

**BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD ZOOM MEETING MINUTES**

**WEDNESDAY, MAY 12, 2021**

Mr. Virgona called the meeting to order at 7:05 p.m. The following statement was read:  
Pursuant to The Open Public Meetings Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by e-mail to The Record and The Ridgewood News on December 19, 2020 at which time the date, time, place and purpose of the meeting was set forth and notice was posted on the Boro website: [www.usrtday.org](http://www.usrtday.org)

**PLEDGE OF ALLEGIANCE**

**Present:** Mr. Virgona, Mr. Polizzi, Mayor Minichetti, Mr. Rotella, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. Schaum

**Absent:** Mr. Donato

**Also Present:** Mark Madaio Esq., Planning Board Attorney  
Marisa Tiberi PE, Boswell Engineering/Borough Engineer

**APPROVAL OF MINUTES**

A motion by Mr. Rotella to adopt the minutes of the April 22, 2021 meeting seconded by Mr. Richardi.

**Roll Call**

**Ayes:** 7 Mr. Rotella, Mr. Richardi, Mr. Preusch, Mr. Jacobs, Mr. Bakal, Mr. Polizzi, Mr. Virgona

**PUBLIC HEARING**

1. **Borough Ordinance #05-21** (*Mayor and Council Referral*)  
**(Prohibiting the Operation of Any Class of Cannabis Businesses Within Its Geographical Boundaries and Amending Article VIII, Section 150-39, Prohibited Uses of the Borough Code)**

Mr Madaio reviewed the Resolution. Discussion followed. Board Members commented the Ordinance is consistent with the Goals set forth in the Master Plan.

A motion to open the Hearing to Members of the public by Mr. Bonjuklian seconded by Mr. Polizzi.

No one appeared to provide comment.

A motion by Mr. Polizzi to adopt the Resolution recommending the Governing Body enact Ordinance #05-21 seconded by Mr. Bakal.

**Roll Call**

**Ayes:** 9 Mr. Polizzi, Mr. Bakal, Mayor Minichetti, Mr. Preusch, Mr. Jacobs, Mr. Richardi,

2. Application of **Jack Daniels Motors/Porsche**  
**120 Pleasant Avenue – Block 1301 – Lots 1.02 & 2**  
(Amended Site Plan Approval/*Proposed Installation of Battery Storage Container*)

James Delia Esq, representing the applicant provided a brief overview of the application for amended site plan approval to permit the installation of a container in (2) of the existing parking spaces for the storage of batteries related to electric vehicles. Mr. Delia stated it is the protocol of Porsche NA to require dealers exercise extra caution in storing batteries taken out of vehicles in a safe and secure container.

The following Exhibits were submitted and identified: **A-1**: *Site Plan (3) Sheets – Jack Daniels Motors, 120 Pleasant Avenue – prepared by Lapatka Associates dated thru April 26, 2021*; **B-1**: *Boswell Review Letter dated 9, 2021*; **B-2**: *Boswell Review Letter dated March 16, 2021*; **B-3**: *Boswell Review Letter Dated May 4, 2021*.

Andrew Missey PE, Lapatka Associates duly sworn by Mr. Madaio, reviewed the Site Plan, testifying the placement of the 20 ft x 8 ft x 8.5 ft. container results in removal of parking stall No. 135 and No. 136, reducing the overall parking from 218 to 216 spaces, requiring variance approval. The lot coverage remains unchanged, while the building coverage is slightly increased to 21.1%, it remains compliant to the 40% maximum coverage permitted.

In response to comments from the Board, Mr. Missey testified the proposed container is located in an area easily accessible for pick up by Porsche and substantially distant from residential properties.

In response to Ms. Tiberi, Boswell Engineering, Mr. Missey testified signage is not proposed on the container; and no lighting is proposed over the doors of the container as the existing site lighting is ample. Ms. Tiberi commented the proposed location of the container is compliant to the setback requirements.

A motion by Mr. Preusch to open the Hearing to Members of the public regarding the testimony provided seconded by Mr. Polizzi

*James Cox, 25 Crescent Hollow Court, Ramsey*, questioned if there were cameras installed in the parking lot or any sprinkler systems in the container. Mr. Delia deferred these comments to other witnesses.

