

**TOWNSHIP OF ROCKAWAY
PLANNING BOARD**

**MINUTES FOR REGULAR MEETING AND REORGANIZATION
JANUARY 14, 2019**

This meeting of the Rockaway Township Planning Board was called to order by Chairman Jack Elko at 7:30pm in the Council Meeting Room of the Rockaway Township Municipal Building, 65 Mount Hope Road, Rockaway Township, New Jersey.

Announcement was made that this meeting was being held pursuant to the New Jersey Open Public Meetings Act, that notice had been properly posted and filed with the Municipal Clerk of the Township of Rockaway, mailed to all those persons requesting notification, and provided in writing to The Citizen on 2/14/18 by E-mail.

(At this time, Mr. Dimin conducted the 2019 Reorganization meeting.)

(Returning to regular meeting) - ATTENDANCE: Present: Ms. Smith, Mr. Barilla, Capt. Scherr, Mr. Tahan, Mrs. Hantman, Mayor Puzio and Chairman Elko. Also present: Mr. Novak (Burgis), Fire Marshal Babcock, Mrs. Ferrante, Mr. Dimin and the writer. Absent: Mr. Washington, Mr. Quinn and Mr. Burgis.

APPROVAL OF MINUTES: Chairman Elko reviewed the minutes of the November 19, 2018 regular meeting. Mr. Tahan moved the minutes, seconded by Capt. Scherr. The approval of the minutes was unanimous.

CORRESPONDENCE: There was no correspondence other than Board mail.

OPEN TO THE PUBLIC: There were no issues from the public that were not on the agenda.

PUBLIC HEARING: PB#A2410 – PF Chang’s China Bistro – Tenancy/Minor Site Plan (Block 11001/ Lot 1). Attorney Jason Ritte, representing the applicant, PF Chang’s China Bistro, noted that the application would have been heard by the Tenancy and Minor Site Plan Subcommittee except for the Reorganization Meeting.

Mr. Ritte introduced Lynn Wu, 7676 E. Pinnacle Peak Road, Scottsdale, AZ, VP of New Restaurant Openings, overseeing pre-construction, training and operations. Ms. Wu explained the concept and operation of the restaurants, hours of operation, number of employees, frequency of deliveries and that there would be no outdoor dining or sound speakers. Mr. Barilla asked and verified that the 110 employees at the restaurant would be hired locally.

Fire Marshal Babcock’s question about dining on the mall concourse was deferred to the architect. There were no further questions for Ms. Wu.

Mr. Ritte introduced Theresa Kanavel, an architect with the firm Shremshock Architects, Inc., 7400 W. Campus Rd, New Albany, OH. Ms. Kanavel explained that she was not licensed in New Jersey and the plans were submitted by Timothy J. Shremshock, who was, but was unable to attend this meeting. Mr. Dimin instructed her that she can testify on the plans, but she cannot field questions. Ms. Kanavel proceeded to discuss the plans. She pointed out that the restaurant would have both outside access and main mall concourse access. Patio seating for 38 was planned in the concourse outside the facility. Inside seating was for 152.

Ms. Kanavel pointed out that they would be building an addition to house their HVAC by creating a chase to house the equipment. She noted that their sign was comprised of individual letters rather than a solid sign, and they are within space guidelines. There would be no “take-out” sign.

Mr. Novak asked if the planned concourse dining area was going into an existing tenant space. She replied negatively and said that the concourse dining would be coming out 10’6” into the mall and approximately 50’ long, but she was unsure and would need to confirm this.

Fire Marshal Babcock noted that there needs to be sufficient emergency access area and that it needs to be a condition of approval. He further needs to see figures on maximum capacity. Mr. Dimin felt that this 50’ requirement could impact the entire mall and said they would need something from Mall Management if that is the case. Ms. Kanavel noted that there is no reduction in egress based on existing doors. She said it had no bearing on the exits themselves. Fire Marshal Babcock said he is not sure that he agrees. He noted that the Cheesecake Factory took space from the exit aisle itself and had to prove that they were not reducing the exit capacity of the entire mall. Mr. Ritte said they could make the fire department’s approval of the 10’ concourse and its impact on egress of the mall a condition of approval. He said the applicant was prepared to comply with all fire department code regulations.

Mr. Novak asked which of the existing tenants’ properties were being taken over. Ms. Kanavel replied “Zales” and “Eyebrow Threading” on the main level and “Legging Place”, which is down from the concourse area.

