



**BOROUGH OF WOODCLIFF LAKE
ZONING BOARD OF ADJUSTMENT
NOVEMBER 27, 2018
7:30 PM**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted at the Borough Hall and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL

Chairwoman Hembree called this meeting to order at 7:35 PM and asked for a roll call. The public was advised of the Zoning Board's rule that the meeting will conclude at 10:30 PM.

Sanjeev Dhawan	Present
Robin Malley	Present
Emilia Fendian	Present
Victor Bongard	Present
Robert Hayes	Present
John Spirig	Present
Gary Newman, Alt. #1	Present
James Vercelli, Alt. #2	Absent
Chairwoman Hembree	Present

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairwoman Hembree asked the Board if there were any question regarding the October 23, 2018 minutes. Mr. Bongard stated that he had a comment regarding page 4, last paragraph. He didn't understand what Mr. Newman was asking. It states that Mr. Newman asked how many square feet the interior of the pool is. Chairwoman Hembree asked Mr. Newman what he was trying to say. Mr. Newman stated that he believes he was asking for the square footage to help with the decision regarding the impervious coverage variance.

Motion to approve the October 23, 2018 Minutes was made by Mr. Bongard, second by Mr. Hayes and approved by Ms. Malley, Ms. Fendian, Mr. Bongard, Mr. Hayes, Mr. Spirig and Ms. Hembree. Mr. Dhawan and Mr. Newman abstained.

RESOLUTIONS

Lester Wrobel, Jr., 60 Shaw Road, Block 1505, Lot 1
Bulk variance for greenhouse, covered porches and patio.

MOTION by Robin Malley, second by Victor Bongard to approve the resolution; on roll call vote, Ms. Malley, Ms. Fendian, Mr. Bongard, Mr. Hayes, Mr. Spirig and Ms. Hembree voted yes. Mr. Dhawan and Mr. Newman abstained.

Robert and Marianinfa Marini, 10 Somerset Drive, Block 508, Lot 21
Variance to construct a one-story addition on the south side on an existing dwelling, including a covered terrace.

MOTION by Robert Hayes, second by Robin Malley to approve the resolution; on roll call vote, Ms. Malley, Ms. Fendian, Mr. Bongard, Mr. Hayes, Mr. Spirig and Ms. Hembree voted yes. Mr. Dhawan and Mr. Newman abstained.

NEW APPLICATION

188 Broadway LP
188 Broadway, Block 2701, Lot 3
Use variance to change portion of building to permit multi-family residential use, variance to raise building to 3 stories in height, and a variance for deficient interior parking lot landscaping.

Mr. Princiotto stated that Mr. Liebman is here for the applicant. Mr. Princiotto said that he would like to first is to go over the procedures of how the Zoning Board of Adjustment operates. The applicant has the burden of proof and will present their exhibits and their witnesses. What happens here is that the applicant's attorney will make a brief opening statement, the nature of the application and the relief that he is seeking from the Zoning Board. The variances include a use variance which we call a D variance by Statute, as well as some C variances which we call bulk variances, as well as some parking, landscaping and height variances. The applicant's attorney will call his witnesses which will begin tonight after we take care of some preliminary housekeeping matters. The way that we function, and we ask you to please follow these rules. The applicant's attorney will call his witnesses and ask questions of his witnesses and they will refer to probably exhibits that will be marked for identification. Once the applicant's attorney has finished asking his witnesses the questions which we call direct examination, Board members may have some questions and then we will open to the public. What that means is that members of the public can ask questions. What happens frequently is that people do not ask questions, they make comments. This is not the time to make comments. Comments will come at the end of the case. If you make comments to a witness, you will be asked to refrain from making those comments. We don't intend to be rude, but we need to follow these procedures and have an

orderly proceeding. For anyone that files an application, they are entitled to have their application heard in an orderly process. At the end of the case if anyone would like to make a comment or have an opinion, including a comment about any of the factual testimony, you will be given an opportunity to do that. If anyone would like to testify as a witness after the applicant is done presenting the case, you are permitted to do so. You would then have to take an Oath and be subject to cross examination or questioning by the applicant's attorney. The Board considers all evidence that is properly put before it. That is the testimony of witnesses, expert witnesses, exhibits and if anyone should have to testify, including testimony of the Board's professionals. That would include the Board's professional planner, engineer and any other witnesses that the Board may call.

