

Lodi Planning Board  
Minutes  
December 9, 2009

The meeting was called to order by Chairperson Al Norieka at 7:00 p.m.

Members Present: Mr. Carrasco  
Mrs. Breitwieser  
Mrs. Fiduccia  
Mr. Ingenito  
Mr. Norieka

Also Present: Planning Board Attorney Joseph Russo  
Planning Board Planner Gary Paparozzi  
Planning Board Secretary Marlene Muska

Members Absent: Mr. Borelli  
Mr. Vakharia  
Mr. Luna  
Mr. Palumbo

There was a motion by Mrs. Breitwieser, seconded by Mr. Ingenito to approve the minutes of November 11, 2009. All members present voted in favor of the motion, with the exception of Mr. Carrasco who abstained.

**Application:** 112409P  
Glamorous Cuts  
14 Kimmig Avenue

Mr. Jack Sepede is the property owner and the applicant Berkys V. Lewis was present. This application is for a site plan waiver and certificate of occupancy. The property is now vacant. Prior to this application there was another salon at the location. There will be no external or internal renovations. This will be a salon for hair, nails and waxing. There will be a total of three employees. There will be a state board inspection on the 14<sup>th</sup> and the salon will open on the 15<sup>th</sup>. The hours of operation will be 8:30 a.m. to 7 p.m. Monday through Saturday and on Sunday from 9 a.m. to 3 p.m. The signage will remain the same size, just changing the name.

Mr. Norieka advised Mr. Sepede of the new signage ordinance, and for him to get one, so the tenant will be made aware.

There were no questions from any board members.

There was no one from the audience wishing to be heard for or against this application.

There was a motion for approval of the site plan waiver and the certificate of occupancy made by Mr. Carrasco, seconded by Mrs. Breitwieser. All members present voted in favor of the motion.

**Application:** 110209P  
Shange Café  
220 Garibaldi Avenue

Mr. Russo stated he had a conversation with Mr. Melfi and he made a determination based on the review of the file and the other certificate of occupancy, that the proposed use is a continuation of a non-conforming use.

Mr. Papanozzi stated with the conversation he had today with Mr. Melfi that the applicant revised the application to read a Café/Social Club.

Abdul Najjar and Ahlam Najjar are the applicants.

Mr. Najjar stated they omitted the restaurant wording from the application and they changed the seating to 30 seats and 4 employees per shift, which is way below the 50 person requirement. The hours of operation will be 7 a.m. to 10 p.m. Monday through Sunday. There will be a simple menu, quick food such as coffee, snacks and fast food items. There will be seating, counter service, waitress service if you would like it. The family has been in the business for 20 years. The parking spaces is not a problem, there are 7 spaces on the side of the building which are on his property. There are 10 spaces in the same lot. The back lot is all gravel with approximately 100 spaces. Suffern Plating uses approximately 5-6 spaces until approximately 4 p.m. There will be no external renovations, the interior was painted. They will have to comply with the fire prevention.

Mr. Noreika advised the applicant to be aware of the complaints filed against the previous owner.

Mr. Russo questioned and there will be no liquor license.

Mr. Carrasco questioned if they will be putting any tables outside. The blue print shows 50 chairs.

Mr. Papanozzi stated the architect plan should be revised because besides the 50 seats there are 7 parking spaces. The parking spaces the gentleman is talking about there are two other commercial buildings on the lot. We don't have a site plan and I don't know the hours of operation, we would also need a parking layout. The parking in the back I would assume is for the 2 commercial buildings. They only show the 7 spaces on the architect plan and with 30 seats you need 10 spaces and with 4 employees you would need at least 2 more spaces. A parking detail should be submitted to the board. The ordinance calls for if you have 7 off street parking spaces 1 should be handicap and there is none. The parking is an issue. There should also be a loading area, and a refuse area. This is the only zone in the boroughs ordinance that this zone should be with well laid out buildings off street parking and loading areas and landscaped open space. You have 4 acres of property with not 1 blade of grass. The ILI zone calls for that, and that is the only zone that calls for off street parking, loading areas and landscaping. The site plan should be revised.

