

**BOROUGH OF WOODCLIFF LAKE  
PLANNING BOARD  
APRIL 25, 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	Absent
Mayor LaPaglia	Present
Willford Morrison	Present
Al Dattoli	Present
Jon Boffa	Resigned
Robert Nathin	Present
Joseph Langschultz	Present
Peter Michelis	Absent
Marc Leibman, Attorney	Present
Elliot Sachs, Engineer	Present
Jeffrey Morris of Boswell Eng.	Present (partial)
Donna Holmqvist, Planner	Present
John Pavlovich, Traffic Consultant	Present
Kathy Rizza, Secretary	Present

**Minutes:**

The minutes of March 28, 2011 were approved, as amended, on a motion from Mr. Dattoli, seconded by Mr. Langschultz, and carried by all present.

**Robert Nathin was sworn in by Attorney Leibman as Alternate Number 2. Mr. Nathin will be replacing Jon Boffa, who resigned due to family obligations.**

Mayor LaPaglia welcomed Mr. Nathin to the Board and informed all that Bob has been a long time resident of Woodcliff Lake and has been on the Board of Education for 12 years, 8 of which were as Chairman. Mr. Nathin is a commercial real estate salesman. Mr. Nathin will start as an Alternate member of the Planning Board with the ability to fully participate in applications presented to the Board.

**Public Hearing: Engle Burman Group (Russo Development)  
Assisted Living Facility  
364 Chestnut Ridge Road  
Block 402, Lots 5 and 6**

Attorney Antimo DelVecchio of Beattie Padavano was present on behalf of the applicant. Mr. DelVecchio was assisted by Marlene Eickmeyer of his firm. Mr. DelVecchio explained the parcel as 4.2 acres in the SO2 zone, known as the Tice Mahoney property on the corner of Chestnut Ridge and Glen Road. The applicant is here for preliminary and final site plan approval and soil removal.

Variance relief is requested for:

Maximum building height – 3.5 stories is requested for a portion of the building where 2.5 stories is permitted.

Steep slope in each of the three categories – all are man-made slopes.

Maximum retaining wall - some walls are proposed as 10.5' where 3' is permitted.

Design waiver for off-street loading size.

Maximum driveway grade – 8% proposed where 6% is permitted.

No sidewalk construction on Glen Road – The County has not required sidewalks.

Mr. DelVecchio stated that the County has granted preliminary approval. The parking stall waiver has been eliminated and the project is subject to RSIS standards. The requirement is ½ space per bed. The facility is required to have 160 beds with 80 parking spaces – there will be 85 parking spaces. The waiver for parking stall size has also been eliminated. 10x20 is required by the Borough, RSIS requires 9 x 18 and that is what is proposed. The applicant is seeking a sign variance and the SO2 zone does not have a sign standard, therefore, any sign would require a variance.

Regarding the project itself, Mr. DelVecchio stated that the use of assisted living complies with the use in this district. The applicant is proposing 160 beds. There will be 2 curb cuts and a right-in and right-out-only on Glen Road. There is one on Chestnut

Ridge Road and the other one on Glen Road. Both will be right in and right out only. The building will be 3.5 stories high with a residential character. The building will be operated by the Engle Burman Group. The Engle Burman Group owns high end assisted living facilities known as 'The Bristol.' There is an outdoor pool proposed and an indoor cinema. The pool will be screened with landscaping and will be located in the courtyard of the wings on Chestnut Ridge Road. The main entrance of the building faces Glen Road. The building is in the shape of an 'X' and due to the topography, it is 3.5 stories in the rear.

The following was marked into evidence:

Affidavit of public notice – Exhibit A-1

Site Plan – 15 sheets by Russo Engineering, last revised Jan. 26, 2011 – Exhibit A-2

Cut and Fill Plan, last revised Jan. 26, 2011 – Exhibit A-3

Floor Plan and Elevations, 2 sheets, last revised Nov. 11, 2010 – Exhibit A-4

Boundary and Topographical by Lapatcha Associates, last revised Nov. 1, 2010 – Exhibit A-5

Stormwater Management Plan, last revised Jan. 26, 2011 – Exhibit A-6

Traffic Impact Plan, last revised Sept. 8, 2010 – Exhibit A-7

Joint County Report – Exhibit A-8

Materials presented by Mr. Burman – Exhibit A-9

Mr. Morrison asked Mr. DelVecchio if the RSIS standards override the local Borough rule. He was told yes. Attorney Leibman stated that the RSIS standards are a part of the NJ Administrative Code from the State and does apply to assisted living. The Mayor asked why it supersedes our ordinance. Mr. DelVecchio stated that anywhere it applies it supersedes the borough ordinance. Marc Leibman confirmed what Mr. DelVecchio stated and will do a memo on this subject for the board members.