*Joseph Melso, 96 E. Crescent Avenue, Ramsey*, questioned if the container was climate controlled and if there would be a generator. Mr. Missey responded if needed, but had no knowledge of a generator.

John Daniels, applicant duly sworn by Mr. Madaio, testified the proposed container is required by Porsche for the temporary storage of batteries that are removed during the servicing of electric vehicles. Mr. Daniels explained the batteries would remain in the container for no more than 2- 4 days, when they are picked up by Porsche to be reconditioned.

In response to comments from the Board, Mr. Daniels testified all manufacturers are transitioning from fuel driven to efficient alternative energy driven electric vehicles. Mr. Daniels testified the loss of the (2) parking spaces to locate the container will not affect the uses on the property and not obstruct maneuverability on the site.

In response to comments from the Board, Mr. Daniels testified new batteries are not stored; the storage is only for those batteries to be returned to Porsche.

In response to Ms. Tiberi, Mr. Daniels testified the container would remain on the site as long as he is in business.

A motion to open the Hearing to Members of the public regarding the testimony provided by Mr. Daniels by Mr. Jacobs seconded by Mr. Bonjuklian.

Michael Steele, Porsche Cars North America, duly sworn by Mr. Madaio, testified he implements the programs and trains dealers for the safe transport, storage, recycling and reconditioning of the Lithium-Ion Batteries used in electric vehicles. Mr. Steele testified the Container is required for the dry, safe secure and temperature control storage of the batteries until they are picked up by Porsche for repair, reconditioning and reuse.

In response to comments from the Board, Mr. Steele testified the batteries, weighing 1,300 lbs. are utilized in the Porsche Taycon model. The goal is to pick up the batteries sealed in their own crate approximately the size of a car, when ready for shipping and are moved by a forklift or pallet jack within (48) hours for return to the Porsche distribution center. The Container meets all protocols for battery safety.

Mr. Steele further testified the storage parameters for the batteries are in a ventilated, secure location in temperatures between -4 degrees F to 95 degrees F and can be maintained at 140 degrees F for up to (5) days.

In response to comments from the Board, Mr. Steele testified the batteries made in Germany, are shipped via sea freight, but Porsche is also licensed to ship via air freight.

A motion by Mr. Bakal seconded by Mr. Polizzi to open the Hearing to Members of the public regarding the testimony provided by Mr. Steele.

*Joseph Melso, 96 E. Crescent Avenue, Ramsey*, referencing an article in Automotive News, questioned procedure in the event of a massive recall due to battery defects. In response, Mr. Steele testified in prospective, Porsche is a low volume manufacturer. Should there be a large-scale recall, a process is in place to transport batteries to a central location for repair. *Mr. Melso* also questioned if the Upper Saddle River Fire Department has the equipment if there is any event of fire involving toxic fumes. Mr. Steele responded copious amounts of water are required, as published in the First Responders Guide.

Mr. Delia advised his client is requesting amended site plan approval for the removal of (2) parking spaces.

With no further comments from the public regarding Mr. Steele's testimony, Mr. Virgona closed that portion of the Hearing.

A motion by Mr. Polizzi to open the Hearing to Members of the public for general comment seconded by Mr. Richardi.

*Patricia Melso, 96 E. Crescent Avenue, Ramsey*, expressed concern the Container be equipped with an alarm to safeguard the surrounding community. In response, Mr. Delia stated to correct the record, the batteries are no more hazardous than those vehicles parked on the street.

With no further comments from the Board or public, Mr. Virgona closed the Hearing.

A motion by Mr. Jacobs to approve the application seconded by Mr. Richardi.

**Roll Call**

**Ayes:** 9 Mr. Polizzi, Mr. Richardi, Mayor Minichetti, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Bonjuklian, Ms. Schaum, Mr. Virgona.

**ADJOURNMENT**

A motion to adjourn by Mr. Preusch seconded by Mr. Jacobs was unanimously approved by all Members present. Meeting adjourned at 8:35 pm.

Respectively submitted,

Linda Marmora, Clerk

