

Minutes of the Linden Planning Board Meeting, held December 8, 2020 at 6:30 pm (virtual format)

1. *Actual Start Time 6:08 PM, with members signing through 6:30 PM.  
Nicholas J. Pantina acting as host for the virtual meeting, opened with affirmation to the Open Public Meetings Act Requirements;*
2. *Flag Salute;*
3. *Roll Call  
Board Members Present:  
Joseph J. LaPlaca, Chairman  
Armand A. Fiorletti, Vice Chairman  
Alex Lospinoso  
Councilman Barry Javick  
Nicholas J. Pantina PE, City Engineer & Member  
Frank Hetem  
Felipe Cabezas  
Michael Anderson  
  
Anthony Rinaldo, Esq. – Board Attorney  
Paul Ricci, PP – City Planner  
Mark Ritacco, Zoning Officer & Construction Codes Official  
Lee Klein, PE – Traffic Consultant  
Denise Sweet – Court Reporter (in place of M. Virginia Guinta).*
4. *Approval of October 13, 2020 Meeting Minutes - Upon motion by Armand A. Fiorletti to approve the minutes of the October 13<sup>th</sup>, 2020 meeting, second by Joseph J. LaPlaca, a roll call vote was taken and the minutes were approved;*
5. *Communications*
  - a. *Approval of Site Plan and Subdivision Application Packets for distribution on the City Website- Upon motion by Armand A. Fiorletti to approve, & second by Councilman Barry Javick, a roll call vote was taken and approved;*
  - b. *Annual Appointment of Planning Board Officials & Professional Staff*
    - i. *Joseph J. LaPlaca, Chairman – Nominated by Nicholas J Pantina, second by Armand A. Fiorletti – Roll call taken, unanimously approved;*
    - ii. *Armand A. Fiorletti, Vice-Chairman - Nominated by Nicholas J Pantina, second by Joseph J. LaPlaca – Roll call taken, unanimously approved;*
    - iii. *Felipe Cabezas, Secretary - Nominated by Nicholas J Pantina, second by Joseph J. LaPlaca – Roll call taken, unanimously approved;*
    - iv. *Anthony Rinaldo, Esq., Counsel – Motion for Appointment made by Nicholas J Pantina, second by Armand A. Fiorletti – Roll call taken, unanimously approved;*

- v. *Paul Ricci, PP, Planner - Motion for Appointment made by Nicholas J Pantina, second by Armand A. Fiorletti – Roll call taken, unanimously approved; &*
- vi. *M. Virginia Guinta, CCR, Certified Court Reporter - Motion for Appointment made by Nicholas J Pantina, second by Armand A. Fiorletti – Roll call taken, unanimously approved;*

6. Old Business – Approval of Resolutions:

- a. *SD 755-20 KW Home Kreation - Upon motion by Armand A. Fiorletti to approve the resolution, second by Joseph J. LaPlaca, a roll call vote was taken and approved;*
- b. *SP 1133-20 Linden Development LLC, Starbucks – Upon motion by Armand A. Fiorletti to approve the resolution, second by Councilman Barry Javick, a roll call vote was taken and approved;*
- c. *SD 756-20 Linden Development LLC, Starbucks – Upon motion by Armand A. Fiorletti to approve the resolution, second by Councilman Barry Javick, a roll call vote was taken and approved;*
- d. *SP 1132-20 Medical Building - Upon motion by Armand A. Fiorletti to approve the resolution, second by Joseph J. LaPlaca, a roll call vote was taken and approved;*

7. Redevelopment Cases:

- a. *Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 & 34 (1204-1222 East St. Georges Avenue) The preliminary study/non-condemnation was presented by Paul Ricci, to investigate whether this particular property qualifies as an area in need of redevelopment. Paul Ricci advised although the properties in question are being maintained, it was his recommendation that the area in question be considered for redevelopment. There were comments from the public, specially owners of the subject property stating that they were not informed about the redevelopment study and would like to be notified in the future of any decisions made. Following people joined the meeting to make comments on this Redevelopment Study:*

- *Robert Scutro – Interested in Bl 51 Lots 4 & 32. Paul Ricci advised that since Non-Condensation being considered, individual owners of the property in question, can still develop, in accordance with City Requirements;*
- *Mohammed Ahmadi – Owner of Block 51 Lot 1 – Paul Ricci advised that should the Property Owner not agree with the Study, then nothing happens; provided the City does not move on it;*

*Upon motion by Vice-Chairman Armand A. Fiorletti to approve Redevelopment Study, known as Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 & 34 (1204-1222 East St. Georges Avenue), second by Michael Anderson, a roll call vote was taken and approved;*

