

T: (973) 402-9410  
F: (973) 316-8498



100 Washington Street  
Boonton, NJ 07005

**PLANNING BOARD  
REGULAR MEETING AGENDA  
APRIL 12, 2023 - 7:30 P.M.**

For those who are unable or uncomfortable to attend the meeting in-person, please feel free to attend virtually using either of the following methods:

**Please visit the web address below to join the webinar:**

<https://us06web.zoom.us/j/84291024621?pwd=N0NJRjlsZkZlUzZxpmUzh4eDB0bFR3bzFZZz09>

**Passcode:** PPY0Tf

**Or by Telephone dial:**

US: +1 (301)715-8592 or +1 (312)626-6799 or +1 (929)205-6099 or +1(346)248-7799 or +1 (669)900-6833

**Webinar ID:** 842 9102 4621

**Passcode:** 778380

- 1. CALL MEETING TO ORDER/SUNSHINE STATEMENT** – Planning Board Chair to call meeting to order and read the Sunshine Statement:

“This meeting is being held in accordance with the Open Public Meetings Act, also known as the Sunshine Law, N.J.S.A. 10:4-6. Notice of the meeting was sent to the Daily Record and the Citizen on January 20, 2023 and published on January 25, 2023. Notice was also posted on the Bulletin Board of the Municipal Building and on the Town of Boonton website.”

- 2. PLEDGE OF ALLEGIANCE** – Planning Board Chair to lead those in attendance in the Pledge of Allegiance to the Flag.
- 3. ROLL CALL** – Planning Board Clerk to conduct Roll Call:

NAME	PRESENT	ABSENT	EXCUSED
Mr. Weisman			
Ms. DeVenezia			
Mr. Brewer			
Mr. Khokhar			
Mr. Orlusky			
Mr. Vasa			
Mr. Venturini			
Mr. Wrobel			
Mr. Schnitzler			
Mr. Phelps			

The following should also be present:

Mr. Scott Carlson, Board Attorney  
Ms. Alexandra Handel, Board Engineer  
Mr. Graham Petto, Board Planner

**4. PAYMENT OF THE BILLS**

a. The Board Clerk confirmed that the bills are in order to be paid.

MOVED: _____	SECONDED: _____	
VOICE VOTE:	IN FAVOR: _____	AGAINST: _____

**5. APPROVAL OF MINUTES**

a. Minutes of the regular Board meeting of January 11, 2023 were presented to the Board.

**6. CORRESPONDENCE**

**7. RESOLUTIONS**

**a. RESOLUTION OF APPROVAL  
APPROVAL OF EXPEDITED WAIVER OF SITE PLAN**

IN THE MATTER OF ANTHONY AND SONS BAKERY	: PLANNING BOARD OF THE : TOWN OF BOONTON : BLOCK 69; LOT 73.02 : 85 FULTON STREET
---	---

**WHEREAS**, Anthony and Sons Bakery (“Applicant”) requested approval of expedited waiver of site plan for the property located at Block 69, Lot 73.02 on the tax map of the Town of Boonton, being commonly known as 85 Fulton Street, Boonton, New Jersey (the “Premises”), located in the I-1 Zone District; and

**WHEREAS**, by Ordinance adopted by the Mayor and Board of Aldermen of the Town of Boonton under statutory authority, an expedited waiver of site plan committee was established for the purpose of providing a waiver of site plan when it deems fit because the relief requested is deminimis and to require a full planning board application would be unduly costly and burdensome to the applicant; and

**WHEREAS**, Applicant met with the Expedited Waiver of Site Plan Committee and explained that he seeks to use an existing commercial unit located on the Premises for the storage and manufacture of baked goods and related products, as well a related activities. The use is a permitted use in the I-1 zone district and no improvements are proposed that would warrant a complete site plan review by the Planning Board.

**NOW, BE IT RESOLVED**, that the Planning Board of the Town of Boonton, County of Morris and State of New Jersey, on the 12<sup>th</sup> day of April, 2023, concluded that this request for expedited waiver of site plan can be granted because the property is suitable for the proposed use, the proposal is deminimis, and it would be unduly burdensome and costly to Applicant to submit a complete application to the Planning Board.

**NOW, BE IT FURTHER RESOLVED**, by the Planning Board of the Town of Boonton, County of Morris and State of New Jersey, on the 12<sup>th</sup> day of April, 2023, the application of Anthony and Sons is hereby **APPROVED**, subject to the following terms and conditions:

1. Applicant shall be bound by all representations made in its Expedited Waiver of Site Plan Application.
2. Applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, and Applicant shall comply with any requirements or conditions of such approvals or permits.
3. The within approval is conditioned upon Applicant making payment in full of all sums due or to grow due on account of review and processing fees within twenty (20) days of the date of being

billed for same by the administrative officer. No Certificate of Occupancy shall be issued until such fees have been paid in full. In the event that Applicant fails or refuses to pay such fees, the Planning Board reserves the right to declare the within Resolution and any relief granted pursuant hereto to be null, void, and of no further effect.

4. The current occupant of the area marked “Office” on the attached diagram may continue to be used and occupied by that current tenant. If the current tenant abandons or vacates that portion of the Premises, said area shall be used only by Applicant and shall not be leased or otherwise made available for use by any person or entity other than Applicant.
5. Trash shall be maintained in containers currently existing on the Premises. In the event that trash shall become unsightly or otherwise become a nuisance in the sole discretion of the appropriate official(s) of the Town of Boonton, Applicant shall be responsible for addressing same, to the satisfaction of the Town of Boonton and its officials.

**VOTE OF ROLL CALL FOR APPROVAL OF EXPEDITED WAIVER OF SITE PLAN:**

IN FAVOR:

AGAINST:

**VOTE OF ROLL CALL FOR APPROVAL OF RESOLUTION:**

IN FAVOR:

AGAINST:

**8. PUBLIC HEARINGS**

- a. **APPLICATION 2023-01 EKM Properties, Inc.**  
 289 Myrtle Ave. Block 71.12, Lot 23  
 Final Site Plan w/ Variances

**9. INVITATION FOR PUBLIC COMMENT OF NON-AGENDA MATTERS**

**10. BOARD DISCUSSION ITEMS**

**11. OLD BUSINESS**

**12. NEW BUSINESS**

**13. ADJOURNMENT**

- a. There being no further business, the meeting shall adjourn

MOVED: _____	SECONDED: _____	<b>b.</b>	
VOICE VOTE:	IN FAVOR: _____		

**SUBJECT TO LAST MINUTE CHANGE OF ORDER  
 NO NEW BUSINESS / TESTIMONY AFTER 10:00 P.M.  
 MEETING TO ADJOURN NO LATER THAN 10:30 P.M.**