BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD AGENDA
MONDAY, MARCH 24, 2014
8:00 P.M

Call to Order: This meeting in accordance with the Open Public Meetings Law, P.L., 1975, Chapter 231, was announced at the Reorganization Meeting held on January 13, 2014, 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 Meeting 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 meetings are concluded by 11:00 p.m.
Flag Salute

Roll Call:

George Fry, Chairman
Al Dattoli
Carlos Rendo, Council Liason
Robert Friedberg
Robert Nathin

Willford Morrison, Vice Chairman
Joseph Langschultz
Josephine Higgins
Reuben Twersky, Alt. II
Bertram Siegel, Alt. I
David Ciaudelli

Correspondence

New Business: **Prafulla Shah**
256 Pascack Road
Minor Subdivision with variances for lot frontage and side yard

Resolutions:

Public Hearings

Minutes: **March 10, 2014**

Public Session

Adjournment

IF YOU ARE UNABLE TO ATTEND PLEASE CONTACT ME AT 201-391-4977 X202 OR BY E-MAIL AT KSRIZZA@WCLNJ.COM

BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
April 28, 2014
MINUTES

Call to order:

The meeting was called to order at 8:27 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 13, 2014 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

2014 Roll Call:

George Fry, Chairman	Present
Willford Morrison, Vice Chairman	Present
Al Dattoli	Present
Carlos Rendo, Council	Present
Bertram Siegel, Alt. 1	Present
Reuben Twersky, Alt. 2	Present
David Ciaudelli	Present
Robert Nathin	Present
Joseph Langschultz	Present
Josephine Higgins	Present
Robert Friedberg	Present
Mark Follender, Attorney	Present
Michael Neglia, Neglia Engineering	Present
Andrew Hipolit, Maser Cons.	Present

John Pavlovich, Jacobs Engineering	Not Requested
Kathy Rizza, Secretary	Present

Minutes:

The **minutes** of March 24th were approved on a motion from Mr. Dattoli, seconded by Mr. Langschultz, and carried.

Board Discussion – Introduced Overlay Ordinance

On April 22, 2014 the Mayor and Council introduced with a first reading, the overlay ordinance. The Planning Board has 35 days to review what was introduced and to make comments. There are two major issues to be discussed. One is the height – the Mayor and Council stated 40' when the Planning Board recommended 35'. The other issue was the amount of stories – the Mayor and Council stated 3 stories in the ordinance and the Planning Board recommended 2.5. The Planning Board has the opportunity to state that they disagree but the Mayor and Council does not have to accept their recommendations. Present at this meeting was the Borough Engineer, the Board Planner and members of the Council - this was *not* a joint meeting of the Planning Board and the Mayor and Council. Mr. Morrison stated that he sees additional changes that need to be made. Chairman Fry stated that Attorney Follender will go over the draft of the ordinance for errors and changes that need to be made. Board Attorney Mark Follender explained the legal procedure involved. This is a public hearing but the public does not have to be allowed to speak. The Board has 35 days to make recommendations or the Mayor and Council can act thereafter is they do not hear from the Board. There does not have to be a resolution of the Board just a letter from the Board Attorney. Mr. Follender stated that the ordinance drafted should be consistent with the Master Plan. If additional changes are made the Mayor and Council will again send it back to the Planning Board.

The introduced document was reviewed in detail by all board members. The first issues addressed were the amount of stories and the height. 2.5 stories with a height of 35' was what the board recommended for this R-30 zone. Mr. Dattoli stated that no zone exceeds that, including businesses on Chestnut Ridge Road or homes in all zones. The 2.5 stories is with a basement 50% in the ground. The half story is under the roof – attic space. If three stories were allowed the FAR would be higher and we would end up with structures looking like pyramids and a ripple effect would occur. Mr. Dattoli stated that we need to respect the adjoining neighborhood of Stonewall Court, where the homes are 2.5 stories. Mr. Nathin

agrees with what Mr. Dattoli has stated. Under design standards, regarding the introduced ordinance stating no basement, Councilwoman Abene stated that this is an error, that the Mayor and Council are in favor of basements. Mr. Siegel asked what was the Councils motive for the change from which was decided upon by the Planning Board. He was told by Councilman Belgiovine that the initial intent was just for discussion. Since the meeting Councilman Belgiovine has researched our ordinances and those of other towns, such as Montvale, River Vale, Hillsdale, Saddle River and Upper Saddle River. He has found all the ordinances to be basically the same – 2.5 stories with a 35' height restriction. Mr. Belgiovine also stated that he was not aware of the history in this town. Councilwoman Abene stated that this is Corrado's business and they used him as their expert and that they tried to have a discussion on the matter and before they knew it is was an introduced ordinance. Councilman Rosenblatt stated that he was torn between 35' and 40' for height. He thought we could introduce at 40' and then scale back down to 35'. Councilman Rosenblatt stated that he respects this board and all the members. Councilwoman Abene stated to all that it is just a first reading and no work can be done without a first reading.

