

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
July 9, 2018
MINUTES**

APPROVED 8/14/18

CALL TO ORDER:

The meeting was called to order at 8:00 p.m. at Borough Hall by the Chairman.

Adequate Notice Statement:

The Chairman announced this meeting is in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, and announced at the Reorganization Meeting on January 24, 2018, in the Municipal Building. Notice of this meeting was posted, and two newspapers, The Record and The Ridgewood News, were notified. The public is advised of the Planning Board's rule that the meetings will be concluded by 11:00 p.m.

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ROLL CALL:

Present:

Councilman Corrado Belgiovine, Class III
Josephine Higgins, Class IV
Cheryl Dispoto, Class IV
Peter Michelis, Class IV
Jane Ann Whitchurch-Carluccio, Vice Chairwoman, Class IV
Brian LaRose, Alternate 2
Robert Friedberg, Class II
David Ciaudelli, Class IV
Thomas Panso, Mayor Designee
Nilufer DeScherer, Alternate 1
Joseph Langschultz, Chairman, Class IV

Also Present:

Salvatore r. Princiotto, Board Attorney
Richard Preiss, Planner
Evan Jacobs, Engineer

Absent:

Mayor Carlos Rendo, Class I

Not Requested:

John Pavlovich, Traffic Engineer

BOARD DISCUSSION

1. Hearing in which the Planning Board will consider recommending the designation of certain portions of Block 2501 and Block 2602 as an "Area in Need of Redevelopment" to the Mayor and Council:

Board Planner, Richard Preiss, of Phillips Preiss Grygiel Leheny Hughes, LLC, Planning & Real Estate Consultants, was sworn in. The Notice of Hearing was published twice and served on property owners by certified mail. The Board Attorney found the Notice and publication documents and proofs to be in order. Mr. Preiss gave an overview of his study and report entitled, "Area in Need of Redevelopment Investigation for Portions of Block 2501 and Block 2602", dated 6/20/18, at the direction of the Borough of Woodcliff Lake and Planning Board. Per his Memo at prior meeting he asked for the Board's input. Mrs. Higgins gave suggestions which were incorporated. Mr. Preiss continued and explained the Redevelopment designation process. The Study Area boundaries are formed by the property lines of **Block 2501, Lot 14 and Block 2602, Lots 1, 2 and 9**. The purpose is for the Board to make a recommendation to the Mayor and Council that properties identified in the report are in need of redevelopment. Mr. Preiss reviewed the details of the study, including: the Description of the Study Area; existing Zoning and Master Plan designations for the Study Area; Permitted Uses; Individual Property Evaluations; and conclusion. Based on the criteria, the Blocks and Lots meet the criteria and standards set forth therein, and can therefore be designated as a non-condemnation "Area in Need of Redevelopment".

Board questions and comments followed. Councilman Belgiovine asked if procedurally, would the matter be opened to public first before the Resolution. Mr. Preiss advised the matter should first be opened to the public. If the Board passes the Resolution the Council can consider it at its next meeting. Mrs. Higgins asked if there was a bifurcation. Mr. Preiss stated there was a fairly good consensus at the last meeting that the area for affordable housing should be designated as such, and not so much for the other property, the barn property. Therefore, there are two Resolutions. The Board can take the motions together or separately. Secondly, the process would be bifurcated to separate the affordable housing, which has not be disputed. Next is how fast to move forward and whether to prepare a redevelopment plan for the barn property is on a separate track. Mrs. Dispoto had a question on why there were two Resolutions. Mr. Princiotto advised the Board is trying to meet the timetable. It approved the study, and it is time for the Board to make a recommendation to the Council. Because it is important to move quickly, he prepared two resolutions--one that

includes Block 2501, Lot 14 (Resolution A) and one that does not (Resolution B). Once the vote is in, they know which Resolution to deal with. Mr. Princiotto confirmed the report referred to is dated 6/20/18, copies of which were made available to the public. There were no further questions of the Board.

A motion to open to the public was made by Mrs. Higgins, seconded by Councilman Belgiovine and carried.

