

Township of South Hackensack  
PLANNING BOARD  
September 21, 2009  
7:30 p.m.  
MINUTES

At 7:45 p.m. this meeting was Called to Order. Pursuant to the Open Public Meetings Act, adequate notice of this meeting was provided to The Record and The Herald News and by posting a copy of the meeting notice on the bulletin board in the clerk's office where notices are customarily posted.

The Acting-Chairman led the Flag Salute.  
The Acting-Secretary called the Roll.

**Members Present**

Rosina Romano  
Frank Capolupo  
Vincent Stefano  
Ray DeRiso  
Pat Spadavecchia  
Butch Walsh  
Frank Cagas  
Greg Maceri  
Anthony Vigilante  
Evelyn Stefano -- Acting Secretary  
Eillot Sachs -- Boswell Engineering  
Ralph Chandless -- PB Attorney

**Members Absent**

**ORDINANCE APPROVAL:**

**Ordinance No. 2009-11, PB Resolution No. 2009-04**

An ordinance amending and supplementing Chapter 208 of the Code of the Township of South Hackensack entitled "ZONING" **Roll Call on the Motion to adopt: Yes Votes;** Mayor Rosina Romano, Raymond DeRiso, Gregorio, Maceri, Vincent Stefano, Frank Cagas, Frank Capolupo, Butch Walsh, Pat Spadavecchia and Anthony Vigilante

**Ordinance No. 2009-13, PB Resolution No. 2009-05**

An ordinance amending and supplementing Chapter 72 of the Code of the Township of South Hackensack entitled "AFFORDABLE HOUSING" **Roll Call on the Motion to adopt: Yes Votes;** Mayor Rosina Romano, Raymond DeRiso, Gregorio, Maceri, Vincent Stefano, Frank Cagas, Frank Capolupo, Butch Walsh, Pat Spadavecchia and Anthony Vigilante **No Votes:** Raymond DeRiso; **Abstain** Pat Spadavecchia

**Ordinance No. 2009-14, PB Resolution No. 2009-06**

An ordinance amending and supplementing Chapter 72 of the Code of the Township of South Hackensack entitled "AFFORDABLE HOUSING" to address the requirements of the council on affordable housing (COAH) regarding compliance with the Municipality's prior round and third round affordable housing obligations. **Roll Call on the Motion to adopt: Yes Votes;** Mayor Rosina Romano, Raymond DeRiso, Gregorio, Maceri, Vincent Stefano, Frank Cagas, Frank Capolupo, Butch Walsh, Pat Spadavecchia and Anthony Vigilante

Board Members Ray DeRiso motion to recess; Vincent Stefano second at 8:12 pm.

Township of South Hackensack  
PLANNING BOARD  
September 21, 2009  
Resumes 8:15 p.m.

Members Present

Frank Capolupo  
Vincent Stefano  
Anthony Vigilante  
Pat Spadavecchia  
Butch Walsh  
Frank Cagas  
Evelyn Stefano – Acting Secretary  
Eillot Sachs – Boswell Engineering  
Ralph Chandless – PB Attorney

Members Absent

Rosina Romano  
Greg Maceri  
Ray DeRiso

*Block 29 Lot 1 - Naturex*

The attorney for the applicant introduced himself and called Kenneth Buyyounowski, a principal in the firm of Mader Smyth Buyyounowski & Associates, Architects, Engineers and Planners, of Teterboro, New Jersey.

Mr. Buyyounowski was duly sworn in and the Board took note of the fact that he had been previously qualified as an expert architect and planner. Mr. Buyyounowski described the location and current condition of the premises. He described the proposed site improvements to be undertaken in this phase of the improvements to the premises formerly known as Dr. Madis Laboratories. The new improvements will include:

- (1) A concrete apron between the entrance driveway and Huyler Street;
- (2) The removal of the current boiler building and incinerator which is in front of the existing main structure and its replacement with an additional parking area;
- (3) The pavement of all parking areas and curbing around all of them;
- (4) The installation of landscaping in much of the vacant area and in the islands created by the curbing;
- (5) The installation of perimeter fencing;
- (6) The installation of pole mounted lights; and
- (7) The addition of a third loading dock on the westerly and southern facade.
- (8) The enclosure of the current loading dock on the south face of the building.
- (9) The construction of an addition of approximately 90 ft. x 10 ft. to the southeastern portion of the building.
- (10) The construction of an addition of approximately 31 ft. x 19 ft. to the northwestern corner of the building.
- (11) The re-stripping of all parking stalls and traffic indicators within the parking lots and driveways.
- (12) The installation of site storm water drainage as may be hereafter required by the Township Engineer.
- (13) The installation of a remote controlled security gate and turnstile with a key or card devise to be provided to the Police Department.
- (14) The extension of the existing building canopy.

At this point, the Township Engineer advised that the Mayor was meeting with railroad officials in respect to the possible removal of the tracks in Huyler Street.