Mr. Princiotto asked Robin Malley to check the proof of publication and proof of service. Ms. Malley stated that it is in order. Mr. Princiotto stated that this application has been filed by an entity known as 188 Broadway, LP. However, that entity is owned by various other entities and/or individuals. For advising the Board members to see if you may have any conflict of interest or know any of these individuals or familiar with any of these entities, Mr. Princiotto read the entities and/or individuals. The entity is 188 Broadway, LP which is owned by 188 Broadway, GP LLC. That LLC has members AE Developers LLC, that is owned by Paul Kaufman and Rich LaBarbiera. Another member of 188 Broadway, GP, LLC is SR Webster Avenue, LLC and that is owned by Jeff Gdanski. Also, 188 Broadway, LP is owned by ML Delta IV, LP and that has members The Brooklyn Limited Partnership which is owned by Nathan Lindenberg. Also, an owner of ML Delta IV, LP is Waxman Investments LLC which is owned by Waxman Investments, Inc. Having heard those names and the names of the individuals as well as the entities, does anyone on the Board have any comments or disclosures. Mr. Newman stated that none of the entities ring a bell, but he happens to know Mr. Kaufman. He knows Mr. Kaufman because he used to be the Borough attorney and he knows him because they are both attorneys. He has had one or two matters where he may have been his adversary or a co-counsel. Mr. Newman stated that it is not a relationship where there is a closeness. They never had a case together where they worked hand in hand over months or years. He doesn't believe that there will any conflict, but he does know him. Mr. Princiotto asked Mr. Newman if he has a business interest with Mr. Kaufman. Mr. Newman replied no. Ms. Malley stated that she is a neighbor of Mr. Dattoli's. Mr. Princiotto asked Mr. Liebman if he had anything to say about that. Mr. Liebman replied that it doesn't sound like any conflict of interest.

Mr. Princiotto stated that he gave Mr. Liebman a form regarding the time -period or extension of time for decision. Mr. Princiotto stated that the Board entertained hearing this matter on several occasions but for one reason or another the dates were not good for the applicant and it was rescheduled until today's date. Board members want to be diligent regarding hearing the application, but they also want to be protected with regards to the extension of time for the decision. Mr. Princiotto asked Mr. Liebman if he had an idea of how long this application might take. Mr. Liebman stated that he has four witnesses and the holidays are coming up and Reorganization in January, he believes that the end of February might be a timeframe that they could be comfortable with. At that time, they could talk about another extension.

Extension form was labeled Exhibit 1.

OPENING STATEMENT

Mr. Liebman stated he is an attorney with the law firm of Wells, Jaworski & Liebman, LLP and he is representing the applicant, 188 Broadway. LP. This property is located at 188 Broadway, Block 2701, Lot 3. Mr. Liebman gave a description of the property and zones. The applicant seeks variances from the Woodcliff Lake Zoning Code for the proposed redevelopment of the property as follows:

Section 380-52(A) permitted uses in the S-O Special Office District do not permit multi-family uses, and a multi-family use is proposed, requiring a variance pursuant to N.J.S.A. 40:55D-70d (1);

Section 380-53(D) permits building height of 2.5 stories, and 3 stories are proposed for Building 2, requiring a variance pursuant to N.J.S.A. 40:55D-70c;

Section 380-78(A)(12) requires a minimum of 1320 sq. ft. of interior parking lot landscaping and 185 sq. ft. is proposed, requiring a variance pursuant to N.J.S.A. 40:55D-70c;

Section 292-26C(7) requires a maximum main approach grade for walkways to buildings to be 4% and 5% is proposed requiring a waiver;

Section 292-26C(7) requires a minimum swale grade of 2% and 1% is proposed, requiring a waiver;

Section 292-27A requires a minimum of 1 off-street loading berth, and 0 are proposed, requiring a waiver.

Mr. Liebman stated that he has a few witnesses to present their application and to describe the relief requested and the reasons why it should be granted. The first witness is their civil engineer, Matthew Clark of MCB Engineering Associates. Mr. Liebman called Mr. Clark up at this time. Mr. Newman asked Mr. Liebman who is other three witnesses are. Mr. Liebman replied architecture, traffic and planning. Mr. Clark was sworn in by Mr. Liebman.

