

**Victory Gardens Planning Board Minutes
March 20, 2019**

Diane Feola called the meeting to order.

Meeting started at 7:03 P.M.

Pledge of Allegiance to the Flag of our Country.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Meeting Act.

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| IN ATTENDANCE: | Mayor Dave Holeman | Jim Glass | Diane Feola |
| | John Cegelka | Anne Davis | Barrie Palumbo |
| | Attorney: John Kaplan, ESQ | | |
| | Engineer: Leon Hall | | |

ABSENT: Avis Byfield

MINUTES: From January 16, 2019

Jim Glass made the motion to accept the minutes from January 16, 2019 meeting. Mayor Dave Holeman seconded it. The minutes were approved on a roll call vote.

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| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Abstain |
| Avis Byfield | Absent |
| Anne Davis | Yes |
| Barrie Palumbo | Yes |

APPLICATIONS: Carried over from last meeting
 Olivia Cardona – Name of new business – Wapa’s Beauty Salon
 301 South Salem Street
 Waiver of site Plan
 Applicant’s attorney: Mark J. Brancato, Boonton, NJ.

At the last meeting there were some concerns. Mark J. Brancato is a new attorney for this applicant. Attorney, John Kaplan, swore in Noel Camacho, son of Olivia Cardona, 31 Lori Road, Landing, NJ. The applicant’s attorney asked if Mr. Camacho was familiar with the site and proposed location of the Wapa’s Beauty Salon, he stated he was. The attorney referenced a letter, dated February 14, 2019 sent to applicant by the Borough Engineer, Leon Hall. There are nine points of comments for consideration that Mr. Hall has pointed out. The applicant had not seen the letter but Ms. Cardona’s attorney is reviewing these with him during this meeting. The details; parking of customers, shall be in the rear of the building; there are signs that are rusty that will need replacing; ADA parking place needs to be provided. These three items will be completed according to Mr. Camacho. The fourth, payment repair of the parking area in the front and rear is recommended. Mr. Camacho does not know if this will be done, he has not spoken with the owner of the location, Mr. Kenneth Ruch. The fifth condition, the hand rails and bilco doors are in very poor condition and should be replaced. Mr. Camacho believes these are completed according to his mother. The sixth item; debris around the area of the rear door, he states has been removed. The seventh condition; all garbage and litter should be removed from the property, he states that it has been removed. The eighth condition; pavement striping for parking spaces has not been completed yet according to Mr. Camacho. And the ninth; there shall be a separate garbage enclosure/pad/fence, he stated this has not been completed yet. The attorney asked what the site is being used for, Mr. Camacho stated hair and nails. Barrie Palumbo asked for another confirmation of what was going to taken place at the location and he stated hair and nails again. She asked about facials? He said no as of right now, no. According to Barrie her website states that facials and massages are being offered. He stated that the web site is a “stock website,” and it has not been customized yet. He stated the photos are stock photos and Barrie disagreed with him, she believes they

are actual photos from inside the current location. She asked again if facials and massages will be provided, he said no. She wanted to know what the room with the bed was for, he said it is being used for just storage now, it was from the previous owner. There were questions that the landlord needed to answer and he was not present at this meeting. The attorney for the applicant left the room to make a phone call to the landlord.

There was a motion made to go out of order of the agenda while the attorney placed the call to the landlord.

John Cegelka made the motion to open the meeting to the public. Anne Davis seconded it and all were in favor or it.

Valerie Williams asked the Board if they have received and reviewed all documents she has sent into the Municipal Office since 2017? Diane Feola said she has received something and did review it. Valerie continued with her questions, did anyone else on this board receive any information regarding documents I and my mother, Johnnie May William, sent in regarding steps/stairs? Some members stated they have not received anything. She also asked if anyone reviewed the contracts of the work that is going to be done on Adams Avenue? She asked if anyone knew about an additional survey that was completed on Adams Avenue? No one had any information on it. Ms. Williams went on to explain that the steps/stairs that residents have on her side of Adams Avenue are in the right of way. She states that her and her mother have lost the grant they applied for because of this and would like this Board to release the permit so they can have the work completed. Barrie Palumbo stated that this Board does not have anything to do with this concern/project.

