



## BOROUGH OF WALLINGTON

CIVIC CENTER  
24 Union Boulevard  
Wallington, New Jersey 07057

PLANNING BOARD  
ZONING BOARD OF  
ADJUSTMENT

### Minutes of November 15<sup>th</sup>, 2022 Meeting of the Wallington Planning Board

The November 15<sup>th</sup>, 2022 Meeting of the Wallington Planning Board was called to order by Chairman Stanley Baginski at 7:31 PM, citing that the Rules of the Sunshine Law were followed with respect to advertising said meeting.

**Roll Call:** Present: Tomasz Bazel, Pawel Szwaczka, Stanley Baginski, Nick Melfi, Dominick Chirlo,  
Absent: Robert Kasperek, Theresa Wygonik, Councilman Eugeniusz Rachelski, Mayor  
Melissa Dabal, James Furtak

A motion was made by Bazel and seconded by Szwaczka to accept the October 18<sup>th</sup>, 2022 meeting minutes.

**Roll Call:** AYE: Bazel, Szwaczka, Baginski, D. Chirlo  
ABSTAIN: Melfi

A motion was made by Szwaczka and seconded by Bazel to mark and file the November correspondence list.

**Roll Call:** Bazel, Szwaczka, Baginski, Melfi, D. Chirlo

Resolution for **VIP Builder Supply Inc., 434 Main Ave. Block 70.01, Lot 4.01, Zone B** was held in abeyance until next month.

The first matter of business was a Waiver of Site Plan Approval for **Wallington Waterfront LLC – 8 Halstead Avenue, also known as Block 7, Lots 23, 24, 25, 26, 27, 28, 29, 30, Zone LI**

Applicant – Mr. Michael Benji of 415 14<sup>th</sup> St. Carlstadt, NJ 07072 was sworn in by the notary public. Home Address - 1 Maple Dr. Apt. 12F Great Neck NY 11021.

Mr. Benji described his business as fabrication shop of wood, steel a little bit of stone and some light welding jobs. Proposed hours of operations would be 8 am – 5pm or 9 am – 5 pm Monday to Friday. No work on Saturday or Sunday. The business will take care of their own garbage.

Current owner of the building was called from outside. Because he was sick with Covid, he was asked to stand at the door.

Owner – Daniel Stachowski of 9 Lexington Ave was sworn in.

Mr. Melfi asked if there is an existing Knox box – Mr. Stachowski confirmed. He also promised the property will be cleaned before the sale.

The Applicant was asked about a parking on the premises. He stated that the deliveries will be made by box trucks only. He was informed that no outside storage allowed and a visible business sign and address on the building are necessary for emergency services.

It will be a family owned business with 3 - 4 employees. There is enough parking for the business. No parking spots would be taken away from the residents. No hazardous materials would be stored at the location.

Chairman Baginski opened and closed to the hearing of citizens.

A motion was made by Bazel and seconded by Chirlo to approve the application.

**Roll Call:** Bazel, Szwaczka, Baginski, Melfi (with conditions), D. Chirlo

The next matter of business was an Application for Site Plan Approval seeking some variance relief and waivers: **52 Van Dyke LLC - 52-64 Van Dyke Street, Block # 60.01, Lot 1**

The Application was presented by the Applicant's Attorney – Mr. Thomas H. Bruinooge. First Exhibits presented were an affidavit of service (A-1). Exhibit A-2, the original proof of publication from the North Jersey Media Group indicating publication of the public notice. Attorney proceeded with describing the site location.

First Witness - Mr. David Egarian - a licensed engineer briefly described his education, training and experience to the Board. Exhibit A-3, 13 pages of Architectural Plans, was presented. The 11-by-17 plans were distributed to the Board for easier view. Mr. Egarian proceeded to discuss the existing conditions, the proposed development, the utilities that will service the property, the vehicle tracking, the lighting plans and landscaping plans. The proposed project is a two-level warehouse with an upper and lower floor. The upper floor would be accessed off of Jordan Street and the lower floor would be accessed off of Van Dyke because of the steepness of the property. The upper level consists of 19,330 square feet of floor space with an adjacent parking lot and the lower floor consists of 30,561 square feet. The total area for the warehouse is 49,891 square feet. Of that square footage about 3,500 square foot of office space and 27,000 square foot of warehouse space. The applicant was seeking a variance for building coverage which works out to be 52.4 -- 58.45 percent, where the allowable is 50.0 percent. The lower level would have 12 9-by-18 parking spaces and six loading spaces. And the upper parking level would have 15 9-by-18 spaces and four loading spaces. The Applicant was seeking a waiver for the parking space size.

Mr. John Dunlea, PE – Board Engineer and Mr. David Egarian had a conversation regarding the storm water and how this site is going to impact the drainage swale.

Next witness – Mr. Yogesh Mistry - a licensed architect in the State of New Jersey since 2000. Mr. Mistry presented the set of drawings that were submitted as part of the application. It consisted of two sheet A-2.01 and A-4.01 and both dated July 27,2022. He then also presented 3D color rendering of the front right corner along Jordan Ave.

The Architect began to describe the building itself. It is essentially a two-level building. The lower level, which is accessed at the low end along Van Dyke Avenue, and upper level. Each level is broken

into potential smaller type tenants. Mr. Mistry proceeded to describe merging the industrial use with the residential, aesthetics, building height and utility room. Board members questioned the parapets, walls dividing the tenants and sprinkler system.