WITNESS – MR. MATTHEW CLARK, ENGINEER

Preliminary & Final Major Site Plan, dated May 2, 2018 with a total of 7 sheets was labeled Exhibit A-2. Mr. Liebman asked Mr. Clark to describe the existing conditions on the property and then pose the site redevelopment as shown the plans. Mr. Clark stated that if you look at Exhibit A-2 there is an aerial map (key map) and if you refer to that you could get an idea of the existing conditions at the property. On the western side of the property along Broadway is an existing 2-story office building. Underneath that level which is not depicted, is an area of parking which has

45 stalls under that area. To the east of the office building you could see the accessory parking field there and it is a 5-level parking field. The rear area is a little bit higher than the front area. Right over that rear parking meets the area that slopes up is the approximate location of the zone line. To the east of the parking area is an existing slope wooded area. The tax map is self-explanatory and then if you look at the zoning map you could see where there is a split zone. The site is about 3.6 acres. Most important on this sheet is the listing of variances and waivers based on Mr. Clark's interpretation of the ordinances. The second sheet is entitled Site Plan. Building 1 is our existing building and will totally be renovated. There is no proposed change to the footprint. There is access to the parking area underneath that on the south side of the building. That parking area is proposed to stay. The architect is here this evening to talk about the renovation to that building. Building 2 is the proposed structure, 3-stories in height, no basement. Between the 2 buildings is an accessory parking area to be shared with both buildings. South of building 2 is the refuse enclosure that is for both buildings. They are proposing a total of 60 units. In building 1, they are looking at 28 one-bedroom units, 8 two-bedroom units for a total of 36. In building 2, they are looking at 18 one-bedroom units, 6 two-bedroom units for a total of 24. Based on the bedroom breakdown they need 111 parking stalls and they have 111 parking stalls. As part of that amount they also need 5 handicapped parking stalls and they are proposed on site as shown the plan. The traffic consultant will speak about on-site circulation as far as tenant parking circulation and any truck concerns. Mr. Clark spoke about the refuse enclosure. The next sheet is the Grading & Utility Plan. The purpose of this plan is to describe the storm water management computations and utilities. The existing condition is that there is a difference in elevation between the two parking fields, about 3-4 feet. What they are doing to make a more efficient use of this parking area so that it could to be shared between the 2 buildings, is to cut that area down about 3 feet. To offset that, they are proposing a new wall, just in front of the tier section. They are staying within the existing conditions that are there today. The site results in a decrease in impervious area and results in less than an acre of disturbance. A detention system is not required for the application. There is a reduction in the storm-water runoff on the property because of the application. They are running new gas, water and electric for building 2 out to Broadway and all those services exist today. They will utilize all the utilities already in place for building 1. The next sheet, sheet 4, is the Lighting and Landscaping Plan. There are existing pole-mounted lights out there. The fixtures are mounted about 25 feet. The fixtures in the center island will come out because of the improvements. They are adding light poles and will try and match the style that is there. It is in their opinion that they comply with the lighting standards of Woodcliff Lake. They are providing a single shade tree in the parking area. They are also providing between the terraced walls, the burning bush, as required by Ordinance. They are not looking to impact the existing buffer or landscaping. The only vegetation that is going to be eliminated is within the center island. The existing evergreens are to remain. Mr. Clark stated that there should be no impact on the surrounding area with regards to the lighting. Mr. Clark stated that typically within 6 months after the fact, people go out and survey and make sure that the lighting levels meet what is proposed and if it needs to be changed, it will be adjusted. The next sheet is the Soil Erosion and Sediment Plan. The next sheet is Site Details which proposes sidewalks, curbing, signs and things along those lines.

Mr. Clark stated that the next sheet is Steep Slope Map, dated May 2, 2018 which will be labeled

as Exhibit A-3. The purpose of the plan is to show the steep slope disturbance summary. Mr. Clark stated that they comply with the Ordinance.

The next sheet is the Soil Movement Plan, dated May 8, 2018 and labeled A-4. The purpose of this plan is to note the soil volume computations. The second sheet is a depiction of the cross sections.

The next sheet is Existing Freestanding Directory Sign Map, dated July 27, 2108 and labeled as Exhibit A-5. This was prepared in response to comment in a Neglia letter. This sign is to remain. The only existing non-conformity is noted on the plan which is the background of illuminated signs. The Ordinance only allows for white, and they have white, gray and blue. The size and setback comply.