James Janone said that this Board has the right to hear what she has to say. As the Board of Adjustment you have to hear what she says. It was suggested that Ms. Williams make an application. He asked about the "Puppy Mill ordinance," that the Borough Council is discussing. He states that this information must come before this board and he was told that the Council does not have all the information required to send to this board as of yet.

A motion was made to close the meeting to the public and everyone approved the motion.

The attorney, Mark J. Brancato came back and said he did speak with the landlord, Kenneth Ruch of 303 South Salem Street. Paving- striping of the parking lot will be done, ADA parking will be provided, pavement repair will be accomplished. He is asking for a waiver on the separate garbage enclosure/pad/fence. There is already one there for the liquor store and the owner feels for the amount of trash that the beauty salon is going to generate he does not feel it/they require their own dumpster area. There was some discussion as to what she will do with her trash, all commercial properties are responsible for their own garbage. Again due to the amount of trash she has she will utilize the dumpster that is already located there. Due to additional discussion it is determined that a garbage dumpster does not exist for this building.

There was discussion on the parking and the 'parking in rear' sign. The engineer, Leon Hall, explained that there is not enough room in the front for vehicles to safely exit onto South Salem Street if they park in the front of the building. Leon asked about comment #5, the hand rails and bilco doors and the attorney said this has been done, completed. And he asked about #6, couch and debris, all of this has been removed and the property has been cleaned up. The discussion returned back to the disposing of the trash and how much she will be generating. The question of the striping of the lot was discussed, how large will the spaces need to be and how many spaces will be required due to there are two businesses here. Her attorney expressed concern that this was a beauty salon before and the business is not changing, if the board can approve with certain conditions and once those conditions are met, his client may deal with the state and receive what is needed there so she can open and operate. Barrie still had questions regarding the garbage. She said there has been an on going issue with the property not being cleaned up and garbage lying about. This type business is going to generate a lot of garbage, between cotton balls, paper towels, empty hair color boxes, hair and personal garbage from the employees. She would like a definite answer as to what is going to happen with it. There is a cage dumpster there now for cardboard only. There is no dumpster anywhere on the site for garbage. The applicant's attorney asked that the site plan be waived for an enclosed dumpster area. Barrie suggested that the applicant obtain garbage cans and place them in the garage area that is located in the rear of the building and place her garbage in cans in this garage area and then she will have to obtain a hauler to pick the garbage up. The attorney said he believes there will be no issue with this due to the conversation he just had with the landlord/owner of the property. He stated if the

landlord/owner of the property has a problem with this then he will fax over a letter to the Borough Hall stating this. Barrie wanted a confirmation that there will be no massages done on the premises and the applicant confirmed this. Barrie also asked about facials, she said yes, she will be doing facials. Barrie made the request that massages be taken off her website.

Jim Glass made the motion to open this applicant’s review to the public. Anne Davis seconded it. All members approved of the motion.

James Janone wanted to know why the landlord/owner is not being asked that to provide a small dumpster for his tenants? There was no answer.

Valerie Williams wanted to know when she was given a CO? She was told she does not have a CO. There was a short discussion on how a CO is obtained for a business, it relies on the tenant to obtain the CO application not the landlord/owner.

Motion to close the meeting to public was made with approved by all.

Jim Glass made the motion that everything on the list and the garbage clarified as to where it is going to be stored and who the hauler is, also a report from the Board of Health and or the Fire Marshal with regards to the safety of the storing of the garbage. Leon Hall stated that additional escrow be collected and that the website be updated with the removal of massages, within 15 days. Anne Davis seconded this. The conditions are to be completed by May 1, 2019 to obtain a CO. This is approved with a roll call vote:

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| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Yes |
| Avis Byfield | Absent |
| Anne Davis | Yes |
| Barrie Palumbo | Yes |

CORRESPONDENCES: None

BILLS: None

OLD BUSINESS: None

NEW BUSINESS: None

Motion was made by John Cegelka to adjourn the meeting. Anne Davis seconded it. Everyone approved it.

Minutes typed by Debbie Devery