Mr. Buyyounowski referred to the landscaping shown on drawing LP-1 of the site plan and described the dense planting at the entrance and in all of the islands of the parking lot, in neither of which location planting presently exists. He indicated that presently the property is mostly lighted from lights on the building but that now lights would be scattered throughout the property.

The engineer interjected that he will require a review of the present and newly proposed drainage and site lighting but that the resolution can be conditioned upon his satisfaction of those plans.

Mr. Buyyounowski indicated that the new operator of the premises, Naturex, was improving the entire premises. Most significantly among the improvements is the installation of a new wet scrubber to reduce odors emanating from the processing of botanicals.

Mr. Buyyounowski stated that the current loading docks on the front of the building to the left of the front door would be closed off, the canopy which extends approximately 10 feet from the front wall will serve as the roof for a new extension and a matching extension will be added to the front wall to the right of the main entrance. The new loading dock will be installed further to the west on the front wall. The recycling area will be enclosed with hedges.

Mr. Buyyounowski also indicated that the new scrubber will be installed in a new enclosure on the rear or north side of the building adjacent to Route 80. Its location will require a side yard variance. The increase in building area resulting from the new enclosures along the front facade and the scrubber enclosures on the rear result in the need for a lot coverage variance. The current 55 parking places will be maintained but, nevertheless, a variance will be required in relation to the increased area of the building. The new parking stalls will be only 9 feet by 18 feet, thus requiring a variance.

**Open to the Public**

Raymond De Riso, the Zoning Enforcement Officer, stated that the building requires further cleaning. Mr. Gonthier stated that the entire building had been cleaned and three panels of its exterior facade had been replaced.

**Closed to the Public; all in favor.**

Mr. Stefano made a motion to approve subject to the usual conditions, the condition for drainage and site lighting approval by the Township Engineer, the condition that the Fire Department be satisfied and the requirement of a supplemental Developers Agreement if the engineer so requires and to direct the preparation and presentation of this Resolution. Mr. Capolupo seconded the motion and all members present voted in favor thereof, to conditionally approve the said application. **Roll Call on the Motion: Yes Votes;** Vincent Stefano, Frank Cagas, Frank Capolupo, Butch Walsh, Pat Spadavecchia and Anthony Vigilante

At 9:45 p.m. Vincent Stefano motioned; Capolupo seconded to adjourn the meeting. All in favor.  
Respectfully Submitted,

*Evelyn Stefano*  
Evelyn Stefano  
Acting Secretary

*Block 29  
Lot 1  
Naturex*

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**RESOLUTION NO. 2009- 4**  
**PLANNING BOARD OF THE TOWNSHIP OF SOUTH HACKENSACK**

**DATED: September 21, 2009**

**APPROVAL OF THE PROPOSED  
ORDINANCE REPEAL THE DEFINITION OF "DWELLING,  
THREE FAMILY" CONTAINED IN §208-1 OF THE ZONING CHAPTER  
(Ordinance # 2009-11)  
AND  
RECOMMENDATION OF ADOPTION OF THE SAME**

WHEREAS, the Board of Adjustment of the Township of South Hackensack, in its annual report to the Township Committee dated March 24, 2009, recommended the amendment of the definition of "dwelling, three family" contained in §208-1 of the Zoning Chapter of Township Code and thereafter, by letter dated July 28, 2009, recommended the repeal of the entire definition; and

WHEREAS, the Township Committee has introduced such an ordinance, and

WHEREAS, this Board has reviewed the said proposed Ordinance as required by N.J.S.A. 40:55D-26; and

WHEREAS, this Board finds and determines that the said Ordinance is consistent with the Master Plan of the Township of South Hackensack;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of South Hackensack that the aforesaid proposed ordinance be and is hereby approved and its adoption be and is hereby recommended to the Township Committee.

MOVED: Ray De'Riso

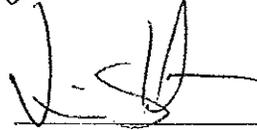
SECONDED: Pat Spadareccia

**Roll Call on the Motion:**

Mayor Rosina Romano, Class One  
Raymond DeRiso, Class Two  
Gregorio Maceri, Class Three  
Frank Cagas, Class Four  
Frank Capolupo, Class Four  
Vincent Stefano, Class Four  
Butch Walsh, Class Four  
Pat Spadacechia, Class Four

yes  
yes  
yes  
yes  
yes  
yes  
yes  
yes

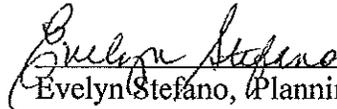
Date: September 21, 2009



Chairman

I hereby certify that the foregoing is a true copy of the resolution of the Planning Board of the Township of South Hackensack duly adopted in this matter on September 21, 2009.

