

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
OCTOBER 28, 2013
MINUTES**

Call to order:

The meeting was called to order at 8:05 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, 2013 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
Al Dattoli	Absent
Donna Abene, Council	Present
Kenneth Glemby	Absent
Bertram Siegel, Alt. 1	Present
David Ciaudelli, Alt. 2	Present
Robert Nathin	Present
Joseph Langschultz	Present
Josephine Higgins	Absent
Robert Friedberg	Present
Mark Madaio, Sub. Attorney	Present
Brian Intindola, Neglia Engineering	Present
John Pavlovich, Jacobs Engineering	Not Requested
Kathy Rizza, Secretary	Present

The **minutes** from August 20, 2013 were approved, as amended, on a motion from Mr. Morrison, seconded by Mr. Siegel, and carried.

General Announcement: Chairman Fry stated to all present in the audience that if they were at this meeting because they thought this Board would be discussing Galaxy Gardens, they are mistaken. That matter would not come to the Planning Board. If an application is received regarding this site it would go to the Board of Adjustment.

The Chairman spoke regarding the procedure at this meeting relating to the presentation by the proposed new Planner, Mr. John Madden from Maser Consulting. He informed the audience that there will not be any specific questions from the public asked to Mr. Madden, only questions about his qualifications as a Planner. At this time Lisa Yakomin from the audience stated that she and others were told at the last meeting that they could ask specific questions at this meeting. Mr. Fry stated that the public will be able to ask questions and make comments at the appropriate time.

New Business

**BMW of North America, LLC
300 Chestnut Ridge Road
Block 802, Lot 1
Off Street Parking Change**

Mr. Antimo DelVecchio, Attorney from Beattie Padavano, was present on behalf of BMW North America LLC. BMW is located at 200 Chestnut Ridge Road, block 802, lot 1 in the OR zone on 63,817 acres joining 20 acres of the BMW North campus. They are here for preliminary and final site plan approval with bulk variances.

The site presently has 1411 approved parking spaces, of which 282 are land banked and not constructed as of yet. Three (3) spaces need to be removed in order to install a fence in the southeast parking lot to create an area for a charging station to charge electric vehicles.

The following were marked into the record:

- Exhibit A -1 public notice and publication
- Exhibit A-2 Engineering drawings (6 sheets) dated 9-25-13 by JarmelKizel
- Exhibit A-3 two (2) photos on one side, three (3) on the other
- Exhibit A-4 four (4) photos

Mr. Richard Jarmel, the Engineer, from JarmelKizel of Livingston, was the first witness. Mr. Jarmel was sworn in by Attorney Madaio. Mr. Jarmel has been an Engineer since 1992 and is licensed in several states. Mr. Jarmel was accepted by the Board as an expert witness. Mr. Jarmel spoke regarding Exhibit A-2, the plans, which he prepared. Exhibits A-3 and A-4 were shown to all. These exhibits are true and accurate photos of what exists at this time. The photos were taken by an associate of Mr. Jarmel. Every picture was described by Mr. Jarmel as an existing overview of the area. The pictures show where the chargers are being installed, which is in the rear parking lot in one of the back rows. Mr. Jarmel spoke regarding the proposed 6' high chain link fence with motorized

gate and a man gate. There will no changes to the macadam – just striping. The charging stations will be on concrete pads (really a sidewalk) that are 5’ wide by 80’ long approximately. All details of the charging unit are on the plan. There are eighteen (18) units proposed and there will be sixteen (16) spaces within the fenced in area. Impervious coverage is being increased by 710 sq. ft. There will be no effect on storm management. All light fixtures will stay as they are. The following submission waivers are requested:

Administrative data

Topography – no changes

Building and structures – no change

Dumpsters – no change

Parking area – curbs, etc. – no changes

Councilwoman Abene asked if the fence could be seen from the street. She was told no by Attorney DelVecchio. BMW will replace the existing landscaping behind the fence. Chairman Fry asked if this area will be totally screened. Mr. DelVecchio stated that they prefer not to – they need to be able to see the area for security reasons. Mr. Langschultz inquired as to electrical regulations – he was told all parts will be UL listed. He also spoke regarding electrical hand hole size. Fire protection will be discussed with the Construction Code Official when the permit is issued. Mr. Morrison asked about emergency procedures. Mr. DelVecchio stated that there will not be a call box but the maintenance garage is close by. It was stated that the above ground fuel tank is approximately 75-80’ away from any charger. Mr. Friedberg asked if these charging stations have been installed anywhere else in the United States. Mr. DelVecchio did not know.

The next witness was Kathryn Gregory of Gregory Associates, the Planner for the applicant. Ms. Gregory has been a licensed Planner since 2000. She has two (2) Masters Degrees from the University of Illinois. Ms. Gregory is the Planner for Clifton and has testified in front of many boards. Ms. Gregory has reviewed the prior resolution for this applicant and did a site inspection. She spoke regarding the three (3) parking spaces that need to be eliminated and stated that this is a C-2 variance where the benefits outweigh the detriments. Ms. Gregory spoke regarding the procedure for employee and student parking and added that this application promotes ‘green’ initiatives. Ms. Gregory feels that there is no detriment to the area and that there are no negative criteria.

Mr. DelVecchio finished his presentation.