Next witness was Mr. Marthew Seckler - licensed professional engineer and also recognized professional traffic operations engineer. He was asked to prepare a traffic impact study. According to his study, this specific project would need approximately 20 parking spaces during peak time periods. The parking will include 2 EV spaces and loading spaces. In addition to reviewing the on-site circulation a traffic count on the adjacent roadway networks were performed. Mr. Seckler concluded that this land use in terms of per square foot would not generate a large amount of traffic.

The last witness for the applicant was Mr. Paul Grygiel - a principle of planning and real estate consultants. He testified that the Wallington Zoning Ordinance permits a wide range of uses for the I zone. He then proceeded to discuss the needed variances - building coverage, signage and wall height. The applicant's Attorney proceeded to ask questions about the variances and Mr. Grygiel explaining all the positive and negative criteria.

He then proceeded to discuss waivers the applicant is requesting regarding the size of the parking stalls, the setback of the parking spaces, curb turning radius, driveway width and the buffer to the parking area. The Board Members and the Borough Engineer asked questions regarding the parking spaces per employee. Because the tenants are unknown, it was hard to speculate how many parking spaces would be used. After additional questions regarding a possible 24h operation, which was concluded not to be an intention of the applicant, Chairman Baginski opened the hearing of citizens.

Mr. James Wood from 65 Jordan Avenue asked about the width of the driveway off of Jordan Ave. His concern was with space taken away from parking, big traffic and tractor trailers driving through Jordan Ave 40 MPH, sewer system, flooding.

Next resident was Mr. Eugene Mocarski. He was questioning the building entrance suggesting it should be located at the Van Dyke St. which was explained to be someone else's property previously used as an easement with the agreement of the previous owner.

Karla Nievas from 77 Johnson asked if there will be any other independent organizations that would be monitoring or even evaluating that the plan is going to be effective. She was concerned about problems down the line if the remediation was not done properly, like certain cancers, diseases, etc.

Mr. Bruinooge explained that a remediation plan would be consistent with the requirements of the New Jersey Department of Environmental Protection. Ms. Nievas was also concerned with loading zones on the street and the trees being removed, tractor trailers moving in and out from the adjacent property and parking.

Next person wishing to be heard was Mr. Mike Chirlo. He questioned the elevation of the building suggesting to make the building a one story, L shaped building. He claimed the project would disrupt the whole Jordan Ave community causing traffic and taking away parking spaces for the residents. Mr. M. Chirlo was also concerned about tractor trailers coming down Jordan Ave.

The Planning Board Chairman explained that what the Applicant is presenting would not be put up to accommodate tractor trailers to go there. A short discussion regarding this matter followed.

Mr. Kenneth O'Keefe, 91 Jordan Avenue joined the conversation and claimed that his sidewalk was previously damaged by the tractor trailers. To finish his comment Mr. M. Chirlo stated that all he is asking is to take the elevation away, leave it 1 level so it would not impact the neighborhood lives.

Lastly, Ms. Nievas asked about the possibility of making Jordan Ave. resident permitted parking only. Chairman advised her to go in front of the Mayor and Council to address this issue.

Chairman Baginski closed the hearing of citizens.

Mr. Bruinooge thanked the Board for their careful and complete attention for examining the exhibits that have been marked. He concluded by saying that a fair and appropriate application of the law in the State of New Jersey would warrant the granting of the site plan approval with the variances applied for, the waivers as requested. A short conversation regarding a storm water flow, drainage and sewer line followed. Mr. Bruinooge expressed a desire to work collaboratively, cooperatively with the community to improve a site that is underdeveloped, in very poor condition and is an environmental problem.

Chairman Baginski asked for a motion to approved the application however Mr. Szwaczka expressed his worries about resident parking because it is a continued problem in Wallington.

Mr. Bazel brought up his doubts regarding the maximum building coverage.

Mr. Melfi stated that he is in favor of the project. He expressed his worries that the site could get redeveloped and Wallington could end up with another 200 apartments down there.

Mr. Melfi motioned to approve the application. with the stipulations of the sewer storm drain. And if there would be a parking issue, it would have to go before the board for approval to put extra tenants in that building.

In the absence of a second to the motion, the Applicants Attorney asked that the matter be carried until the next meeting to allow lawyers, engineers and other professionals to explore the presented issues and concerns.

Mr. Bruinooge asked that the matter be continued till next month without the requirement of additional publication and notice.

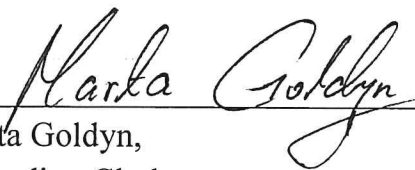
Mr. Melfi's motion, as per the Robert's Rules, gets tabled and no second on it.

Mr. D.Chirlo made a motion to carry this matter to the next regular meeting. Seconded by Mr. Szwaczka.

**Roll Call:** Ayes: Bazel, Szwaczka, Baginski, Melfi, D. Chirlo

There being no further business before the board, a motion for adjournment was made at 10:28 PM by D. Chirlo and second by Szwaczka.

**Roll Call:** Ayes: Bazel, Szwaczka, Baginski, Melfi, D. Chirlo

  
Marta Goldyn,

Recording Clerk

cc: Greg Zagaja, Acting Clerk (via: email)

Construction Official, Nick Melfi (via: email)

Fire Official, Edward Tanderis (via: email)

Dept. of Public Works, Ray Dynes (via: email)

Respective files