Mr. Najjar stated he can change the architect drawing and the landlord stated he can use the parking.

Mr. Russo suggested to the applicant that you have one month to revise the plans, get a letter from the landlord, show a dumpster on the plans, maybe some plantings, and to change the seating capacity.

Mr. Paporozzi stated you do not need a loading dock, just a designated area for loading and unloading.

Mr. Russo stated the application first prepared was incorrect and this is the procedural way to do things.

Mr. Paporozzi stated if there are issues that should come before the board the temporary certificate of occupancy could be a problem.

Mr. Russo stated what can be done tonight is to vote for a site plan waiver and temporary certificate of occupancy and the board give Mr. Russo permission to write a letter to Mr. Melfi concerning the conditions that would be listed in the resolution.

Mr. Carrasco questioned that he is going to get letter from the landlord for permission to use the parking lot. What about the tractor trailers that come in and out?

There were no other questions from any board members.

There was no one from the audience that wished to be heard for or against this application.

Mr. Russo stated this could be a motion to approve the site plan waiver and certificate of occupancy, with the following conditions: The plans need to be revised to decrease the number of seats from 50 to 30. The resolutions will state that the seats will be capped off at 30. The plans will need to be revised to show 13 spaces including 1 handicap parking space and the spaces will be striped. You will need a letter from the landlord granting permission to use the additional parking spaces. The plans will show some sort of plantings, loading area and dumpster area. There will be no external renovations and no outside dining. All this must be submitted before next month or your temporary certificate of occupancy will be revoked.

Mrs. Fiduccia questioned the hours of operation will be from 7 a.m. to 10 p.m. Sunday through Saturday.

This temporary certificate of occupancy will be for 30 days.

There was a motion by Mr. Ingenito and seconded by Mrs. Fiduccia for the site plan waiver and temporary certificate of occupancy. All members present voted in favor of the motion.

**Application:** 101909P  
Pan Graphics  
339 Main Street

Mr. Russo advised the board that this application was revised as per a conversation he had with Mr. Bornstein the attorney for the applicant.

This is an application for a site plan waiver and certificate of occupancy. The application reads there will be no change to the existing building.

Bruce Leskanic is the owner (Vice President of Pan Graphics) and also the tenant for this application.

Mr. Leskanic stated Pan Graphics is the owner of the property for approximately 40 years. It was an engraving and machine shop. Pan Graphics is no longer in business. The building has been vacant since 2002. There were some DEP issues and the DEP is almost complete. Pan Graphics is waiting for the final inspection and letter of approval. During the early 1970's there were approximately 15 to 18 employees at the Lodi Facility in 1999 – 2000 there were approximately 8 to 9 employees. The new tenant that will be renting space will be Ductz Air Duct Cleaning. It is a residential/commercial air conditioning, heating and air duct cleaning business. The work is done off site in either residential or commercial buildings. Basically the property will be rented for maintaining supplies (minor cleaning supplies, rags, and filter bags) and to house the vehicles that are used for the business. Right now they have 1 vehicle and hopefully will be getting an additional vehicle. There are approximately 2 to 4 employees. Two employees per vehicle. There might only be one person picking up the vans and the other employee could be on the job site. The inventory will consist of vacuum bags and filters, cleaning supplies, rags, small tools like wrenches and marketing material. There are slop sinks, but basically things have to be wiped down because of the dust it comes in contact with. Deliveries will be made maybe once a week from a UPS standard truck, or things that will be purchased from a Home Depot. There will be no 50 foot trailers making deliveries. The hours of operation will be for the trucks to leave between 6:30 a.m. and 8 a.m. returning between 4 p.m. and 6 p.m. There is usually one truck to service a territory. There really isn't a possibility of expansion because of the territorial regions. They are waiting for a "no further action" letter from the DEP hopefully within the next 2-3 months.