F.M. Babcock returned to the subject of restaurant capacity, noting that the 152 seats did not include the 70 employees. He asked for clarification. Ms. Kanavel said she would include those numbers on the cover sheet of the plan. FM Babcock persisted that they need to coordinate whether the design occupancy is allowable with the exit capacity of the doors. Ms. Kanavel said they would do all of the calculations and insert them in the plan. F.M. Babcock also complained that the drawings were “pretty inadequate in this regard.” Ms. Kanavel apologized, saying that the plans were still in the early stage. They would comply with all fire code regulations.

There were no further questions of Ms. Kanavel.

Mr. Ritte introduced Kevin Robine, Dykstra-Walker, 21 Bowling Green Parkway, Lake Hopatcong, who had appeared before the board in the past. Mr. Robine discussed plans for the PF Chang restaurant and the location of seating. He noted that they were located in the “RB” zone and would not require any variances. He noted there were a few requirements regarding setbacks, but they would be in compliance.

A lengthy discussion followed regarding location and number of available parking spaces. Mr. Robine pointed out that there were many more spaces available than they would require. However, on the subject of ADA parking spaces, wherein many of what they considered “ADA accessible” spaces were actually much farther away from the PF Chang location. Mrs. Hantman noted that many of the ADA spaces to which Mr. Robine referred were actually provided by the Cheesecake Factory location. She asked where the ADA spaces dedicated to PF Chang’s would be located.

Mr. Ritte noted that the spaces to which she referred were actually provided by the Mall (not CC Factory) as part of a general reconfiguration of the parking lot. Mr. Novak pointed out that it isn’t based upon use, but of the number of total parking spaces. Mrs. Hantman’s concerns (about availability of ADA parking) were for the rush hours when available spaces might be filled. Mr. Tahan asked if, as part of the construction of the new façade for PF Chang’s, wouldn’t there also be a requirement for additional ADA spaces in proximity to them.

Mr. Robine said that they looked at the overall parking available midway between PF Chang and JC Penney. Ultimately, they will look at how many are attributable to that specific section of the mall. Mr. Dimin asked if he was satisfied that they were in compliance. He replied that he was. Mrs. Hantman was not satisfied that this was the case, but Mr. Dimin reminded her that the Board cannot force that. Chairman Elko suggested that they remove the dedicated “Take-out” spaces and make them ADA spaces instead.

Mrs. Ferrante asked where their four additional ADA spaces were located, but Mr. Dimin said they need not go forward with this. Mr. Robine addressed their compliance with the ADA slope requirements, noting that they don’t see any issues with providing the required sloped and pedestrian walkways. Further, they would restore any pavement and pavement markings that get destroyed during construction. He said they would provide information about downspouts.

Regarding the necessity for a soil movement permit, Mr. Robine said they would only be moving about 3,300 s.f.; and, since the requirement for such a permit is 5,000 s.f., Mrs. Ferrante agreed that a soil movement permit was not needed.

Regarding landscaping, Mr. Robine noted that there were two overgrown trees not shown on the plan which would need to be removed. He offered that they could be replaced with ornamental trees of our planner’s choice. Mr. Novak said that would also be made a condition of approval.

Mr. Robine noted, in regard to the request for a pedestrian ramp near the compactor area, he said there was currently a step there, and it isn't an additional pedestrian route, so therefore they do not propose to make any changes to that area. Mrs. Ferrante felt the area should have compressed curbing. Mr. Robine said they would have to request it from the mall. Mrs. Ferrante asked if they would be repairing sections of sidewalk that they disturbed. He said they would re-cut and repair the existing sidewalks. She noted that since the entrance was going from a service entrance to a main entrance, shouldn't they inspect for trip hazards. He agreed, noting that crosswalk striping will also be provided.

F.M. Babcock asked that they acknowledge and show that the suppression system needs to have a monitor control valve with this system. Mr. Robine replied that it did. Mr. Dimin noted that these requirements were included under the fire code, and therefore they would have to comply.

Mrs. Ferrante reviewed their plan for location of solid waste and dumpsters, which Mr. Robine said would be located at the service entrance in back of the kitchen. She then reviewed Al Knoth's memo (Recycling), and Mr. Robine concluded that PF Chang's was prepared to comply with all local codes. Mrs. Ferrante referred to the memo from the municipal utility, noting that the size of water and fire lines must be on the site plan. Mrs. Ferrante asked about the sizing of grease traps and gallonage of water to the existing main. Mr. Robine explained briefly how they were calculated, and Ms. Kanavel said these figures would be on the final architectural drawings.

Ms. Smith asked how many times per week the dumpsters were picked up. Mr. Robine said that was coordinated by the mall. Chairman Elko noted that Cheesecake Factory had a problem with this and asked whether they had sufficient room. Mr. Robine said they were discussing this with the landlord.

