

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
NOVEMBER 14, 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
Willford Morrison, Vice Chairman	Present
Kenneth Glemby	Absent
John Glaser	Absent
Wolfgang Albrecht	Present
Mayor LaPaglia	Present (Arrived at 9:45 p.m.)
Al Dattoli	Present
Robert Nathin	Present
Joseph Langschultz	Present
Edward Barboni	Present
David Ciaudelli	Present
Alyson Kasetta, Attorney	Present
Elliott Sachs, Engineer	Present
Donna Holmqvist, Planner	Present
John Pavlovich, Traffic Consultant	Present
Kathy Rizza, Secretary	Present

Public Hearings:

**Pioneer Developers, Inc.
Ellis Court Subdivision
Amended Minor Subdivision Application**

Block 1905, Lots 1.04 – 1.06

Mr. Antimo DelVecchio was present as the Attorney for this application. The applicant was here to request minor changes to the application regarding landscaping. They request to modify the plan for the run of Ellis Court with Arborvitae and to meet with Ed Sniekus of Burgis Associates. Both Project Engineer Tom Skrable and Attorney DelVecchio have talked with Mr. Sniekus already. The applicant feels that the proposed staggered rows of planting will take up too much space on the lots. The proposed plantings have a 25' diameter when grown which leaves very little rear yards for homeowners. Instead of what was approved the applicant wishes to double the plant area to 10' from 5' with the possibility of Norway Spruce or Serbian Spruce. Mr. DelVecchio stated that they have the same problem on the north side of the development. Mr. Dattoli suggested that maybe the middle house could be moved further toward Pascack Road. Mr. Albrecht asked exactly what plant material is proposed. Mr. DelVecchio stated that the applicant will plant whatever the town wants but only 10' to 15' on the side and 10' on the front property lines. There are also shade trees proposed with a caliber of 2.5". There will be approximately eleven on the east side of the street. Chairman Fry asked Mr. Bosch of the Shade Tree Committee who was in the audience for his input. Mr. Bosch was sworn in by Attorney Kasetta. Mr. Bosch spoke of a property in town that this Board approved with a row of arborvitae. These arborvitae are now 6-7' tall and he hates them. He feels that they are horrible for privacy. Mr. Bosch stated that he would like to be involved with the species selection for this neighborhood. Mr. Morrison asked Mr. Bosch what he does not like about arborvitae. Mr. Bosch stated that they are like a wall. Chairman Fry stated that the neighbors want privacy. Mr. DelVecchio suggested that the Board set a maximum limit for plantings to be at 10' for a maximum at installation and growth for the applicant to plant whatever they wish with the advice of Mr. Bosch and Mr. Sniekus. Ms. Holmqvist of Burgis Associates stated that she had not talked to Mr. Sniekus of her firm on this. Ms. Holmqvist feels that 10' is enough but can't comment on what Mr. Sniekus is envisioning. Chairman Fry would like to table this issue until he is able to talk with Mr. Sniekus. Mr. Nathin feels 10' is more than enough. Mr. Barboni stated that 10' is the code and there is also the 10' easement so the plantings will be 20' back from the curb. Mr. Langschultz does not see a problem. Mr. Morrison would like to hear what Mr. Sniekus has to say. Chairman Fry stated again that he would like to table this until Mr. DelVecchio talks with Mr. Sniekus. Administrator Albrecht would like to have other species explored. This will be continued to the next meeting in December and time limits have been waived! Mr. Bosch asked about previously approved neighborhoods in town without sidewalks. He was told by the Chairman to go to the Mayor and Council for more information.

HLM Retail and Office – continued

62 Broadway

Block 2708, Lot 1

Mr. Louis D'Arminio of Price Meese was present as the Attorney for this application for 13,808 square feet of office and retail space.

Mr. Rick Eichenlaub, the Engineer, who was previously sworn, testified regarding Exhibit A-25, sheet 3 of 9. This new plans shows 9.5' parking stalls in the westerly parking lot. There will be the same amount of spaces proposed as was in the past and 10' tall trees will be planted. Renderings were shown and marked by Gus Morpurgo, the Architect, as follows:

- A-26 front view of the site
- A-27 side view of the site
- A-28 aerial view of the site

With these exhibits, Mr. Morpurgo has completed his testimony. Mr. Gavin Slasky of Mr. Morpurgo's office spoke next. He has been previously sworn. Mr. Slasky prepared Exhibit A-29 relating to signage. This was distributed to all. He explained that the signs have been scaled down and they conform to the ordinance requirements. There will be a monument sign at the corner of Lincoln and Broadway at 30 sq. ft. There will be a free standing sign at the Columbus and Broadway showing tenant names. This sign will be 24 sq. ft. There will be two (2) directional signs that require variances at the entrances to the rear parking lot. These signs will show the address as 62 Broadway. Mr. Dattoli asked about the materials used for the freestanding signs. Mr. Slasky replied that they will be cedar to match the building and they will be lit from within with white lights. Mr. Nathin asked what happens to the signage if there are six stores. Mr. Slasky responded that there will only be five stores or fewer. There will be no more than 5 retail tenants.