At this time the board members were able to ask questions of the professionals. Councilman Rendo wanted clarification on the basement locations. Mr. Dattoli explained how 50% of the basement must be underground or it is considered a story. The board was polled on the story and height matter with the following results:

Mr. Twersky – 2.5 stories, 35' height
Mr. Ciaudelli – 2.5 stories, 35: height, no need to go higher.
Mr. Nathin – 2.5 stories, 35' height
Mr. Dattoli – 2.5 stories, 35' height – all bulk requirements will work together.
Mr. Morrison – 2.5 stories, 35' height – enormous amount of time spent on this subject.
Mr. Langschultz – 2.5 stories, 35' height
Mr. Friedberg – 2.5 stories, 35' height
Mrs. Higgins – 2.5 stories, 35' height
Councilman Rendo – agrees – would not be good for Stonewall Court, should not have been pushed.
Mr. Siegel – agrees – hopes that the Mayor and Council acknowledges the work on the Planning Board.
Chairman Fry – 2.5 stories, 35' height. There are eleven residents who worked hard on this for over a year. He hopes that our recommendations are taken seriously.

The next thing to be discussed were technical issues with the ordinance itself. Mr. Nathin stated that the ordinance is a debacle. Chairman Fry stated that we will fix it. Board Planner Andy Hipolit went over all the changes with Board Attorney Mark Follender and all members.

Units per acre was next to be discussed. 5.34 units per acre is what was agreed upon by the Board. Mr. Hipolit stated that there is no reason to say 'or a floor area ratio no greater than .42'. Mr. Nathin disagreed. This was discussed in detail. It will be added that there will be no flat roofs and that the roof pitch of 6 on 12 is required. After discussion Mr. Nathin and Mr. Dattoli agree to go along with the Planners recommendation on the FAR. All other board members also agree. Mr. Dattoli stated that the units should have a minimum of a 2 car garage. Mr. Hipolit stated that this adds expense. Mr. Twersky asked if the development will have 3 attached units. The minimum will be 2 with a maximum of 4. All bulk standards were reviewed. The minimum lot area will be 7.5 acres, 700' will be the front setback. All other setbacks and bulk standards will remain as the Planning Board originally recommended. This will be communicated to the Mayor and Council in the memorandum from the Planning Board Attorney. Mr. Friedberg asked how did the Mayor and Council come up with 7.5 acre zoning – *all* or nothing. Councilman Rendo stated that they did not want to leave out Pickwick Lane. Mr. Siegel said that the area has now been made advantageous for development. Mr. Friedberg would like the board polled on this issue – 7.5 acre zoning or 5.5 acre zoning and the other 2 can remain as they are. He was in favor of a lower number for this area. Chairman Fry stated that there are good arguments for both sides. Engineer Mike Neglia stated to be careful not to go to spot zoning. Mr. Louis D'Arminio, Esq. stated that this is not a conditional use – it is a new zone. Mr. Follender stated that when you overlay it's a conditional use. Mr. Morrison does not see the need for a board polling – the Mayor and Council have heard our discussion on it. Councilwoman Abene agrees. Mr. Dattoli asked if Mark Follender could write the ordinance. Attorney Follender will work with Borough Attorney Paul Kaufman on the board's recommendations for the ordinance. Mr. Siegel suggested our Attorney attend the Mayor and Council meeting. Councilwoman Abene advised the board to send it to the Mayor and Council and they will work on it at a work session and then schedule it for a second reading. Planning Board members and all professionals should attend.

A motion to open the meeting to the public on this issue was made by Mr. Morrison, seconded by Councilman Rendo, and carried by all.

Darlene Schnure – 34 County Road - stated that it is unfair to have one person hold up the sales of other properties.

Richard Jigarjian – 34 Stonewall Court – thanked all for their efforts. Asked if the Board gives suggestions to developers on this property, and why not make it a 'green' zone. Chairman Fry stated that this proposal was in the Master Plan for this area.

Tony DeVito – 8 Oak Ridge Road – spoke regarding the height issue and the voting procedure involved. It was stated by Attorney D'Arminio in the audience that a simple majority is needed from the Mayor and Council unless they go against the Planning Board recommendations.

Adrienne Panso – 31 Stonewall Court – thanked the Board and stated that she was disgusted at the Mayor and Council meeting last week.

Joe LaPaglia – 41 Hillcrest - strongly feels 2 car garages should be allowed. And recommends that the development be age restricted.

John Glaser – 52 Woodmont Drive – Asked if the Board can restrict the number of bedrooms.

A motion to close the meeting to the public on this issue was made by Mr. Morrison, seconded by Mr. Dattoli, and carried by all.

Chairman Fry suggested that a conversation on one vs. two car garages take place. Mr. Hipolit, the Borough Planner stated that a two bedroom apartment calls for a one car garage and a three bedroom apartment calls for a two car garage. Mr. Dattoli feels that we should let the market decide, while Mr. Siegel feels the units should have a two car garage. A consenus of the Board was taken with the following results:

Mr. Friedberg	two car garage
Mrs. Higgins	two car garage
Councilman Rendo	Abstain
Mr. Siegel	two car garage
Mr. Langschultz	one car garage and let market decide
Mr. Twersky	one car garage
Mr. Nathin	two car garage
Mr. Morrison	one car garage

Mr. Dattoli	one car garage
Mr. Ciaudelli	two car garage
Chairman Fry	two car garage

Two car garage is the majority vote. Mr. Dattoli stated that this exceeds the RSIS standards and asked if we are able to do this. Chairman Fry stated that the RSIS standards supercedes our position on the matter. Mr. Siegel asked if it is illegal to allow two car garages. Mr. Hipolit stated that it is not illegal but it is illegal to require more than the RSIS standards. It will be put in the recommendation to the Mayor and Council to allow two car garages.

The meeting was closed on a motion from Mr. Nathin, seconded by Mr. Morrison, and carried by all. Time being 11:00 p.m.

Respectfully submitted,

Kathy Rizza, Secretary