

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
MARCH 28, 2011
MINUTES**

Call to order:

The meeting was called to order at 8:00 p.m. at the Borough Hall by the Chairman.

Adequate Notice Statement:

The Chairman announced that the Meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, was announced at the Reorganization Meeting held on January 10, 2011 in the Municipal Building. Notice of this meeting was posted and two newspapers, The Record and The Ridgewood News, were notified. Notice was also provided, in accordance with the Open Public Meetings Law, of the Planning Board's intention to conduct formal business at this Meeting.

The public was advised of the Planning Board's rule that the meetings will be concluded by 11:00 p.m.

Flag Salute

Roll Call:

George Fry, Chairman	Present
Robert McDonough, Vice Chairman	Absent
Kenneth Glemby	Absent
John Glaser	Present
Frederick Singer	Present
Mayor LaPaglia	Present
Willford Morrison	Absent
Al Dattoli	Present
Jon Boffa	Absent
Joseph Langschultz	Present
Peter Michelis	Absent
Marc Leibman, Attorney	Present
Elliot Sachs, Engineer	Present
Donna Holmqvist, Planner	Not Requested
John Pavlovich, Traffic Consultant	Not Requested
Kathy Rizza, Secretary	Present

Minutes:

The minutes of February 28, 2011 were approved, as slightly amended, on a motion from Mr. Glaser, seconded by Mr. Dattoli, and carried by all present. Mr. Singer abstained due to his absence at the last meeting.

Board Discussion: Broadway Corridor

Chairman Fry stated that at this meeting a decision needs to be made as to whether or not to make a recommendation to the Mayor and Council to go ahead with Phase II of the Broadway Corridor Study. He stated to all present that all the Planning Board is responsible for is to make a recommendation to the Mayor and Council and that then it is their decision to go ahead with the project or not. A presentation has been made by our Planner, Donna Holmqvist of Burgis Associates and public input has been taken.

A background of the Broadway Corridor was given to all by Chairman Fry. Approximately three years ago the Mayor and Council recommended that the Planning Board, in conjunction with the Master Plan, look at the Borough's zoning regulations. The Broadway Corridor came up because of the vacant properties in this area. The Chairman explained to all that it is in the best interest of the town for a discussion to take place on this before developers make inquiries on vacant properties. It was further stated by the Chairman that Phase I took almost three years and that he is not sure how long Phase II and Phase III will take, if approved. He again stated that it is up to the Mayor and Council to make zoning changes, the Planning Board only makes recommendations. Mr. Fry stated that there is nothing specific going on in this area as of right now and asked that all rumors please stop as they are not productive.

A consensus of the Planning Board members as to whether or not to recommend to the Mayor and Council to go ahead with Phase II was taken with the following results:

Mr. Dattoli: Yes

Mayor LaPaglia Yes

Mr. Glaser No Mr. Glaser feels that the re-zoning in this area is necessary; the area is not as attractive as it could be. He spoke regarding our Planners recommendations, for example: retail on the bottom and residential on the second floor. Mr. Glaser also spoke regarding the limitations in this area; he doesn't want our residents picturing a Park Ridge or Hillsdale downtown. Mr. Glaser spoke of the length of the corridor, the COAH site and the Mahe property. His concern is that we have a better idea of height and that we should require that the zoning cover the entire area. He would like clarification of the proposal before he votes in the affirmative. Chairman Fry stated that he doesn't disagree and that he too believes we should be looking at the entire area, although contract details is a Mayor and Council issue. Mr. Glaser had hoped that our Planner would have been present at this meeting.

Mr. Singer **Yes** Mr. Singer was absent for the presentation by Burgis Associates. He was briefed by the Mayor and Chairman Fry as to the purpose of the Planning Board at this meeting. Mr. Singer stated that he is not in favor of greater density.

Mr. Langschultz **Yes** Mr. Langschultz explained the process to the public.

Chairman Fry **Yes** The Chairman stated that this is a healthy process for the Borough. He feels it is better for us to have input on the situation then for a developer to dictate to us. He invited the public to come back for future meetings on this subject.