Date: September 21, 2009



Evelyn Stefano, Planning Board Secretary

**RESOLUTION NO. 2009-<sup>5</sup>**  
**PLANNING BOARD OF THE TOWNSHIP OF SOUTH HACKENSACK**

**DATED: September 21, 2009**

**APPROVAL OF THE PROPOSED  
ACCESSORY APARTMENT PROGRAM ORDINANCE  
(Ordinance # 2009-13)  
AND  
RECOMMENDATION OF ADOPTION OF THE SAME**

WHEREAS, the Township of South Hackensack petitioned COAH for third round substantive certification on December 30, 2008, and that application was granted subject to the adoption of certain ordinances amending and supplementing Chapter 72 entitled "Affordable Housing" of Township Code; and

WHEREAS, the Township Committee has introduced an ordinance supplementing the said Chapter 72 to include a new Section, §72-5 entitled "Accessory Apartment Program" providing that accessory apartments for occupancy by low-income and moderate-income residents shall be allowed in the A Residential zoning district and setting forth the terms and conditions under which the same shall be permitted, and

WHEREAS, this Board has reviewed the said proposed Ordinance as required by N.J.S.A. 40:55D-26; and

WHEREAS, this Board finds and determines that the said Ordinance is consistent with the Master Plan of the Township of South Hackensack as it was most recently supplemented by the Housing Element and Fair Share Housing Plan adopted by this Board;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of South Hackensack that the aforesaid proposed ordinance be and is hereby approved and its adoption be and is hereby recommended to the Township Committee.

MOVED: Greg Meeri

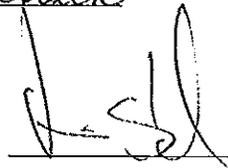
SECONDED: Rosie Romano

**Roll Call on the Motion:**

Mayor Rosina Romano, Class One  
Raymond DeRiso, Class Two  
Gregorio Maceri, Class Three  
Frank Cagas, Class Four  
Frank Capolupo, Class Four  
Vincent Stefano, Class Four  
Butch Walsh, Class Four  
Pat Spadavecchia, Class Four

yes  
no  
yes  
yes  
yes  
yes  
yes  
Abstain

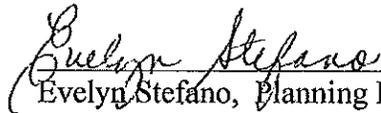
Date: September 21, 2009



Chairman

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Date: September 21, 2009

  
Evelyn Stefano, Planning Board Secretary

**RESOLUTION NO. 2009- 6**  
**PLANNING BOARD OF THE TOWNSHIP OF SOUTH HACKENSACK**

**DATED: September 21, 2009**

**APPROVAL OF THE PROPOSED  
ORDINANCE PROVIDING FOR THE AFFORDABLE HOUSING PROGRAMS,  
IMPOSING CERTAIN CONDITIONS THEREON AND PROVIDING FOR THE  
ADMINISTRATION OF THE SAME  
(Ordinance # 2009-14)  
AND  
RECOMMENDATION OF ADOPTION OF THE SAME**

WHEREAS, the Township of South Hackensack petitioned COAH for third round substantive certification on December 30, 2008, and that application was granted subject to the adoption of certain ordinances amending and supplementing Chapter 72 entitled "Affordable Housing" of Township Code; and

WHEREAS, the Township Committee has introduced an ordinance supplementing the said Chapter 72 to include a new Section, §72-6 entitled "Affordable Housing Obligation" providing for the Rehabilitation Program, the Accessory Apartment Program, and the New Construction Program, imposing the conditions thereon and providing for the administration of such programs, and

WHEREAS, this Board has reviewed the said proposed Ordinance as required by N.J.S.A. 40:55D-26; and

WHEREAS, this Board finds and determines that the said Ordinance is consistent with the Master Plan of the Township of South Hackensack as it was most recently supplemented by the Housing Element and Fair Share Housing Plan adopted by this Board;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of South Hackensack that the aforesaid proposed ordinance be and is hereby approved and its adoption be and is hereby recommended to the Township Committee.

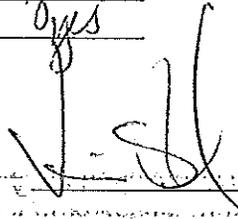
MOVED: Butch Walsh

SECONDED: Vincent Stefano

**Roll Call on the Motion:**

Mayor Rosina Romano, Class One  
Raymond DeRiso, Class Two  
Gregorio Maceri, Class Three  
Frank Cagas, Class Four  
Frank Capolupo, Class Four  
Vincent Stefano, Class Four  
Butch Walsh, Class Four  
Pat Spadavecchia, Class Four

yes  
yes  
yes  
yes  
yes  
yes  
yes  
yes

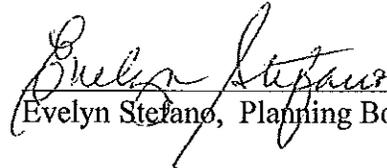


Date: September 21, 2009

Chairman

I hereby certify that the foregoing is a true copy of the resolution of the Planning Board of the Township of South Hackensack duly adopted in this matter on September 21, 2009.

Date: September 21, 2009

  
Evelyn Stefano, Planning Board Secretary