Mr. Leibman stated that he wanted to touch based on the letter from Neglia Engineering dated August 20, 2018.

On page 3, 3.2, talks about the number of parking spaces that are required. The letter indicates that per municipal Ordinance you do not comply, but you comply with Residential Standard Site Improvement Standard (RSIS). Mr. Clark stated that he believes that RSIS applies because it is fully residential, and a variance is not required.

3.3.2, that is regarding the description of a variance required for a minimum front yard setback. For existing building 1, there is a requirement that the setback be 35 feet to the right-of-way. The existing condition is 34.1. Mr. Clark stated that this is an existing non-conformity and not a new variance. There was a comment in the letter about modifying the façade and that would require a new variance. Mr. Clark stated that it is their position that this is not the case.

3.3.4, maximum building height required a variance. Mr. Clark concurs that a variance is needed for building 2.

3.3.5 is with regards to minimum building setback from the street centerline. Mr. Clark stated that this is an existing non-conforming condition that is not changing.

3.3.6 is a variance for interior parking lot landscaping. Mr. Clark stated that there is a requirement for a good amount of landscaping within that interior parking area.

3.3.7 is regarding a waiver for parking stall dimensions. Mr. Clark stated that it is his position that a waiver is not required.

3.3.8 and 3.3.9 talks about waivers for the grade and swale. Mr. Clark stated that he agrees with both of those comments.

3.3.3 deals with the rear yard setback for building 2. Mr. Clark stated that they show on the plan the rear setback for building 2 to be 205.2 feet. That is measured from the back of the building

to the rear lot line which he understands to be the requirement for the Ordinance. Mr. Clark stated that based on his interpretation of the definition of rear yard line and setback it measures to the rear yard line and a variance is not required based on the distance.

3.3.10 deals with off street loading. Mr. Clark stated that they are not proposing any dedicated loading stalls.

3.3.11 deals with a waiver for sidewalk lighting. Mr. Clark stated that they will amend the plan to include lighting along sidewalks.

3.3.12 deals with a waiver for required buffer areas. Mr. Clark stated that he talked about the existing buffer and how he plans on maintaining that. A review of the Borough's Ordinance as far as where a buffer is required is more when you have a non-residential use abutting a residential zone or a residential use even if it's in a commercial zone. Mr. Clark stated that they have residential use, so it is his opinion that they do not need to provide a buffer. They comply with zoning by the nature of their development. Mr. Clark stated that he believes that the existing buffer does comply.

4.1 – Mr. Clark stated that this is accurate.

4.5 – talks about vehicle circulation. Mr. Clark stated that there is no issue with passenger cars and a standard box truck could enter/exit.

4.6 deals with an ADA accessible path to NJ Transit train station. Mr. Clark stated that they may be able to provide access and will work with Neglia Engineering.

4.7 – Mr. Clark stated that they will provide a demolition plan.

4.8 – accessible parking spaces in the garage. Mr. Clark stated that there will be no ADA parking stalls in the garage.

4.11 – Mr. Clark stated that they will comply.

4.12 – Mr. Clark stated that they will address post approval.

4.13 – Mr. Clark stated that they will address.

5.1 – Mr. Clark stated that this was already provided.

5.2 – Mr. Clark stated that they will comply if necessary.

5.3 – Mr. Clark stated that they will comply.

5.4 – is a comment with regards to a terraced retaining wall. Mr. Clark stated that they will

provide structural stability calculations for one overall terraced retaining wall.

5.5 – Mr. Clark stated that they will provide.

5.6 and 5.7 – Mr. Clark stated that they will comply

5.8 thru 5.16 – Mr. Clark stated that they will comply.

5.17 – Mr. Clark stated that this is already noted on the plan.

5.20 – Mr. Clark stated that they will provide.

6.2 thru 6.8 – Mr. Clark stated that they will provide the changes.

6.9 – Mr. Clark stated that he has no objection.

6.10 – Mr. Clark stated they he will work with the engineer to comply.

6.11 – Mr. Clark stated that they will comply.

8.1 – Mr. Clark stated that they will obtain approvals.

Mr. Leibman stated that this finishes up the Neglia review letter. There are a few items of Mr. Preiss' review letter of August 29, 2018.

Mr. Clark stated that page 4, item #2, has already been addressed as well as item #3. Item 4 on page 5 was addressed as well as item #7 on page 6.

