

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
JUNE 23, 2008 8:00 P.M.
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 14, 2008 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 is 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	Present
John Glaser	Present
Bruce Mautz	Absent
Mayor LaPaglia	Present
Willford Morrison	Present
Al Dattoli	Present
Robert Boffa	Present
Joseph Langshultz	Absent
Peter Michelis	Absent
Paul Kaufman, Esq.	Present
Elliot Sachs, Engineer	Present
Donna Holmqvist, Planner	Present
John Pavlovich, Traffic Engineer	Present
Kathy Rizza, Secretary	Present

Minutes: June 9, 2008

The minutes of June 9, 2008 were approved on a motion from Mr. Morrison, seconded by Mayor LaPaglia, and carried by all.

Resolutions:

BMW Curb Issue
Fox Meadow Developers
All of the above to be approved at the next meeting.

Public Hearings:

Martin Malek
Proposed Commercial Building
126 Broadway
Block 2701, Lot 1

Board Member Dattoli recused himself from this hearing since he lives within 200'.

Mr. Bruce Whitaker of McDonnell and Whitaker, LLP, was present as the Attorney for Mr. Malek. Mr. Whitaker described the application. Mr. Malek is the applicant, 126 Broadway, LLC is the owner of the property. The applicant is looking to construct a retail office building in the B1 zone where there was once a gas station. Retail and office uses are permitted. The gas station is to be demolished. The following variances are proposed: impervious coverage, 50% is required, 72% is proposed; buffer encroachment for a dumpster, parking spot size waiver, 19'x18', not 10' x 20' as required; and no loading dock – but deliveries will be made at off hours.

The final revised plans dated April 11, 2008 with a June 13 revision date was presented. The June 19, 2008 letter from Boswell Engineering recommended additional modifications. A traffic report and a drainage report are both still needed. It was stated that storm water management will be the responsibility of the property owner. The property will be deed restricted. Signs and all lighting will be conforming. Refuse pick up will be in a small area and will be done at off hours. The Fire Department review will be fully complied with, along with all other agency approvals that are needed. The present property owner will do a clean up of the property.

The notice was deemed sufficient. Mr. Glemby spoke regarding the fact that there will be no loading dock. He asked how the applicant would control the hours of deliveries. He also asked if UPS deliveries can be controlled. This will be explored by the applicant. Mayor LaPaglia stated that the listing of residents within 200' is not readable on the revised plan. It was stated that there is no change from the listing of residents from the April 11, 2008 plan and that this will be clarified on the next plan.

The contract purchaser, Martin Malek, was sworn in by the Borough Attorney. Mr. Malek is a licensed Engineer in New Jersey and has testified as an expert witness in the past. Mr. Malek has submitted and prepared these plans. Mr. Malek was accepted by the Board as a witness.

Mr. Malek described the site as it is now: an off shape corner lot facing Broadway and Campbell. Frontage on Broadway is 201' and frontage on Campbell is 152'. The site is 198' parallel to Broadway, 210' on the inside. The gas station is an 1800 sq. ft. structure with 2 curb cuts on Broadway and one on Campbell. The gas station was a non-conforming use; he is now proposing a conforming use.

The photos of the existing site were taken this week. The following were shown:

- A-1 from across Broadway facing the structure, depicts the 2 curb cuts.
- A-2 from south of property on Broadway looking north along Broadway.
- A-4 from Campbell looking south at the property entryway (25' wide).
- A-5 on Campbell looking west towards Broadway

Mr. Malek referred to Exhibit A-1 showing the entrances and exits. The new plans show only one (1) entrance and exit on Broadway. The County appears to approve of this. Mr. Malek has spoken with Mr. Timsak of the County on this. Exhibit A-1 will be formally reviewed by the County; the building location has not yet been approved. Borough Engineer, Mr. Sachs, stated that he has not received anything from the County as of yet. Mr. Malek stated that the County has requested an 8' easement to create a road widening on Broadway. He should have a County letter on this in about a month. The Mayor stated that the town just planted six (6) trees in this area. Borough Traffic Engineer John Pavlovich asked what the purpose of this easement is. If it is for widening, why not do it at the southern end of the property. He doesn't feel that it makes sense to widen the street near Campbell Avenue. Mr. Whitaker stated that we should just wait for the County review and discuss it at the next meeting. Ms. Holmqvist, the Borough Planner, asked if the sidewalk depicted is outside the 8' right of way. She was told yes.

