

TOWNSHIP OF SADDLE BROOK PLANNING BOARD

Following are the minutes of the Saddle Brook Planning Board's Regular Meeting, held on Monday, April 19, 2021 at 7:32 p.m.

1. FLAG SALUTE

2. ROLL CALL: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Hickey, Mr. LaGuardia, Councilman Gierek, Mr. Cook, Mr. Maniscalco and Mayor White - PRESENT

Mr. Mazzone, Ms. Barrale and Mr. Camporeale - ABSENT

Also present was Anthony Cialone, (substitute) Board attorney, Chris Briglia, Board engineer and Gary Paparozzi, Board planner.

3. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT

4. SITE PLAN APPLICATION

Method Tactical, LLC, 505 Saddle River Road, Block 1311, Lot 16

William H. Mulder, attorney for the applicant came forward.

Mr. Mulder – We are here on a minor Site Plan application for preliminary and final approval.

The applicant was denied a CO by the Building Department, citing Code Section 163-3 (read the code). We did not submit a site plan, survey or a County No Interest Letter. Under Section 163-6, we are requesting a waiver of those requirements. The code says the Planning Board may waive the requirements of this chapter if the proposed development: a.) was secured by a previous Site Plan approval, which it was in 1988; or c.) does not affect existing circulation, drainage, building arrangement, landscaping, buffering, lighting and other consideration of Site Plan review. The applicant is not developing/changing this property. Everything will remain the same.

Mr. Cialone – Your office submitted an Affidavit of Service of Notice, as well as an Affidavit of Publication from Our Town. My office has reviewed the affidavits and notices and found that proper notice was given.

Mr. Mulder – Read the applicant's mission statement. In order to sell firearms, they will need to first get approval from the state of New Jersey, as well as the federal ATF. They will require certain security applications in the structure. The applicant will comply with those requirements. The floor plan was submitted with the application. This will be on the second floor, above the sandwich shop. There is a metal and glass door with a camera at the bottom of the stairs, which belongs to the property owner. At the top of the stairs, there will be a camera, so the employees inside can see who is at the door. That door will be activated by a buzzer.

Additionally, there is an existing glass door. Inside the store, there will be cameras in all four corners, which will be monitored by Method Tactical. There's also going to be an alarm system with sensors on every door and window and motion detectors inside, covering every area. That is set up to a central reporting system who would call the local police. Inside the store, there will be panic buttons, which send an alarm to the central station. The firearms will be secured in what we refer to as a 2 x 8 safe vault. They will have gun safes inside the closet and safes for long rifles and others for handguns. Those safes would be secured to the beams inside that closet. In addition, there will be a camera and motion sensor in the closet. When they are closed, there will also be a security gate on that closet. In front of that closet, they will have a locked, metal and glass display case where the handguns would be stored/displayed during the day. The long rifles would be secured across the back wall, secured with a cable and lock. At night, everything is placed in the safe closet. On the other side of the room, we have a

bathroom and a work room, where they will do embroidering and engraving. On the other wall, they will have other products. No one under 18 will be allowed into the store without a guardian. No one without a firearms ID will be allowed to handle or be shown a weapon. The store will operate Monday through Saturday 12:00-9:00 and Sunday 12:00-6:00, subject to the Blue Law. Deliveries will be small, just to resupply the stock. Deliveries would have to be signed for. They will not hinder traffic flow.

Mr. Hickey – Will the workers be carrying firearms in case they're robbed?

Robert Socarras, owner of Method Tactical was sworn in.

Mr. Socarras – I don't think so, but by law we are allowed.

Mr. Hickey – Yes or no?

Mr. Socarras – No.

Mr. Hickey – Is there a metal detector?

Mr. Socarras – If it is required by the state or ATF, it will have to be installed.

Mr. Hickey – A bunch of 18 year olds can come in and look around, but they can't touch the guns without the id?

Mr. Socarras – They definitely can't touch a gun, but they also have to be let in. If five kids show up at the door that we're not expecting, we don't have to let them in. This is more of a boutique. There is some walk in traffic, but more people make appointments. We focus on law enforcement, but it's not solely law enforcement.

Mr. Hickey – Why did you choose this location between two Catholic churches and so close to the high school?