This concludes the testimony from the engineer, Matthew Clark.

Ms. Hembree asked if this project is being serviced by Park Ridge Water or Suez. Mr. Clark stated that when he spoke to the gentleman at Suez it was his understanding the Suez governs. Ms. Hembree stated that the residential area is all covered by Park Ridge Water. Mr. Clark stated that he will confirm again.

Mr. Princiotta asked Mr. Clark to confirm if he had stated that they are adding more green area and if so could he explain. Mr. Clark stated that that is correct. Mr. Clark stated that if you look at the site plan, the difference in impervious area is a reduction. Pavement, buildings, and sidewalks are being reduced by almost 3,000 sq. ft. and that area then in turn would be green area such as lawn, landscaping and things that will help to absorb water, so the water won't run off the property and that is where you get the reductions. Mr. Princiotta asked if part of the existing parking lot is going to be removed. Mr. Clark replied yes.

Mr. Spirig stated that he is confused on how you are determining the decrease of impervious coverage. Mr. Clark reiterated his reply to Mr. Princiotta and that building #2 is going to be built

on the existing parking area.

Mr. Bongard asked if those are backyards of residents to the north of building #2. Mr. Clark replied yes and that it is Highview.

Mr. Princiotta stated that in the R15 Zone, it was stated there would be no development there. What exists there today. Mr. Clark replied that it is all wooded and are natural trees.

Mr. Newman stated that on the zoning schedule where all the requirements are listed, are your requirements for the zone as it exists for the SO zone but want to change the use to Residential use. Wouldn't the standards of residential use apply if you wanted to use this as residential use. Mr. Clark stated that their planner might be able to explain it a little more, but he doesn't believe that is the case. They apply the standards of that zone even though the use is not permitted. Mr. Newman stated that you want to change the zone. Shouldn't we use our standards for residential zone. Mr. Newman stated that with respect to lot coverage, if this were in a residential zone it wouldn't comply. Mr. Clark stated that he hasn't done that math. Mr. Newman asked if he could do the math for the next meeting.

Mr. Newman asked what the standard is for a D variance. What do you have to show? Mr. Clark stated that he is going to defer to their planner.

Mr. Newman asked if they have any information about the current occupancy of the building. Mr. Clark replied that he does not. Mr. Newman asked if he has any information about how many of these units are going to be low-income housing units. Mr. Clark replied that he does not.

Mr. Spirig stated that according to the parking calculations, your calculations are based upon State Ordinances as opposed to our local Ordinances. Is that correct? Mr. Clark stated that the local Ordinances do not apply. What applies is RSIS and they comply with such. What is done is a calculation to the exact number of parking spaces so there is no overflow of parking at all. If there were a need for overflow parking, where would they park. Mr. Clark stated that he could not answer that.

Mr. Newman asked Mr. Clark if he knows from an engineering standpoint, of any special need that we would have in this Borough for this project. Mr. Clark stated that he cannot answer that.

Mr. Newman asked if he could provide a chart for the next meeting.

Mr. Preiss stated that he has a couple of comments with what standards are appropriate to apply to zoning for a use that is not permitted. Mr. Preiss stated that if you are proposing a use which is not permitted in the zone, it is appropriate for the Board to decide as to whether all standards that are in that zone are appropriate for that development. Mr. Preiss understands that technically you comply with most of the standards in the SO District, but he thinks that you might also want to look at comparable zones in which multi-family is permitted in the same density to decide on that basis whether the standards that are proposed here are appropriate. Mr. Preiss

stated that instead of using the R15 which is single family residential zone, you might want to look at the other zones. Mr. Newman asked if there is a townhouse zone. Mr. Preiss replied yes but it is at a much lower density. He doesn't believe there is a zone that is directly comparable, but he thinks it might be appropriate just to give the Board a sense of what those standards are in those kinds of zone. Mr. Preiss stated that in his review letter an indication that for the Board to approve this development that an affordable housing component would have to be provided. Mr. Preiss explained the requirement that was recently adopted by the Borough that there is a requirement if you are doing more than 4 units of multi-family.

PUBLIC COMMENT

MOTION to open to the public was made by Mr. Newman, second by Mr. Spirig and unanimously approved.