Mr. Richard Preiss, a licensed Planner, was next to speak. Mr. Preiss was sworn in by the Board Attorney. He is a licensed Planner in the State of New Jersey since 1986. He was accepted as an expert witness. Mr. Preiss described the surrounding area of retail and residential. This property is in a B1 zone. The proposed building conforms to most requirements but does require a few variances. Mr. Preiss spoke regarding the following:

- Ingress and egress from Broadway and Lincoln and Columbus.
- Parking setbacks
- Parking space requirement of 71, 65 proposed
- Surface coverage is at 61.7%
- 2.5 stories is permitted, 3, with the mezzanine, is proposed
- Maximum height permitted is 36', proposed is 38' 1"
- Landscaping is required at 20 sq. ft. per parking space, less is provided
- A waiver is needed for minimum distance from a driveway – 12' is required, 24' is proposed.
- A waiver is needed for the minimum area to be landscaped, less than 5% is proposed.
- A waiver is needed for the maximum area of signage face, 2 at 2.25' where 4' is required.

Mr. Preiss showed how the betterments outweigh the detriments.

Ms. Holmqvist spoke regarding her memo on this application. She had requested 10' high evergreens. Mr. D'Arminio stated that this will be complied with. Regarding

loading requirements, the ordinance says 2 locations, there is only one proposed. The applicant feels that one is sufficient and will request a waiver. Regarding free standing signage, Ms. Holmqvist doesn't feel that the ordinance meant two. She has reservations with two. The Applicant does not feel that two free standing signs require a variance or a waiver. Ms. Holmqvist is done with her questions and comments. Mr. Sachs from Boswell has no comments at this time. Mr. Pavlovich of Jacobs Engineering stated that the plans should be standardized so names don't have to be changed constantly and should also be placed out of site triangles. The applicant will comply.

Chairman Fry stated that he does not like the two free standing signs. Mr. D'Arminio stated that the applicant wants these, especially since they are not getting more signage as originally requested. Ms. Holmqvist added that the redesign makes a positive statement but questions the second sign. Mr. D'Arminio stated that this is a unique situation and that there is no access from the front for office space. His client really wants this second free standing sign. Chairman Fry agrees with Ms. Holmqvist and feels that this could set a precedent. Mr. Preiss suggested calling the second sign a variance or a waiver so not to set a precedent. Chairman Fry feels it is a variance and that it does set a precedent. Mr. Nathin asked Ms. Holmqvist if the applicant is allowed a wall sign. He would rather no wall signs and allow them the free standing signs. Mr. Morrison stated that he does not like the free standing sign and is concerned with turnovers. Mr. Barboni stated that he has no problem with the second sign. This situation could never be repeated anywhere else on Broadway. Mayor LaPaglia stated that he could live with two signs if they were smaller and both the same size. Mr. Dattoli feels if two signs are allowed, they should be the same size at 4'x6' and it should be a variance. He also stated that signs within the windows are not permitted. The Mayor feels if they are smaller and diagonal to Broadway that would be acceptable. The Mayor also feels that the building is attractive and will enhance the neighborhood. Mr. Ciaudelli feels that two signs are fine but should be variance. Mr. Langschultz agrees with the Mayor and Mr. Dattoli and Mr. Nathin as long as the signs are smaller. Mr. Albrecht feels that only one sign would be adequate, but will go along with the board. He also asked if free standing signs can be limited in the future. He was told yes. The Board Attorney stated that all applications are on their own merits.

The client, Mr. Michael Meyer, President of F&T group, the developer, stated that it has taken five years to get here and that the F&T Chairman has a devotion to this area. Mr. Meyer thanked all.

A motion to open the meeting to the public was made by Mr. Nathin, seconded by Mr. Langschultz, and carried by all.

Ray Schumacher – 11 Columbus: asked if rear lights can be on a timer. He was told yes. Also asked if turns from the Columbus exit could be right turn only. Asked if there could be no parking on Columbus Ave. He was told that he should go to the Mayor and Council on these issues. Mr. Schumacher stated that he is concerned with drainage. He would like a retaining wall to hold back the earth. Mr. Eichenlaub explained the

easement on Mr. Schumacher's property. The Mayor will ask Nick Saluzzi to look at this property.

A motion to close the meeting to the public was made by Mr. Morrison, seconded by Mr. Nathin, and carried.

Mr. D'Arminio thanked the Board for their time and efforts. Chairman Fry stated that the building is very nice and is a great start to improving the Broadway corridor.

A motion was made to approve the application with all variances and waivers required by Mr. Dattoli, seconded by Mr. Langschultz, and carried by roll call vote as follows:

Mr. Barboni	Yes
Mr. Ciaudelli	Yes
Mr. Nathin	Yes
Mr. Morrison	Yes
Mr. Langschultz	Yes
Mr. Dattoli	Yes
Chairman Fry	Yes

The resolution will be read at the next meeting of the Planning Board.

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

Respectfully Submitted,

Kathleen S. Rizza, Secretary