Mr. Socarras – One of the reasons was because it's on the second floor, away from the general public. The other reason was the rent was cheaper.

Mr. LaGuardia – Will you be selling ammunition there too?

Mr. Socarras – Yes.

Mayor White – Are you dealing with just handguns or rifles also?

Mr. Socarras – We'll be dealing in both.

Mr. LaGuardia – There can't be more than a sheetrock wall between you and the vape shop.

Mr. Socarras – We're going to line that wall, probably with sheet metal. We will also have a motion sensor inside that wall and a steel gate door with 2 padlocks, 2 deadbolts and an electronic buzzer.

Mr. Maniscalco – Will your cameras be monitored/dvr'd remotely?

Mr. Socarras – Yes.

Mr. Paparozzi – Are there any state requirements regarding distance to a school or church?

Mr. Socarras – There isn't. State law says if you're carrying a firearm, you can't be within 200 feet of a school. But if you own a store or if you're in your backyard and it's less than 200 feet from a school, you're exempt.

Mr. Mulder – If you go to these stores, anyone that's bringing a gun to or from the store has to have it in a secured case and unloaded.

Mr. Paparozzi – The dumpster needs to be fully enclosed. By fall, the parking lot will need to be restriped. Any future application for this property will require a new survey.

Mr. Ambrogio – The dumpster enclosure is brand new. Due to COVID, they couldn't get the gates.

Mr. Maniscalco – Why, if they aren't changing anything, are they before the Board?

Mr. Ambrogio – Because of the nature of the business, we decided it would be a good idea for the Township to understand what this company was doing and make sure it is safe.

Mr. Cialone – There's a catch-all provision in the Site Plan ordinance that gives us the prerogative to do this.

Mr. LaGuardia – How many employees will you have?

Mr. Socarras – It's going to be owner operated.

Mr. Socarras – You can't just hire anyone. They have to be vetted (background check). They have to obtain a NJ employee license to retail firearms.

Mr. Browne – Who delivers to you?

Mr. Socarras – UPS, USPS and FedEx. Deliveries would be scheduled for the times we are in the store. Nothing will be left without a signature.

Mr. Browne – Will you have a central station monitoring?

Mr. Socarras – They will monitor the alarms. We will monitor the cameras.

Mayor White – How long will it take for you to get licensed from the state?

Mr. Socarras – By federal and state law, they have 30 days to answer, but that won't happen. I would guess it will probably take 3 months, but it could take up to 6 months. We have to be licensed by the state and the ATF. In the meanwhile, we will set everything in the store up, so when they come to inspect, it will be up to par. Until then, we will sell police gear, pants, shirts, paramedic and EMT pants, wallets, badge holders, first aid kits, etc.

Mr. Compitello – Is this your first store?

Mr. Socarras – No. I have one now in Phillipsburg.

Councilman Gierek – Once licensed, how often do you get reinspected?

Mr. Socarras – Every two years.

Mr. Compitello made a motion; seconded by Councilman Gierek to open the meeting to the public.

Riccardo Leone, 518 Saddle River Road – I live directly across the street. The lottery store in that shopping center used to get robbed. What happens if somebody shoots in your store and it comes through my window? It could hit my child. Will you have bulletproof windows?

Mr. Socarras – No.

Mr. Compitello made a motion; seconded by Mr. Browne to close the meeting to the public. All in Favor – YES

Mayor White – One of your waiver requests was for the County letter. What is that?

Mr. Mulder – If there is a development, the county has the right to review the site plan because it's on a county road. Here, we requested a waiver because we're not changing anything.

Mayor White – My concern is for the Brownstone School (a county school). When you notified the 200' radius, did that school/the county get notified? They may want to weigh in here.

Mr. Mulder – The county is on the mailing list. Everyone on the list was notified.

Mr. Cialone – In the Affidavit of Service of Notice, the white slips from the certified mailing include one from the Bergen County Planning and Economic Development. Also, there was a notice to the owner of the building, the Archdiocese of Newark. Notice is required to go to the property owner; not the tenants.

Councilman Gierek – What level of insurance is required?

Mr. Socarras – We need to have renter's insurance. Liability insurance is part of that. We will get another balloon policy to cover the merchandise and anything that happens in the store.