Chairman Fry stated that the specifics are for the Mayor and Council to decide. Mr. Singer stated that zoning recommendations start at the Planning Board and are then forwarded to the Mayor and Council for change.

The meeting was opened to the public on a motion from Mayor LaPaglia, seconded by Mr. Langschultz and carried.

Joe Falinsky – 12 James Street: Mr. Falinsky spoke regarding steep slope. It was confirmed that there are three categories. He spoke regarding the requested possible variance and whether or not it could be granted. Chairman Fry responded that there is no precedent and that every application stands on it own.

At this time the Mayor gave a history of the steep slope ordinance and how it relates to other developments (Rosengren) in the Borough. The northern properties on Broadway are some of the steepest properties in Woodcliff Lake. The Mayor stated that our former Borough Clerk came to Borough Hall today and said that she was told that a new development and a new road were being constructed in this area. This is totally untrue and couldn't be done because of the steep slope ordinance and the State Residential Site Improvement Standards. The Mayor added that he drove to the Fischer property on Broadway and saw a shovel truck on the site. This is property that we now own. The house has been torn down for safety reasons on the advice of our Attorney. This property was bought with COAH funds and can only be used for COAH purposes. Regarding the Mahe property, the Mayor stated that Mr. Mahe died in October and that there is no development planned for this site as of now. He further added that development there is highly likely in the future when and if the beneficiaries of Mr. Mahe sell the property. It was also said that there are environmental restrictions on this property. Any developer would have to go before the Zoning Board of Adjustment for variances relating to steep slope and setbacks that only the State can grant. Mayor LaPaglia also spoke regarding the old Matsu property. HLM Developers came before the Board with a high density proposal for this site. The Mayor stated that both he and the Zoning Board of Adjustment Chairwoman Chris Hembree have many years of experience. The joint Hovnanian development with Montvale on Chestnut Ridge Road was referenced regarding density also. Mayor LaPaglia would prefer to have a recommendation from our Planner. He

stated that there are no special recommendations on the northern section of Broadway as of yet, other than that he believes it should stay residential. The Mayor next spoke regarding the business district on Broadway. He stated that the old gas station property is difficult to develop because of buffer and setback requirements. This lot needs to be made realistically buildable. The Mayor stated that the strip mall has not changed in years, and that the Post Office may be closing this location. Our Planner recommends retail on the first floor and residential on the second. The survey that was done in 2009 for residents was referenced. Most residents responded that they would like to see a restaurant in Woodcliff Lake.

Kevin O'Brien – 28 Summit Ave – Westwood: Mr. O'Brien stated that he is a past resident of Woodcliff Lake and now lives in Westwood. Mr. O'Brien spoke regarding e-mails that were exchanged between members. He was told by the Chairman that nothing was done in secrecy! Mr. O'Brien stated that he had no idea of any development at the Mahe property. Mr. O'Brien spoke regarding the old gas station property and the old Matsu site. Mr. O'Brien was instructed to listen to previous Planning Board meeting tapes to satisfy himself. Mr. Dattoli stated to Mr. O'Brien that we are a Planning Board and he is an Architect and that the Board is open to ideas and that they will listen to everything – 'We are not criminals for listening'. Mr. O'Brien referenced the April 19, 2010 letter from Burgis in which it refers to HLM as an 'applicant' for the Matsu property. Chairman Fry explained that two conceptual plans have come before the board for the Matsu site, no formal applications as Mr. O'Brien has insinuated.

Jeff Scangga – 7 Edward Place: Stated that the residents are just concerned with possible development and that they will voice their concerns at the right time. He is also concerned with property values and fears the possibility of a developer lawsuit. Mayor LaPaglia stated that current and appropriate zoning is our best defense. Mr. Dattoli stated that he too lives in the Broadway corridor area and is as concerned as Mr. Scangga is and stated that the Planning Board is here to do the right thing, in an honest way, not in secret.