Mr. Dimin reviewed the waiver requests. Mrs. Ferrante added the "Waiver of Developer's Agreement" to the list of requested waivers.

There were no further witnesses.

Mrs. Hantman made a motion to approve the application, subject to applicant providing the site plan and architectural drawings, subject to calculations requests, subject to certification of requests from Fire Marshal and compliance with all fire codes, subject to the applicant complying with the planner's requests regarding ornamental trees, subject to completion of sidewalk repairs, curb cuts, and re-striping and repair of walkways as requested by Engineering. Ms. Smith seconded the motion. Roll call: Ms. Smith, Mr. Barilla, Capt. Scherr, Mr. Tahan, Mrs. Hantman, Mayor Puzio and Chairman Elko.

RESOLUTION: PUBLIC HEARING: PB#2381 – Hollstein/Duran – Minor Subdivision & "C" Extension of Approval. Mr. Dimin reviewed the resolution to extend the time for granting of the lot line adjustment to 3/19/2021. Of the voting members, there were no changes/corrections, and the application was duly memorialized.

RESOLUTION: PUBLIC HEARING: PB#2363 – 42 Maple Terrace LLC – Amended Preliminary & Final Site Plan. Mr. Dimin reviewed the resolution memorializing the vote carried from 10/15/18. Of the voting members, there were no changes/corrections, and the application was duly memorialized.

RESOLUTION: Mr. Dimin read the **Resolution for Payment for Professional Services from Escrow Accounts.** Mrs. Hantman made a motion to approve, seconded by Capt. Scherr, with unanimous approval.

Mr. Tahan made a motion to close the regular meeting at 8:45pm, seconded by Capt. Scherr. The next regular meeting is scheduled for 2/11/19, at 7:30pm in the municipal courtroom.

Respectfully submitted,

Joyce M. Lyasko

Joyce M. Lyasko, Recorder

ROCKAWAY TOWNSHIP PLANNING BOARD

2019 REORGANIZATION MEETING – JANUARY 14, 2019

Call to Order @ 7:31 p.m.: Notice of this meeting was provided to The Citizen on December 12, 2018. Notice to the paper was via e-mail.

Seating of Board Members and Attendance: Mr. Dimin administered the Oath of Office to Ms. Smith and Capt. Scherr. **Attendance:** Present: Ms. Smith, Mr. Barilla, Capt. Scherr, Mr. Tahan, Mayor Puzio and Chairman Elko. Also present: Mr. Dimin, Mrs. Ferrante, Mr. Novak (Burgis) and the writer. Absent: Mr. Washington, Mr. Quinn and Mr. Burgis.

Nominations and Election of Chairperson. Ms. Smith placed the name of **Jack Elko** into nomination. Mrs. Hantman closed the nominations. Mayor Puzio seconded the nomination. Approval was unanimous.

Nominations and Election of Vice-Chairman. Mrs. Hantman placed the name of **Frank Barilla** into nomination. Mayor Puzio closed the nominations. Ms. Smith seconded the nomination. Approval was unanimous.

Nominations and Election of Secretary/Second Vice-Chairman. Mr. Barilla placed the name of **David Washington** into nomination. Mrs. Hantman closed the nominations and seconded the nomination. Approval was unanimous.

Adoption of By-laws. Approval of the Board was unanimous.

Setting the Time, Place and Meeting Schedule for 2019. Approval of the Board was unanimous.

Appointment of Board Attorney. Mayor Puzio nominated **William Dimin**, seconded by Mrs. Hantman. Approval of the Board was unanimous.

Appointment of Planning Consultant: Burgis Associates received unanimous approval by the Board.

Appointment of Recording Secretary. Mrs. Hantman nominated **Joyce Lyasko**, seconded by Ms. Smith. Approval of the Board was unanimous.

Appointment of Engineering, Traffic and Other Consultants to the Board. The list of consultants, as presented, was approved unanimously by the Board.

Designation of Official Newspaper: The Board approved both the Daily Record and The Citizen.

ROCKAWAY TOWNSHIP 2019 ANNUAL REORGANIZATION MEETING (continued)

Establishment of Fee for Advance Meeting Notification: The \$65 fee was unanimously approved by the Board.

Appointment of Board Subcommittees:

Minor Subdivision Subcommittee: Mr. Washington, Mr. Tahan and Mrs. Hantman.

Tenancy and Minor Site Plan Subcommittee: Mr. Barilla, Capt. Scherr, and Ms. Smith.

Adjournment of Reorganization Portion of Meeting: Chairman Elko made a motion to adjourn the Reorganization meeting at 7:41 p.m., seconded by Mrs. Hantman. Approval was unanimous.

Respectfully submitted,

Joyce M. Lyasko

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