Chairwoman Hembree stated that if you have a question of the witness, please come up and state your name and your address and ask your question. Mr. Newman stated that if there is a question of this witness, the engineer, please come forward.

Craig Marson, Woodcliff Lake, asked if it is the contention of the applicant that the local parking Ordinance is not applicable. Mr. Clark replied yes that the RSIS governs. Mr. Marson spoke about the differential in parking spaces. Mr. Newman asked Mr. Marson to clarify. Mr. Marson stated that if the Ordinance was to be applicable, deficiencies of 111 spaces would be 7018 sq. ft. or the deficiency of 120 parking spaces would be 4218 sq. ft. Would Mr. Clark agree with that math? Mr. Clark replied that he didn't do the math, so he couldn't answer it. Mr. Marson stated that he would like that question answered. Mr. Marson asked what the current undevelopable woods space of the 3.6 acres. Mr. Clark replied that he didn't do that math as well. Mr. Marson stated that it is important to know what the density would be of 60 developed units on the SO space. Mr. Leibman stated that it is not relevant because they are developing on the entire property and utilizing the entire property with calculations with impervious and pervious coverage and all other requirements. Mr. Marson stated that he is looking for information about the true density of the buildable space.

Sally Gellert, Woodcliff Lake, asked if there is a guarantee that the wooded area would not be developed in any future time. Mr. Clark stated that he could not make that guarantee.

Alex Couto, Woodcliff Lake, asked what parking standard is being used. Mr. Clark replied RSI standard. Mr. Couto asked if that overrules the Borough's Ordinance. Mr. Clark replied yes for this application. Mr. Newman replied yes for most of the application, but it is complicated. Mr. Couto asked why we have zoning if the State overrules. Mr. Princiotta answered that the reason for that is that a lot of towns have different requirements and you need to have a uniform standard, so the State got involved and developed the Residential Site Improvement Standards. Mr. Couto asked where they got the standards for the density. Mr. Princiotta stated that Mr. Clark was not called as a witness for the density. Mr. Clark stated that he did not testify regarding density, but the planner could answer that.

Laura Jeffas, Woodcliff Lake, stated that lighting was mentioned and that the lighting could be adjusted if there is an issue with a neighbor. How would this be addressed. Mr. Clark stated that with recent applications, the town has imposed a condition of the approval that they have the right to go out and monitor the lighting over a 6-month time to make sure that it complies to what was designed. This is something that Neglia could do or sometimes the Building Code official. Ms. Jeffas asked if the 3- story height includes mechanicals on the roof or is that not going to be on the roof. Mr. Clark stated that he did not testify to that, but the architect could answer that. Ms. Jeffas asked how the noise from that is going to be controlled. Mr. Clark stated that he did not testify to that.

Ann Marie Borrelli, Woodcliff Lake, stated that with 60 apartments there is a lot of garbage. How many dumpsters will be provided. Mr. Clark stated that there is a refuse area that is 12 x 19.5 in size. When they designed that size, they checked with the architect to make sure that is sufficient for both building. Is the enclosure completely enclosed or open on one end and where is the area? Mr. Clark replied that it is south side. Mr. Clark stated that the final number of dumpsters have not been determined but the space is provided. Ms. Borelli asked if the second building would be higher than the first building. Mr. Clark stated that the existing building is 34.71 feet and building 2 is 34.38 feet. Ms. Borrelli asked if that is factoring in any equipment that might be on top of the building. Mr. Clark stated that he did not testify to that.

Michael Fritz, Woodcliff Lake, asked if there were any traffic calculations done. Ms. Hembree stated that that is for the traffic engineer to answer.

Joseph LaPaglia, Woodcliff Lake, stated that he is trying to follow the math on the parking. If there are 111 spaces total. Mr. Clark replied 111 required and proposed. Mr. LaPaglia stated that if there are 2 spaces for each apartment and there are 60 apartments that would be 120 spaces. Mr. Clark replied that that number is based on local Ordinance. Mr. Newman stated that the local Ordinance would require more parking spaces than RSIS.

Veronica Appelle, Woodcliff Lake, stated that it was said that there will be 111 spaces for cars. SUVs or pick-up trucks were never mentioned, and they take up much more room. Ms. Appelle asked if this was considered? Mr. Clark replied that those vehicles will fit in the spaces provided. Ms. Appelle stated that the second building is starting out on a grade, how much higher will that building become than the first one. Mr. Clark stated that the architect will be able to answer that.