Mr. Hickey – What if there was a fire in the building? What happens with the ammunition?

Mr. Socarras – Gun powder, bullets and ammo will be in a fireproof safe.

Mr. Cialone – There's two things; the minor site plan approval and the waivers.

Mr. Hickey – We should put conditions, such as the one wall that needs protection.

Mr. Briglia – The waivers I listed in my report are: 1) complete checklist and 2) site plan (I would support the granting of those two waivers.) 3) proof of submittal to the Bergen County Planning Board. (I wanted them to be notified that this application was being made and they may issue a letter of no interest. I recommend that if the Board would like to grant a waiver for this for the purpose of site plan approval, as a condition of the approval, write a letter to the county and say we just applied to the Saddle Brook Planning Board and here's our operation.) and 4) a signed and sealed boundary survey. (I would support a waiver of that requirement.) Their attorney did submit a request for waivers from these items by letter.

Mr. Cialone – It comes down to whether the Board decides they're not worried about what the county is going to say or if you want to say let them get at least a letter that's from the county saying they're not interested in this application.

Mr. Maniscalco – I think they should at least do the letter and if they say no, they would have to resolve it.

Mr. Cialone – What would happen is that they wouldn't be able to get the letter, so they wouldn't meet the condition, so they'd have to go get the County Planning Board approval, which my guess is that the county will not be interested because there are no changes to the site.

Mr. Mulder – You're talking about additional delays. It would be excessive.

Mr. Compitello made a motion; seconded by Mr. Browne to approve the application and the waivers, with the condition that upgrade the sheetrock wall.

VOTE: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Hickey, Mr. LaGuardia, Councilman Gierek, Mr. Cook, Mr. Maniscalco and Mayor White – YES

APPLICATION APPROVED

5. RESOLUTION

Mr. Cook made a motion; seconded by Mr. Browne to adopt the resolution of Site Plan Approval for Galaxy Home Furnishings, 270 Market Street, Block 512, Lot 2.

VOTE: Mr. Ambrogio, Mr. Browne, Mr. Hickey, Mr. LaGuardia, Councilman Gierek, Mr. Cook, Mr. Maniscalco and Mayor White - YES

6. MINUTES

Mr. Compitello made a motion; seconded by Mr. Browne to approve the minutes of the March 15, 2021 meeting. VOTE: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Hickey, Mr.

LaGuardia, Mr. Cook, Mr. Maniscalco and Mayor White – YES

Mr. Browne made a motion; seconded by Mr. LaGuardia to approve the minutes of the March 29, 2021 meeting. VOTE: Mr. Ambrogio, Mr. Browne, Mr. Hickey, Mr. LaGuardia, Councilman Gierek, Mr. Cook, Mr. Maniscalco and Mayor White – YES

7. COMMUNICATIONS

Mr. Compitello made a motion; seconded by Mr. Browne to accept and file the communications.

VOTE: All in Favor – YES

8. VOUCHERS

Mr. Compitello made a motion; seconded by Mr. Browne to pay the following vouchers, provided funds are available:

Paparozzi Associates, Inc., 03/17/21, GBAR Consolidated, \$67.50

Carroll Engineering, 03/23/21, Galaxy Home Furnishings, \$1,639

Carroll Engineering, 03/23/21, 76 Catherine, LLC, \$298

Basile Birchwale & Pellino, LLP, 04/01/21, GBAR Consolidated, \$375

Basile Birchwale & Pellino, LLP, 04/01/21, Galaxy Home Furnishings, \$750

Jayne Kapner, 04/06/21, Galaxy Home Furnishings, \$250

9. OPEN AND CLOSE THE MEETING TO THE PUBLIC

Mr. Compitello made a motion; seconded by Mr. Browne to open the meeting to the public. All in Favor - YES

No public participation.

Mr. Compitello made a motion; seconded by Mr. Browne to close the meeting to the public. All in Favor – YES

10. ADJOURN

Mr. Compitello made a motion; seconded by Mr. Browne to adjourn the meeting. All in Favor - YES

Meeting adjourned 8:49 p.m.

Respectfully Submitted,

Jayne Kapner
Planning Board Secretary