- b. *Block 288, Lots 3, 4.01, 4.02, 8.01, 9, 10 & 12; And Block 321, Lots 1 through 8 (W. Elizabeth Ave.) – Anthony Rinaldo advised that the above referenced*

*Redevelopment Study & Preliminary Investigation, had originally been scheduled to be heard tonight, however, has been postponed, and will be Re-Noticed to adjacent property owners, and in paper. Property Owner of Block 321 Lots 1, 2, 3 & 8 – Tommy Curran, objected to study, stating that if the property is redeveloped, he will be forced to move/relocate his family-owned Elevator Company business of 40 employees. Mr. Curran will be at future Council & Planning Board meetings when the Study is heard;*

8. New Business:

- a. *SD 753 -20 KW Home Kreation, LLC – 913 Bergen Ave – Represented by Gregory Juba, Esq., and Nicholas Sottos, PE, Harbor Consultants Inc. Applicant has received all of the Board Review Reports & has no problems complying with (Planning, Engineering and or Shade Tree Reports). Paul Ricci advised that although a Variance is required, he agrees that such can be granted. Upon motion by Armand A. Fiorletti to approve SD 753-20 as discussed, with a variance for Lot Depth, and conditional to comments stated in the Professional Reports, second by Joseph J. LaPlaca, a roll call vote was taken and approved;*
- b. *SP 1122-20 – 1951 E. Edgar Rd – WaWa – Represented by Duncan Prime, Esq., of Prime & Tuval; and both Lena Barone, PE and Michael Gallagher, PE of Maser Consultants (Michael was the Engineer of Record for the Original WaWa Application to the Pl Bd July 2018). Exhibits entered into record as follows:*
  - i. *Exhibit A-1 – Excerpt Dimension Plan Sheet 3 of 20, of Original Application to Linden Planning Board SP 1076-18, as prepared by Maser Consultants;*
  - ii. *Exhibit A-2 – Color Version of current Site Plan with Landscaping. Michael Gallagher advised of agreement with Tesla Car Manufacturer to potentially install electric-recharge stations; however, Tesla will evaluate once business has been opened and is operating;*
  - iii. *Exhibit A-3 – Architectural Detail dated January 2018.*

*Duncan Prime explained that although a Tennant has not been confirmed yet for the additional Free Standing Structure, such will be Zone Compliant. Duncan also advised that the Stormwater Management Basin is now proposed to be completely underground. Nicholas Pantina & Paul Ricci both commented that such structure lacked architectural elevations and perimeter lighting. Therefore, any approval will be conditional to compliance. **Note that once the tenant is confirmed on additional structure, the applicant will need to return to Board for Amended Site Plan Approval.** Also, Pennoni’s SWM Report will need to be satisfied, including discussion on Groundwater Recharge System – Zone 1 (Check accuracy of this last statement with Board Transcript).*

*Other items discussed include:*

- *Driveway Island @ NJSH Rts. 1&9 South – designed per NJDOT standards and discussion;*
- *Jeff Tandul, Shade Tree Commission Comments to be forwarded to applicant by 12/9/20;*

- Michele Briehoff, PE, Maser Consultants (Traffic Professional) stated that a sign will be added to the plans for the Park Ave access points, indicating "Don't Block the Box" for east-bound traffic;
- Resolution for this application shall include language allowing for a 6- month examination period allowing left-turns egressing to Park Avenue. If traffic issues persist after the 6-month review period, Egressing Left-Turns will be restricted @ Park Ave ;
- Paul Ricci advised that although two (2) Free Standing Signs are proposed, only One is permitted by Ordinance. Board will need to decide if Two Signs can be allowed on a Small Site. Paul further explained allowing 2 signs for such a small property, will set a precedent. Suggest that the Board allow One (1) Sign with more height. Duncan Prime to discuss with Client. Break taken between 8:30 PM & 8:40 PM for Duncan Prime to contact Client regarding sign issue. Upon return of Duncan Prime, additional discussion between all Professional of Client and Board. **Planning Board agreed to One (1) sign with a Maximum Height of Thirty (30) Feet.**

Upon motion made by Vice-Chairman Armand A. Fiorletti to approve WaWa Application SP 1122-20 with variances and conditions as discussed, and conditions as stated in Professional Reports, second by Councilman Barry Javick. a roll call vote was taken and approved.

9. Comments for the Good of the Board – Next meeting will be January 12, 2021 @ 6:30 PM;
10. Open Meeting to the Public – No Comments;
11. Upon motion by Mr. Armand A. Fiorletti and seconded by Mr. Felipe Cabezas, the meeting was adjourned @ 8:50 PM, to the January 12, 2021 meeting.

The above represents notes scribed by Nicholas J. Pantina and Dorothy Kotowski, during the course of the meeting, and in no way constitutes all of the discussions made during the 12/8/20 PB Meeting.