Alvin Starr, Woodcliff Lake, asked about access and egress for fire department vehicles. Ms. Hembree replied that the traffic consultant will answer that.

Mr. Losak, Woodcliff Lake, asked if there would be increased lighting at night. Mr. Clark stated that the light is following the local Ordinance and is noted on the plan that the timing of lighting will comply with the standards of the town. Mr. Losak asked if this were to have special needs vehicles coming into to, is there parking designed for special vehicles. Mr. Clark stated that he

does not know the answer to that and to ask the traffic consultant.

Mr. Newman asked how many handicapped spaces there were. Mr. Clark replied 5. Mr. Newman asked if there were any more spaces beyond the handicapped spaces for a bus or something. Mr. Princiotto asked if they were ADA accessible. Mr. Clark replied yes. Mr. Princiotto asked if there were any drop off or pick up areas. Mr. Clark replied that there are 2 areas. One is an existing location and they are proposing another.

Mr. Princiotto asked if the turning radiuses for emergency vehicles will be covered by the traffic consultant. Mr. Clark replied that the traffic consultant would answer those questions.

Veronica Appelle, Woodcliff Lake, asked if all the requests that were made tonight by various Board members and residents be addressed and put on file for everyone to see. Mr. Clark stated that all requests will be provided. Mr. Leibman stated that some will be provided as additional exhibits that will be presented at the next hearing.

Ann Marie Borrelli, Woodcliff Lake, asked what percentage of building coverage on that land. Mr. Clark replied 19.1 where 30 is the maximum required in the existing SO zone.

Ulises Cabrera, Woodcliff Lake, thanked the members of the Zoning Board for their dedicated service. Mr. Cabrera asked if there were any seepage tanks for the run-off that the building would generate. If there are, could you please point them out where they would be located. Mr. Clark stated that there are none. Mr. Cabrera asked if there was a requirement that this type of building to have seepage pits. Mr. Clark stated that they are reducing impervious area and therefore reducing runoff, so it is not required. Mr. Clark went over the type of vegetation that was going to be used. A discussion took place regarding taking down and planting trees.

Walter Appelle, Woodcliff Lake, stated that there was going to be increased traffic and noise. Mr. Clark replied that the traffic consultant would address those issues.

Mr. Leibman read the email from Clay Bosch dated November 23, 2018.

Good morning Diane,

The drawings we receive for comments on new projects normally include a sheet showing existing trees – those to remain and those to be removed. We didn't have that sheet in this case, so I called Matthew Clark MCB Co., engineer on this project.

He advised me that there would be no major tree cutting – none of the trees behind the retaining wall, none on the sides, none in the front – but possibly removal of the five trees in the island in the parking area.

He also assured me that he realized that if they were cut down, they would be responsible for replacing them, either on the tract or somewhere else in the Borough.

Apparently, we understand each other regarding trees.

Alex Couto, Woodcliff Lake, asked what the main variance is. Mr. Newman replied that the main variance is that they want to take property that is in the SO zone, where residential use is not permitted, and permit that zone to building their 60 units of residential use.

Michael Felz, Woodcliff Lake, asked about trees that were marked on the property. Mr. Clark stated that he did not know anything about that.

MOTION to close to the public was made by Mr. Newman, second by Mr. Hayes and unanimously approved.

Mr. Princiotto stated that he wanted to answer a question that was posed about building coverage in an R15 zone. The building coverage in an R15 zone, which is a single family residential zone, building coverage is limited to 15%. The total impervious coverage in an R15 zone is 40% total impervious coverage.

Mr. Preiss stated that one of the concerns is the visibility of the lighting source itself, the lighting fixtures that you are proposing. Mr. Preiss asked if the lighting source is hidden so that you only see the light emanating from the fixture or will the actual bulb be visible from the street or the neighbor's property. Mr. Clark stated that they are recessed to some degree. You are not going to see it hanging down. If we need to change the light fixture, we will. Mr. Preiss asked what the height of the lighting fixture is. Mr. Clark replied that they are mounted at 25 feet right now. Mr. Preiss asked if they would look at dimming the lights at midnight.