Mr. Malek went on to state the size of the building. It is 5300 square feet, 73.5' away from the center line of Broadway. Egress will be on the south side. The side yard measurement is 61.7' and there is a 30' buffer zone at the top of the property. It is 19.7' from the building to the back parking lot with a 25' aisle on Campbell Avenue. There is an 18.10' aisle on the inside. Fifty-two (52) parking spots are required and shown. The 1st floor entrances are parallel to Broadway. The 2nd floor entrance is on the Campbell Avenue side. The building height is 35'. The first floor will be retail with offices on the second floor. All mechanicals will be hidden on the roof. Parking stalls will be 9' x 18' with 3 handicapped spaces as per the ADA requirements. Drainage will follow the storm water management practices and will be done by the owner. This issue will be re-visited after the Boswell report. Catch basin and inlet location was shown.

In reference to lighting, it was stated that the borough ordinance will be complied with. All comments made by the Borough Planner will also be complied with. The applicant is asking for a waiver for parking aisle width. Borough Engineer Elliott Sachs stated that not all parking spaces are 9' x 18'. Mr. Malek stated that 2 by the compactor are smaller

in depth. Mr. Sachs noted that some on the Campbell Avenue side also may need relief. Mr. Glaser asked for verification on the parking space in the northeast corner. He was told it is 16' in reality. Mr. Malek stated that there will be shrubs planted along Campbell Avenue. The Fire Department report has been reviewed. The Fire Dept. is requesting a 35' entrance but the County says 25' is acceptable. The traffic report was given to Mr. Whitaker at this meeting. Mr. Pavlovich, the Borough Traffic Engineer, suggested that the sign for oversize vehicles be changed to read 'SUV' instead of 'oversized vehicles'. The amount of parking spaces required was discussed by all present. The building will be 55% office and 45% retail. Mr. Glemby questioned the handicapped spaces. Mayor LaPaglia stated that one handicapped space should be near the elevator. Mr. Malek stated that this will be done or the elevator location will be moved. The Mayor also mentioned that the applicant should provide for loading and unloading. This will be looked into. Mr. Sachs stated that the number of parking spaces is based on the 5300 sq. ft. It should be based on the sq. footage of both floors. Mr. Sachs also spoke regarding traffic circulation around the site. Truck entrance direction was discussed. Mr. Glemby asked Borough Planner Donna Holmqvist if a buffer at the south end of the property is required. She stated no, just the required setback. Chairman Fry asked if cars could be parked under the building. He was told that due to the shape and size of the building not too many cars would fit there. The water table would also be an issue, unless you were to elevate the building.

The landscaping was next to be discussed. There will be a 30' buffer zone in the rear of the property with two to three rows deep with evergreens. There are two large trees to be salvaged on the inside side yard, in addition to the big maple tree on Broadway. The applicant will plant whatever the town would like on the Campbell Avenue side.

Mr. Whitaker stated that he has no further witnesses for this hearing. He requests the matter to be continued to the next meeting and welcomes the public portion of the meeting.

Board professionals and Board member comments:

Borough Engineer Sachs referenced the Shade Tree letter dated 12-4-07.

Mr. Glaser feels the building is squeezed into the property.

Mr. Glemby spoke regarding parking and egress and ingress.

Mayor LaPaglia asked Mr. Malek why he picked this site to develop. Mr. Malek stated that he lives in Saddle River. He likes this area and he sees potential. The Mayor also spoke regarding the Broadway Corridor Study. Mr. Malek stated that the building will have a residential look to it. The Mayor asked that the applicant please save the foliage in the buffer zone. This will be done.

Mr. Morrison stated that the usage is good, but parking seems tight. He doesn't really like the idea of parking in the front.