Scott Burman, a principle with the Engle Burman Group, was sworn in by Attorney Leibman. He stated that his firm is based in Long Island and that they build, own and operate on the eastern seaboard. They specialize in residential homes and assisted living facilities. They have recently finished their 7<sup>th</sup> Bristol facility. Mr. Burman spoke regarding what an assisted living facility is. The Mayor asked if the fact that a private ambulance is used, as opposed to the municipal service, could be codified. He further stated that this is one of his main concerns. Mr. Burman stated that the Sunrise facility in town has a much frailer population. People with high levels of care needed cannot reside in this proposed facility; wheelchairs are not permitted due to their licensing. The Mayor stated that he would like to legally memorialize the use of a private ambulance service. Mayor LaPaglia is concerned with the impact on our ambulance service. Mr. DelVecchio stated that he has no problem with this being a condition. The difference between the license held by Sunrise and the license held by the proposed facility was discussed. Chairman Fry questioned the number of beds in the Alzheimer's unit. He was told 40, beginner patients only. Chairman Fry stated that our Police Force is already terribly burdened. The amount of 911 calls average only 4-5 per month stated Mr. Burman. Mr. Leibman asked for a comparison with another facility with the same amount of beds concerning 911 calls. This will be discussed later in the meeting. Mr. Glaser asked if the

Police would have to stay when an ambulance is called or is the staff trained to handle this. He was told that the staff is trained, but the Police would need to stay until the ambulance arrives. This is a concern for the Chairman. Chairman Fry asked the approximate age of a resident. He was told 83.

Mr. Burman gave examples of the amount of ambulance calls per month for other facilities:

<u>Facility</u>	<u># of residents</u>	<u># of calls</u>
East Meadow	132	1-2
Westbury	173	7
Normandy	139	2-3
Normandy Hills	165	3-4
Massapequa	156	2-3

Averaging 4-5.

The memo from the Police Department was discussed. Mr. DeVecchio stated that he has read the letter, but reminded all that this zone allows assisted living facilities. Mr. Morrison asked if the residents are allowed to have a car on site. He was told yes, but it is discouraged and it is rare for a resident to drive. Mr. Langschultz asked about visitor parking. He was told that yes there is visitor parking and that it is not used as often as you would imagine. Mr. Morrison asked if the visitors are allowed to walk around outside of the facility. Mr. Burman stated yes they are. Mr. Dattoli asked if the restaurant was a paying restaurant. He was told no and that they have a BYOB happy hour. Age limits were discussed – there are none, but they do not have any resident under the age of 75. It was stated by Mr. Burman that there are apartments available for residents. Rates were discussed. Mr. DeVecchio stated that the cost is approximately \$3600.-\$3700. per month for a 1 bedroom and \$7400.-\$7500. per month for a 2 bedroom. These fees include all except wellness assistance. Mayor LaPaglia asked if any of the locations by this company have failed. He was told no. Chairman Fry asked what other services are available to the residents. He was told medication help, bathing help, and dressing help. Mr. Langschultz asked if kitchens are in the units. He was told not full kitchens, just kitchenettes, which are not really used. Recreational activities were discussed, some being movies, exercise classes, religion services, book clubs and baking classes. The idea is to keep their residents active.

Mr. David Minno, the Architect from the firm of Minno and Wasko was sworn in by Attorney Leibman. He has submitted 8 sheets that were marked as Exhibit A-10. Mr. Minno is a licensed architect in New Jersey and five other states and has appeared before 40 boards in the last year. He was accepted as a witness by the Board. Mr. Minno designed the proposed structure. He referenced other town architecture and spoke regarding theme images. He spoke regarding the layout of the building using the site plan. Mr. Minno did not want the building to look institutional. He stated that the pool will not be visible from either street and will be fully screened. Floor plans were also

reviewed with Sheet A-2, which is part of Exhibit A-4. Retaining walls were shown to all. Exhibit A-11 – Depiction of Units in diagram format, prepared by Mr. Minno, dated 4-25-11 was discussed. Mr. Dattoli asked if all units are adaptable. He was told yes. Mr. Langschultz was looking for a cross section of views, heights, and grades. Mr. Langschultz also questioned the location of all utilities. They will be located in a fully below grade basement. Mr. Minno described the facade of the building. Chairman Fry questioned the height of the building. There will be a mansard flat roof and there will not be any mechanicals located on this roof. There will be some mechanicals in the back near the kitchen area. The Mayor confirmed that each room will have their own air conditioning and heat units. This is shown on the plans as louvered areas under the unit windows.

