

## **BOROUGH OF MIDLAND PARK - PLANNING BOARD MINUTES**

**February 24, 2020**

### **PLEASE TAKE NOTE:**

ON MONDAY, FEBRUARY 24, 2020 THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING, IN THE COUNCIL CHAMBERS, MUNICIPAL BUILDING, 280 GODWIN AVENUE, MIDLAND PARK, NJ. THE MEETING BEGAN AT 7:30 P.M.

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**SUNSHINE LAW STATEMENT:** This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL:**

Mr. Kent Rigg, Chairman	present	Ms. Stephanie Pantale	present
Councilman Ken Kruis	excused	Ms. Ester Vierheilig	excused
Mayor Harry Shortway, Jr.	present	Alt. #1 Tim Omelianuk	excused
Mr. Michael Rau	present	Alt. #2 Robert Mulder	present
Mr. David Wostbrock, Vice-chair	present		

D. Siss, board attorney, and E. Boe, board engineer, were present on behalf of the board.

Minutes of 1/27/20 were approved.

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### **ZONING CERTIFICATES:**

**Barnacle Parking** – 300 greenwood Ave - BL 53 LT 4.01 Sharon Novelli – proposed use, parking enforcement device fulfillment center – not open to public – manufacturing does not occur on site, fulfillment center only – Motion by Mr. Rau to approve zoning certificate, seconded by Mr. Wostbrock; all voted in favor.

**Debra Antonelli** - 11 Paterson Ave., BL 19 LT 3.01- Debra Antonelli – Mr. Wostbrock recused himself – proposed use, sale of antiques, and home and garden décor. Motion by Ms. Pantale to approve zoning certificate, seconded by Mayor Shortway; all voted in favor.

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### **PUBLIC HEARINGS:**

**Mature Environments Inc, dba Mill Gardens** – 36 Fanner Rd - BL 27 LT 5.01- Mr. Rigg recused himself, Mr. Wostbrock acted as chairman. Peter Jeffer attorney for applicant entered, exhibit **A-1** application, **A-2** letter dated 10/16/2019, **A-3** generator placement. Mr. Verhage of Benson Verhage Electric was sworn in to testify. Mr. Vehage testified to the size of the generator, type of fuel used, noise level created, best screening device to be used and recommended weekly testing. **A-4** sound decibel chart of items used daily. Mr. Boe – state standard is to measure sound at the property line. Decibel levels are measured at 23 feet. **A-5** second chart of sound decibels of items used daily. Board questioned if proposed generator violates any state rules, it may. **A-6** GENERAC spec sheet of aluminum generator, including decibel units. Proposed unit is not aluminum, only difference would be the weight. If a fence enclosure is used in place of shrubbery the noise level will increase for Mill Garden residents and decrease for neighbors based on direction of exhaust. If sound measure is not met there is a \$3000/day fine. Client stated they will do whatever is necessary to comply with state standards. Nick Drivanos, Mill Gardens director, was sworn in. Stated location chosen is based on location of transfer switch and that it faces less houses than other areas. Board questioned if ramp would be in the way. Ramp is not needed and can be removed from plan leaving more room for landscaping to baffle sound. With removal of ramp, Fire Prevention comments are no longer relevant. Testing is to be done once per week on a day chosen by the planning board that coincides with the schedule of the maintenance staff, weekdays from 8am – 4:30pm. Board questioned if proposed generator is linked to Midland Park Police Department and/or Fire Department, it is not.

Meeting open to the public – with none closed – Motion made by Mr. Mulder to approve application, subject to onsite testing with witness, screening, removal of ramp and weekly testing to be done midday/midweek. If weekend repairs are required, testing would be done at time of repair. Seconded by Ms. Pantale; all voted in favor.

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## **RESOLUTIONS:**

**245-255 Greenwood Ave, LLC** – 245-255 Greenwood Ave – BL 49 LT 1.04 – Motion made by Mr. Rau to approve, seconded by Ms. Pantale; Mr. Mulder abstained, all others voted in favor.

**Airmont Acres LLC** – 36 Rea Ave – BL 3 LT 21.01 – Motion made by Mr. Wostbrock to approve, seconded by Mayor Shortway; Mr. Mulder and Chairman Rigg abstained, all others voted in favor.

**2020 – Atty. Siss** as board attorney; approved

**2020 – LAN Associates** for board engineer; approved

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## **COMMUNICATIONS:**

**Begen Gastroenterology, PC** – 6 Prospect St – BL 13 LT 18 – Return of escrow, \$129.00. Motion made by Mr. Wostbrock to approve, seconded by Mr. Rau; all voted in favor.

**Bond ordinance** – capital repairs - board commented that this is different than a specific capital improvement and very generic in nature; no suggestions or comments by board

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Meeting was adjourned at 8:23 pm

*Submitted by: Janet Giardino*