Mr. Newman asked if they are building a second building does that change the drainage that is required. Are they up to current code or code when they first built the project. Evan Jacobs, Neglia Engineering, replied that if they were building a new building on top of grass, they would then be increasing the runoff and almost guaranteed that they would have to put a retention basin in. Mr. Jacobs stated that based on the plans they provided they follow the current code.

WITNESS – MR. ALBERT DATTOLI, ARCHITECT

Mr. Dattoli is an architect with a business address of 70 Chestnut Ridge Road, Montvale, New Jersey. Mr. Dattoli was sworn in by Mr. Leibman.

Mr. Leibman asked Mr. Dattoli to explain the architectural plans. They will be marked as Exhibit A-6, dated April 10, 2018 and are 6 pages.

Mr. Dattoli stated that there are 2 buildings. The first building is presently an office building. A-1.1, A-1.2 and A-1.3 are drawings relative to that building. They are proposing 28 1-bedroom units and 8 2-bedroom units. There are two wings of the building. The configuration of those wings is very well suited for conversion to multi-family residential development. All units will

have heating and air conditioning. They will be equipped with their own laundry equipment. The building will be fully accessible for handicapped. The units themselves are designed to be adaptable. There are certain elements within the units that can be changed to meet the barrier free code. As a base, all the doors in the units will be 3-foot-wide doors which satisfy the handicapped code.

Mr. Dattoli moved on to building 2 which is A-2.2. This building that is being proposed is a 3-story building. Each floor will have 6 one-bedroom units and 2 two-bedroom units for a total of 18 one-bedroom units and 6 two-bedroom units. This give us a total 46 one-bedroom units and 14 two- bedroom units which gives us a total of 60 units between the 2 buildings. Mr. Leibman stated that there was a comment about a possible scenario where some 3-bedroom units might be necessary. Could the floor plan be adapted to accommodate this? Mr. Dattoli replied yes. Mr. Dattoli stated that both buildings will be fully protected by a fire suppression system and will meet all codes as required by the Uniform Construction Code of New Jersey. Mr. Dattoli stated that this is a transient oriented site where you are within easy walking distance of the train station and bus lines. It is also within walking distance to a supermarket and to other commercial establishments.

Mr. Dattoli moved on to drawing A-1.1 for the exterior of the building. This is the elevation proposed. The existing building has a brown brick base. That will remain intact and propose redesign of the rest of the building. Regarding the second building, building #2, they are proposing the same design scheme as building #1. The height of building #1, which is existing, natural grade as defined by the code for measuring the building height is 34.71 feet and building #2 is 34.48 feet. Building 1 complies with the height and it is 2 stories and is less than 36 feet. Building 2 complies dimensionally but they are proposing a 3-story building.

Mr. Dattoli moved on to drawing A-3.1. This drawing shows the different elevations.

Mr. Leibman stated that there was a comment in one of the review letters asking about a roof deck. Mr. Leibman asked Mr. Dattoli to clarify that. Mr. Dattoli stated that there is nothing going on the roof other than equipment. Mr. Leibman asked Mr. Dattoli to address the mechanicals on the roof. Mr. Dattoli stated if in fact they do have roof-top mechanicals, that decision has not been made yet if they will be roof-top or through the wall units in each individual apartment. But if they do have roof-top units, these are very small split system condenser units that are on the roof. They are not visible and will be placed towards the center of the roof.

Ms. Fendian asked about the elevator. Mr. Dattoli stated that the elevator will not protrude higher than the parapets.

Ms. Malley asked what someone will see looking down from above. Mr. Dattoli stated that they would see through the trees the rooftop condenser units. The large existing rooftop units that are on building #1 will be removed.

Mr. Leibman stated that there was a comment regarding transformers and generators. Mr.

Dattoli stated that the existing generators will remain onsite and will not be at the front of the building.

Mr. Leibman stated that there was a question about the size of the refuse area and if that were adequate for the 60 proposed units. Mr. Dattoli stated that it is more than adequate.

Mr. Newman asked how high the ceilings are in the buildings. Mr. Dattoli stated that the ceiling would be 9 feet.

Mr. Princiotto stated that the meeting will continue December 18, 2018 at 7:30 PM and no additional notice will be required.

ADJOURNMENT

MOTION to adjourn was made by Mr. Hayes, second by Mr. Newman and unanimously approved by voice call vote. Meeting was adjourned at 10:45 PM.

Respectfully submitted,



Deborah Dakin, RMC, CMR
Borough Clerk