Board Engineer Brian Intindola of Neglia Engineering stated that the applicant has responded to their letter of October 15th. Mr. Intindola would like to see the fence installed in black as opposed to galvanized – he would like it to blend in. This will be revisited to be consistent. Mr. Siegel stated that he would like to see the three (3) spaces removed replaced in another area of the parking lot. Mr. DelVecchio stated that these spaces are really not needed.

A motion to open the meeting to the public on the BMW issue was made by Mr. Morrison, seconded by Councilwoman Abene, and carried by all.

Jean Madden – 175 Chestnut Ridge Road - Ms. Madden is concerned with noise from the charging stations. Mr. DelVecchio stated that the vehicles may be charging at any time but they will comply with the State noise regulations. Mr. DelVecchio added that the charging stations are approximately 750’ from Chestnut Ridge Road and on the other side of a building, and that there should not be a problem. Attorney Madaio asked if the cars make a noise when charging. Mr. DelVecchio replied only a normal chirp sound when opened. It was stated that all construction will be done during the allowed hours.

Joe LaPaglia – 17 Hillcrest - Mr. LaPaglia mentioned that the zoning ordinance says 5’ in height for a fence. Mr. Madaio read from the ordinance which states that a chain link fence can be 6’.

Lisa Yakomin – 50 Stonewall Court – Asked if there is an ordinance for charging stations. Attorney Madaio stated that there is only the State noise code and the ordinance for construction times. Mrs. Yakomin asked if there will be someone on site 24/7. Mr. DelVecchio stated that site is manned and there will be a security guard.

The public session was closed on a motion from Mr. Morrison, seconded by Mr. Siegel, and carried by all.

A motion was made to approve the parking change with the fence color matching others similar on the property, construction only during the allowable hours in town, and adherence to the State noise code, from Mr. Langschultz, seconded by Mr. Morrison, and carried by roll call vote as follows:

Mr. Siegel	Yes
Mr. Ciaudelli	Yes
Councilwoman Abene	Yes
Mr. Friedberg	Yes
Mr. Nathin	Yes
Mr. Morrison	Yes
Mr. Langschultz	Yes
Chairman Fry	Yes

The resolution will be read at the meeting of November 12, 2013

Presentation – Mr. John Madden of Maser Consulting – Proposed Planner

Mr. John Madden of Maser Consulting gave detailed information to the board on his experience and education. He has 47 years of experience in planning. He has worked in many suburban communities similar to Woodcliff Lake. Mr. Madden was the Planning Director for the town of Bridgewater for over 10 years. He is currently working with West Windsor. Mr. Madden explained that he worked with many issues, including

Mount Laurel housing. He has received an award for Distinguished Professional Planning. Mr. Madden feels that he will bring a level of maturity and sensitivity to this Board. He has a lot of experience in redevelopment. He has been cited in numerous publications. Mr. Madden has two Masters Degrees in Planning from NYU. He is licensed in New Jersey since 1974. He is a member of the American Institute of Certified Planners. Mr. Madden has worked for many firms and has had his own firm. He has been with Maser Consulting for the past twelve years.

Board questions:

Mr. Morrison asked if Mr. Madden has been involved with townhouse developments. Mr. Madden responded that yes, he has, and gave a few examples. He also spoke regarding the evolution of townhouses.

Mr. Siegel asked for Mr. Madden's opinion on overbuilding and the amount of units per acre and if he had experience in this area. Mr. Madden replied yes and added that a lot of townhouse development was governed by Mount Laurel in the past.

Chairman Fry asked Mr. Madden to look at the Broadway Corridor area and the Rosengren property, in addition to the County Road section.

Mr. Langschultz asked about the trends in townhouse development – seniors, empty nesters for example. Mr. Madden stated that there have been trends in these areas. Mr. Langschultz also asked if Mr. Madden had any experience with redevelopment. Mr. Madden responded that he worked on the Hackettstown streetscape.

Mr. Friedberg asked Mr. Madden what his role in Lawrence was. Mr. Madden said he did development review for the Planning Board and the Zoning Board of Adjustment. Mr. Friedberg added that Woodcliff Lake is not easily compared to West Windsor which has had so much development over the years.

Mr. Nathin stated, with no disrespect to Mr. Madden, that he is concerned with Mr. Madden's experience being in larger towns which have a different environment. Mr. Nathin would be curious to see who the Planners are in surrounding communities. Mr. Madden stated that Hackettstown is very small and that he lives in Clinton, which is very similar.

Mr. Friedberg asked how the Planning Board came to use Maser Consulting as their Planner. Chairman Fry responded that the Mayor recommended them to the Board.

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

Lisa Yakomin – 50 Stonewall Court - asked Mr. Madden if he had any experience in Bergen County towns, asked how many times he had been in Woodcliff Lake, and asked if he had any experience with the procedure of introducing a new ordinance. Ms.

Yakomin also asked Mr. Madden how long he thought it would take to assess the Woodcliff Lake area and what resources he would use. Mr. Madden responded that he has worked in Hackensack, he has been in Woodcliff Lake three times, and he has worked with the introduction of an ordinance many times. He further stated that his assessment is based on man hours and will use primary sources as resources, adding that height is an important issue.

Bill Panzo – 31 Stonewall Court – asked Mr. Madden to explain what an overlay zone is. Mr. Madden complied.

The meeting was closed to the public on a motion from Mr. Morrison, seconded by Mr. Siegel, and carried.

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

Respectfully Submitted,

Kathleen S. Rizza, Secretary