Mr. Boffa is concerned with parking. He is in favor of moving the elevator to accommodate the handicapped parking spot.

Chairman Fry confirmed that there will be three stores. He was told that there could be one or two office tenants on the second level. Mr. Malek will also have an office at this

site. The Chairman also expressed his concerns for the neighbors and the view that they will have.

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

Harry Anderson, Campbell Avenue – spoke regarding the gas tanks on the property. It was stated that the applicant will have the tanks removed as per regulation.

Craig Padover, Campbell Avenue - Concerned with the size of delivery trucks and the size of the site vs. the size of the property. Also spoke regarding the Broadway Corridor Study.

Fred Singer, 24 Maple Hill Drive – Asked about the construction – He was told it will be a steel frame building, plywood with insulation and a solar roof. Fire Department access was discussed. Seepage pits were also discussed. It was stated that the some environmental drilling has been done at the site.

Al Dattoli, 11 Zanoni Court - Spoke about the easement and the county widening. Questioned the mechanicals and their size that will be on the flat roof. Mr. Dattoli wanted to make sure that noise standards will be met. He was told that there will be testimony on this in the future. He asked if the lighting could be lowered to 15' even though the town allows 25'. Mr. Dattoli would like to see a map out of the trees that are to be saved. It was stated that there will be a basement with dry storage for both levels. Mr. Dattoli is concerned with the size of the delivery trucks.

John Barrett, 22 Campbell – Concerned with traffic on Campbell Avenue. Also concerned with the 8' easement that will increase traffic flow onto Campbell Avenue. He was told that this is a county decision.

Marion Zampolin, 101 Broadway – feels this is too much building for this property. Also interested in the drainage.

Carmen Yannelli, 44 Campbell – In favor of development of this site. It is presently an eyesore. Concerned with traffic on Campbell Avenue. Asked about right hand turn restrictions.

The public portion of the meeting was closed on a motion from Mr. Morrison, seconded by Mr. Glemby and carried.

Mr. Pavlovich, Borough Traffic Consultant, asked that the applicant show the parking aisle width on the revised plans with the vehicles in the stalls.

This matter will continue to the July 28th meeting.

Resolution:

**Russo Development
364 Chestnut Ridge Road
Block 402, Lot 5
Tracks 1 and 2
360 Glen Road
Block 402, Lot 6**

The resolution for the Russo property was approved as amended on a motion from Mayor LaPaglia, seconded by Mr. Glemby and carried by roll call vote as follows:

Glaser	yes
Dattoli	yes
Boffa	yes
LaPaglia	yes
Glemby	yes
Fry	yes

Mr. Morrison was not eligible to vote on this matter.

Board Discussion: Broadway Corridor Study:

Mayor LaPaglia stated that there was a joint meeting of the Planning Board and the Mayor and Council to discuss the Broadway corridor. Everyone agrees that we should move forward on this issue. Chairman Fry stated that the Mayor and Council want to move in small steps and then look at the entire Master Plan. Ms. Holmqvist stated that Burgis Associates will work with the Borough in any way that they wish to pursue the matter. The Mayor would like the full proposal of work authorized at this time. Mr. Glemby explained to the audience where the town is in this process. He stated that the money has been appropriated for Burgis Associates to do the work as our Planner. He would rather do the project in smaller steps. Mr. Glaser stated that the first step will cost \$18,000.00. The Mayor asked what objective criteria the council will apply. He would like the entire job authorized in full, but done in small steps. A discussion took place as to how to proceed. Chairman Fry would like to authorize steps 1-4 and let Ms. Holmqvist get started

A motion was made by Mr. Glaser to authorize the first four steps of the Broadway Corridor Study, as opposed to authorizing the entire project. The motion was seconded by Mr. Morrison and carried by roll call vote as follows:

Glemby	yes
LaPaglia	no
Dattoli	yes
Boffa	no
Morrison	no
Glaser	yes

Fry yes

The meeting was adjourned on a motion from Mr. Boffa, seconded by Mr. Morrison and carried.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K S Rizza".

Kathleen S. Rizza, Secretary