to the next hearing. He asked if he files this week can the file be transferred if needed. Mr. Bloch said yes, we can say incomplete until we figure out where it goes.

Applicant asked what the timing would be and stated that time is of the essence. Applicant and Mr. Dusinberre asked if the parking is removed what the timing would be. Chairman Smith stated it need to go to public even if the parking is removed. Both Board's next public hearings are in early December, and you will need parking enforcing for the trucks.

Applicant stated they will be his trucks and can control them. Chairman Smith stated they need it to go to hearing and have testimony.

WEST CALDWELL PLANNING BOARD
CONFERENCE MEETING MINUTES
November 14, 2022

Councilman Docteroff stated the next board meetings for 12/8/2022 and 12/12/2022. Applicant asked if that is the earliest. Chairman Smith said it is. The Board is not trying to be difficult. They want to make it work. The testimony needs to be good.

Mr. Dusinger asked for it to be carried to the PB Public Meeting scheduled for December 12, 2022 at 7:00 pm. Chairman Smith advised to amend the application. Mr. Dusinger stated or if still on PB go to hearing.

The Board agreed that the application needs to be heard at a public meeting and the application will be put on the December 12, 2022 Planning Board agenda.

SIGN COMMITTEE REPORT

None.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Deborah Gill
Secretary to the Planning Board

**WEST CALDWELL PLANNING BOARD
PUBLIC MEETING MINUTES**

November 14, 2022

A Public Meeting of the Planning Board of the Township of West Caldwell was held on November 14, 2022 at 7:04 p.m. in person. Chairman Smith opened the meeting and read the opening statement.

OPENING STATEMENT

ROLL CALL

Members Present: Chairman Smith, Councilman Docteroff, Daniel Snider, Nikole Baltycki, and Michael Failla

Members Absent: Mayor Tempesta, Vice Chairman Otterbein, and Bryan Perez

Advisors Present: Robert Cosgrove, Esq., Planning Board Attorney, Planning Board Engineer Ben Martorana, Daniel Bloch, P.P., AICP, and Deborah Gill

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

The Minutes of the October, 2022 Public Meeting were approved by the Board members present who were entitled to vote on the Minutes. (4-0-1)

RESOLUTIONS

PB21-07 Sunrise Realty, LLC and PB22-06 Sunrise Realty, LLC, Block 1903, Lots 2, 3, 4, 5 & 6, Rehabilitation Area Overlay Zone over B-3 and OS Zone. Applicant seeks subdivision and preliminary and final major site plan approval to construct a new supermarket with the variances and/or exceptions and waivers as noted in the application. The Board approved the application (3-0-2)

HEARINGS

None.

MINOR SITE PLAN COMMITTEE DECISIONS

None.

INVITATION FOR ADDITIONAL DISCUSSION

None.

The meeting was adjourned at 7:10 PM.

Respectfully submitted,

Deborah Gill
Secretary to the Planning Board