

# **TOWNSHIP OF SADDLE BROOK PLANNING BOARD**

Following are the minutes of the Saddle Brook Planning Board Regular Meeting, held on Monday, January 17, 2022 at 7:40 p.m.

## **1. FLAG SALUTE**

**2. ROLL CALL:** Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Hickey, Mr. LaGuardia, Councilman Gierak, Mr. Cook, Mr. Maniscalco and Mayor White - PRESENT  
Ms. Barrale, Mr. Camporeale and Mr. Mazzone - ABSENT  
Also present were Mr. Pellino, Board attorney and Chris Briglia, Board engineer.

## **3. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT**

### **4. INFORMAL APPLICATION**

ECLC of New Jersey Pride Day Program, Inc.  
250 Market Street, Block 513, lot 1

Mr. Pellino – This is an appeal of our engineer's decision regarding completeness. Chris has determined that the application is incomplete. The applicant's attorney thinks we should grant waivers from traditional requirements. Our application has a checklist of the items required. Most of those things, he has not submitted. He thinks he has good reason to not submit them. Chris said he did not have enough information to do a technical review. The question is, do we want to grant some or all of the waivers.

Francis DeVito, attorney for the applicant came forward.

Mr. DeVito – I understand it is the Board engineer's obligation to enforce what he sees as the ordinance, but there are always exceptions. The applicant is a federally funded charity that provides life skills to handicap adults. They are purchasing the property, making no changes and it's an approved use. It is just an application for a CO. Normally, this would be a \$125 certificate of occupancy application. Already, we've paid \$5,000 plus \$200. Now what's being asked is a complete site plan application, which means I've got to do a new engineering plan, a new survey and come in with an engineer. This building was the site of a major site plan approval 2-3 years ago. Nothing new needs to be done to put this charity in. We're never going to use all of the parking spaces on site. No one stays overnight. There was a real estate flyer that I provided to the Board that had everything that you would normally need for this application. It is accurate. I was hoping I could get a charitable exemption. Now I'm finding out that I have to do a full scale site plan, just the survey is going to be another \$5,000-\$6,000. All we want to do is occupy the space.

Mr. Pellino – You've made representations that are probably true, but we determine things are true based on signed and sealed plans.

Mr. DeVito – We know it's an approved use. The zoning schedule is existing already.

Mr. Pellino – We don't know what the parking requirements are for your use.

Mr. Briglia – I try to review applications according to the ordinance. If forms are complete, fees are paid, and supporting documents have been submitted, I try to work with people. There are basic things missing, the survey, the site plan and a couple of the application forms. I deemed it incomplete for that reason. There is also a site plan waiver application could be submitted if you feel as though the use is an easy go. There is an ordinance. We have to abide by it.

Mr. Ambrogio – When we spoke, I thought that you had the site plan from ChemTec. I didn't realize you were trying to not submit it at all.

Mr. DeVito – If necessary, I could get it from your office and copy it.  
Mr. Pellino – Can't you go back to the original engineer to have him look and say the conditions are still the same? He's not going to charge a million dollars to do that.  
Mr. DeVito – No. He wants \$6,000. A new site plan will not show anything different.  
Mr. Pellino - Maybe you don't need a complete site plan, but a one-page site plan?  
Mr. DeVito – I will secure that and hope to have him resign.  
Mr. Pellino – You need to have it resigned and sometimes they include a survey. I suggest we don't need all 29 items on our site plan checklist, but we should have the basic location site plan that has a zoning schedule, that's signed and sealed.  
Mr. Maniscalco – I suggest we give as many waivers as we can, but we can't bend every rule.  
Mr. Hickey – The property you're buying is \$1.4 or \$1.5 million. You don't have the extra \$6,000?  
Mr. DeVito – I will take and make a copy of the entire set and then go back to that engineer and see if he'll reinspect, resign and certify them. I'll use that as a survey and site plan.  
Mr. Briglia - If it's a site plan, it's fine to use it as a site plan. It needs to have a surveyor signature on it too if you plan to use it as a survey also.  
Mr. DeVito – Would you accept an affidavit of no change for an over five-year survey?  
Mr. Briglia – I could do something like that.  
Ms. Kapner – ChemTec was heard by the Zoning Board in 2013.  
Mr. Ambrogio – There are architectural plans from that application. To Mr. Briglia – Would you accept that?  
Mr. Briglia – Yes.  
Mr. Pellino – The only thing that I think may change is parking calculations.  
Mr. DeVito – I will pick those up tomorrow and make copies.

## **5. MINUTES**

Mr. Compitello made a motion; seconded by Mr. Browne to approve the minutes of the December 20, 2021 meeting. All in Favor – YES

## **6. CORRESPONDENCE**

Mr. Compitello made a motion; seconded by Mr. Browne to accept and file the correspondence received. All in favor - YES

## **7. VOUCHERS**

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

- Basile Birchwale & Pellino, 01/03/22, Saddle Brook Realty II, LLC, \$937.50
- Basile Birchwale & Pellino, 01/03/22, Saddle Brook Urban Renewal, LLC, \$187.50
- Carroll Engineering, 01/05/22, ECLC of NJ Pride Day Program, \$1,154.75
- Carroll Engineering, 01/05/22, Saddle Brook Realty II, LLC, \$915

All in Favor - YES

## **8. 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 Councilman Gierak to close the meeting to the public. All in Favor – YES

**9. ADJOURN**

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

Meeting adjourned 8:16 p.m.

Respectfully Submitted,

Jayne Kapner  
Planning Board Secretary