Mr. Minno referenced Exhibit A-12, a material board showing the roofing, stucco, shingle and shutter material and Exhibit A-13 showing the cultured stone. The chimneys will be of cultured stone. HVAC units will be flush with the outside walls. Chairman Fry asked if it was necessary for the air conditioning to vent out as shown. He was told yes. It was stated that Sunrise does not have this. Mr. Dattoli stated that this is not really too obtrusive and that it is a great way to do it. Mr. DeVecchio stated that the Borough code prohibits rooftop mechanicals. Mr. Dattoli stated that even though the chimneys are faux, they exceed the height limit. Mr. DeVecchio stated that chimneys are an exception under the code. Mr. Dattoli stated that the architect has done a very good job with this building. Mr. Langschultz spoke regarding the exiting – there are fire stairs at each end of the building and section of refuge in each area. Mr. Dattoli asked if an exit into the garden area is permitted. He was told yes. It was stated that egress windows are not required. The Volunteer Fire Department has asked for a control panel in the lobby. Mr. Morrison asked if the cultured stone is manmade. He was told yes. The Mayor was concerned with the fact that our ordinance allows for a 2.5 story building. A 3.5 story building is proposed. Asked how this reconciled. Mr. DeVecchio stated that the 33.98' is the building height. The building fully conforms and the mansard roof helps with conformity. The Mayor additionally stated that by adding another story, density has been increased. Mr. DeVecchio agreed and stated that this project will be a great tax ratable for the town and that it is a positive project. Chairman Fry asked Elliot Sachs of Boswell Engineering if he has reviewed all the calculations yet. Mr. Sachs stated that he has requested a schematic of the building and has not received it as of yet. Mr. DeVecchio stated that this has been done and will be submitted to Mr. Sachs. The dumpster location was discussed. The dumpster enclosure will have a finish of stone and stucco. Chairman Fry spoke regarding parking. He was told because of the property grade, car grills will not be seen and that Glen Road will be screened. Mr. Glaser asked for cross sections showing different sections of the parking. This will be done.

The meeting was opened to the public for questions and/or comments on the first two witnesses on a motion from Mr. Morrison, seconded by Mr. Dattoli and carried.

With no one wishing to be heard the public session was closed on a motion from Mr. Morrison and seconded by Mr. Dattoli and carried.

The meeting resumed after a 10 minute break at 10:13 p.m.

Mr. Douglas Bartels, Engineer, was sworn in by Attorney Leibman. He is a licensed professional Engineer in New Jersey and has appeared before many boards. His formal education was described for all. He was accepted as an expert witness by the Board. Mr. Bartels prepared Exhibits A-2 and A-3. He stated that he has visited the site and reviewed the Woodcliff Lake developer standards. Mr. Bartels spoke about the block and lot of this application, that the residences that were previously there were demolished in July of 2009. He further stated that the property slopes from the northwest near Chestnut Ridge Road down toward the southeast. The property contains manmade steep slopes. This is the SO2 zone. Mr. DeVecchio asked if all utilities are present. Mr. Bartels responded yes. Property grades were discussed. He stated that the grade on Glen Road is relatively steep. The grade change between Chestnut Ridge Road and Glen Road is approximately 31'. The pool area is 12' below grade. The grade at which cars can be seen from Chestnut Ridge and Glen Road was also discussed. All elevations on Chestnut Ridge Road were discussed. Regarding landscaping, burming along Chestnut Ridge Road could be provided. Mr. Dattoli stated that he would rather look at landscaping. Chairman Fry asked about in the future when the County widens Glen Road. He was told that this plan incorporates what the County wants. Mr. DeVecchio spoke regarding drainage and lighting and that there are inlets throughout the site. There is an underground detention system at the southeast end of the parking lot. All ordinance requirements have been met and this has been reviewed by Boswell Engineering. This will be shown on the next set of plans. The applicant meets the RSIS standards. There is site lighting throughout the parking lot and there are pole mounted lights and building mounted lights in the rear. There will be decorative bollard lights in the parking area that will be 14' high and 150 watts. They will be decorative black fixtures. Mr. Sachs asked if the candle light in the parking lot will exceed the ordinance requirements of 1.5'. At an average of 2.1 per candle; yes it does, but it is appropriate for this site. Mr. Langschultz questioned the light power at the site. Why are the light poles so high, can't foot candles be brought down. Mr. Sachs stated that this is not really a problem. It was decided that other light configurations will be looked at. Regarding the retaining walls by the pool in the western courtyard facing Chestnut Ridge Road, they range from 6' to 10'. There is solid PVC fence proposed on the top of the wall which will be 5'. Mr. Dattoli asked why 5' high and not 4' high. Mr. Fry is concerned with a car backing into the wall and landing in the pool. He was told that burming will be done as a barrier protection for vehicles. Mr. Sachs asked about decorative bollards. Mr. Dattoli suggested terracing walls. He is concerned that the pool is down in a hole. Mr. DeVecchio stated that it is but will not be seen that way with the proper landscaping. Chairman Fry stated that he is struggling with the overall height of the building. He asked why not use banked parking areas for parking and get cars off Chestnut Ridge Road and Glen Road. This will be looked into. Mr. DeVecchio thinks it is a better option to hide the parking. Mayor LaPaglia would like to see two 5' terraced walls instead of 10', Chairman Fry asked that the applicant look at the rear entrance for employees and use the banked spaces for employees. The Chairman asked about access from Barr Labs property. Mr. DeVecchio stated that the owner is willing to provide this. The developers agreement on this property will be researched by the Board Secretary. Truck traffic and the ability for

trucks to make the turn into the facility were discussed. Traffic Engineer John Pavlovich stated that a 20' long truck could make this turn. Truck access to the site will also be looked at again.

This matter will return to the Board on May 23<sup>rd</sup>. No further notice is needed at this time.

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

Respectfully submitted,

Kathleen S. Rizza, Secretary