Mr. Russo advised that if the board were to grant any sort of certificate of occupancy pending the DEP approval.

Mr. Paporozzi stated that since there is construction on the outside of the building – as the plans show – they will need DEP approval.

Mr. Russo stated the plans have to be revised they stated there will be no external improvements done to the building.

Mr. Bornstein stated they can cross that off the plans right now.

Mr. Russo advised to just submit the revised plans, the only business in the building will be Ductz, and that is the way the resolution will be written.

Mr. Paparozzi stated the plans that will be revised, the shed that was coming down for parking, now that that is not coming down you are short parking. The parking on the east side of the building will be backing on to a county road, which Mr. Paparozzi believes the county will not approve it. Main Street has no parking, Garibaldi has one side of the street parking, you have a bridge and parks on the other side of the buildings, and you need to show parking. I would need something to show the parking. The parking you have is not feasible. The dumpster area if any is not shown, that should also be put on the revised plans. County approval will be needed as Main Street is a county road.

Mr. Russo stated if the applicant can revised the plans as per Mr. Paparozzi's recommendations, to omit any reference to the alterations, the dumpster, and the parking spaces (approximately 5 spaces can be shown) and the resolution will state only regular UPS, Fed Ex trucks will be used. No tractor trailers.

There were no other questions from the board members.

There was no one from the audience for or against the application.

There was a motion by Mr. Ingenito, seconded by Mrs. Fiduccia. All members present voted in favor of the motion, for a temporary certificate of occupancy.

Mr. Russo will advise Mr. Melfi of the submitting of the new plans and the temporary certificate of occupancy.

#### **New Business:**

Mr. Russo advised the board that the mayor and council have proposed a revision to the sign ordinance to basically address the issue of a lot of signs in the windows through out the town. The signs can make a traffic issue and not very appealing to the eyes. The nuts and bolts of the ordinance are on page two paragraphs 8 and 9. Which all the board members have a copy of. The second portion is to remove commercial business signs on lawns where the business is not actually located.

Mr. Carrasco questioned the signs advertising the products, what about the actual product in the front of the windows. Mr. Carrasco would like to see the words "actual product"

Mrs. Fiduccia stated they have the businesses in mind when they were talking about this ordinance. There are businesses that have their complete windows covered and you can't see in the business. It will be done for the safety of the business and beautification of the town.

Mr. Paparozzi stated what about the transparent letters that are done professionally with just the hours of operation.

Mrs. Fiduccia stated some businesses abused the original ordinance and this is what caused them to make a change.

Mr. Russo stated he will put in the letter of recommendation “any material blocking the window” and that a transparent sign should not be included as long as it is done professionally. Mathematically a big window with panes the 20% will be the same. Mrs. Breitweiser stated any glass panels.

**Resolutions:** 100709P  
The Rebar Group  
The Thirsty Toad  
132 Essex Street

Everyone received a copy of the draft of the resolution.

There was a motion by Mrs. Breitwieser, seconded by Mr. Ingenito to approve the resolution.

All members present voted in favor of the resolution with the exception of Mr. Carrasco who abstained.

**Resolution:** 102909P  
All Star Softball and Baseball  
79 Main Street

Everyone received a copy of the draft of the resolution.

There was a motion by Mrs. Fiduccia, seconded by Mr. Ingenito to approve the resolution.

All members present voted in favor of the resolution with the exception of Mr. Carrasco who abstained.

**Resolution:** 090909P  
Hess Group  
110 Essex Street

Everyone received a copy of the draft of the resolution.

There was a motion by Mrs. Breitwieser, seconded by Mr. Ingenito to approve the resolution.

All members present voted in favor of the resolution with the exception of Mr. Carrasco who abstained.

Mr. Russo advised the board of our holiday party which will be held on January 6, 2009.

Respectfully submitted,  
Marlene Muska