Craig Marson – 7 Cricket Lane: Mr. Marson stated that he is an Estate Planner and he spoke regarding the Mahe property and the estate. Mr. Marson spoke regarding bifurcation of development. He asked the Board if the town is allowed to put the property purchased with COAH money in private hands if COAH falls apart. Mr. Marson is against higher density development. The Mayor stated at this time that we have been successful in defending the decisions of our boards but defense costs a lot of money. The Mayor also stated that this is our 2nd highest budget excess after police overtime.

Tom Keady – 33 Columbus Avenue – Hillsdale: Mr. Keady lives across from the old Matsu site. He stated that a few years ago Hillsdale did a revaluation. He also stated that he does not want to look at the back of a high density complex.

Tom Misciagna – 236 Broadway: Mr. Misciagna lives between the Fischer property and the Mahe property. He is concerned with the value of his home. Mr. Misciagna would like to keep this area residential.

Anita Mayo – 11 Highview: Mrs. Mayo asked if there is something other than R-15 that would be a better zoning for this property.

John Mayo – 11 Highview: Mr. Mayo asked about the COAH situation with the Fischer property. He asked if there are any immediate plans as of now. Mr. Mayo was told no by the Mayor.

Susan Petze-Rosenblum – 25 Highview: This resident asked if the town could possibly purchase the Mahe property with Green Acres money and make it a park. The Mayor stated that this is unlikely. The Mayor spoke regarding tax rate and assessed values. The Mayor also spoke regarding town purchased property on Werimus Road that adjoins our park and recreation complex.

MaryAnn Porabija – 28 Highview: Ms. Porabija wanted clarification as to the fact that the Fischer property was bought with COAH money. She was told that is correct. Mr. Dattoli spoke regarding what a developer could do with this property.

Cynthia Bergsein – 9 Edward: Ms. Bergsein spoke regarding the old Matsu site and the conceptals presented by HLM. She was told that there are no final plans at this time. Ms. Bergsein asked if the building could go beyond two stories. She was told that it is possible but it is not something that the town would encourage. We do have a 30' height regulation. Mr. Singer spoke regarding the property across the street where there is one parking space for each apartment. The amount of trees to be taken down was questioned, but not known at this time.

Victoria Guez – 25 Clinton: Ms. Guez is not in favor of any restaurants in the Broadway Corridor area.

Greta Wright – 18 Clinton Place: Mrs. Wright hopes that the Fischer property remains residential. She is very happy seeing the lake from her home and feels it is a very desirable area as it is. Mrs. Wright questioned the need to spend the money on Phase II.

Karen Fass – 12 Highview: Questioned when Highview Avenue will be changed to go straight through to the Causeway. She is concerned with the safety issue involved here. The Mayor told Ms. Fass that the County wants the roads to connect for safety reasons!

John Mayo – 11 Highview: Spoke regarding the amount of cars that park at the train station. Chairman Fry stated that he thinks it is wrong that we do not allow out of town people to park and board the train. He stated that other towns allow this. The Chairman stated that the State could decide that a parking garage is necessary at this site.

Susan Petze-Rosenblum – 25 Highview: Stated that she commutes using the train and doesn't always get a parking space. This resident asked that we please preserve trees as much as possible no matter what is done.

A motion to close the meeting to the public was made by Mr. Singer, seconded by Mr. Glaser and carried by all.

Board comments:

Mr. Dattoli - Very constructive meeting, hopes it was helpful to all who came, and that residential input is very helpful.

Mr. Glaser – We try to be very public, do not hide anything. Informed all to go to the Borough website for minutes and agenda, also to visit Borough Hall where we have very cooperative employees.

Mr. Singer - Stated that he has heard a lot of speculation on the Mahe property and stated that he hopes a wealthy person buys this lot and puts one house on it!

Mr. Langschultz – Thanked all for coming to this meeting and encouraged future attendance.

A motion to adjourn this meeting was made by Mr. Dattoli, seconded by Mr. Langschultz, and carried by all.

Respectfully submitted:

Kathleen S. Rizza, Secretary