Resident Craig Marson came forward and was sworn in by the Board Attorney. Mr. Marson spoke in opposition, regarding the bifurcation and the history of the matter, citing the statute for permitted uses, particularly section c. He pointed out that restaurant use is not permitted and feels like this is for commercial purposes, which is against the principle uses, and the property does not qualify. Mr. Princiotto advised the report has been advertised, and it is before the Board for a recommendation. It meets more than one section of the statute. Mr. Preiss addressed the issues raised and criteria c.

Resident Alex Couto came forward and expressed concern that the public did not have enough time to give feedback on Block 2501. He asked about long-term vision for commuters. Mr. Preiss spoke and advised all the Planning Board is doing is making a recommendation for a designation. There is a designation process, and at least four other opportunities for the public to weigh in. Mr. Preiss touched on Smart Growth principals and opportunities.

Resident Cynthia Bernstein asked about the rentals at 62 Broadway and expressed concern about vacant units. The Board advised they are trying to be consistent with affordable housing, which Mr. Preiss addressed.

Resident Veronica Appelle had questions on a complete redevelopment plan and growth dedicated to downtown and 188 Broadway. She commented it should not include rezoning. She raised concern about overcrowding. The Chairman commented we are talking about certain pieces, three lots, and focusing on the resolutions before the Board. The other comments should go before the Mayor and Council. Mr. Princiotto said there is no decision; this is just a recommendation. The Mayor and Council make the ultimate decision. 188 Broadway is not before the Board tonight.

Resident Michael Fritz came forward, and as a member of the committee, he voiced his opinion and stated the public feels left out. He was advised to express concern before the Mayor and Council. Mr. Princiotto advised a committee is advisory, and the

Council may or may not follow it. Ultimately, a decision must be made, and the Mayor and Council asked to consider both blocks and four lots. The study was done and the presentation made. That is the process. There were no further comments from the public.

A motion to close to the public was made by Councilman Belgiovine, seconded by Mr. Friedberg and carried.

Mrs. Dispoto implored the Board not to include Lot 14. The Board should include Lots 1, 2 and 9 because of the Fair Share Housing obligation and Settlement Agreement and give the public the opportunity to go to the next Council meeting to voice their concerns about Lot 14. It puts her in a difficult position to vote on the Resolution with all four lots, and she is unhappy as a member and resident with including Lot 14. Mr. Princiotto clarified it is not a designation, but a recommendation. She would like the Board to recommend Lots 1, 2 and 9 and go back on Lot 14. Mr. Princiotto stated the public does have the opportunity to go before the Mayor and Council and express their concerns.

Chairman Langschultz called for comments from the Board. Councilman Belgiovine commented they were clear about including Lot 14, and he is prepared to vote with Lot 14 included. Mrs. Higgins asked why not bifurcate and go ahead with 1, 2 and 9. Mrs. Carluccio was in favor of including Lot 14. Mr. Panso commented the Mayor and Council asked for four lots and should have asked for more lots. It is what they want, and he does not see a problem with it. They will take those three lots and work on them first, then the other piece worked on in due time. Mrs. DeScherer asked if the Council could bifurcate it in their resolution and was advised they could accept or reject the recommendation in whole or in part. If not included, the entire process would have to be redone. She was inclined to keep Lot 14 in. Mr. Ciaudelli asked for the cost to separate the two. They are separate Councilman Belgiovine explained, and economics was the purpose. They would have to go through the exact same process with the same and additional costs. Mr. Ciaudelli had no problem keeping all four lots in as a practical matter. Mr. Friedberg asked if the Mayor and Council can include Lot 14 if not recommended and was in favor of keeping Lot 14 since it was their option. Mr. LaRose asked Mr. Preiss if there were any other issues to be taken into consideration. Mr. Preiss said no, you are setting the stage for the next steps. Mr. LaRose asked if there should be two resolutions. Mr. Preiss suggested voting on affordable housing and Lot 14 separately and adopting the Resolutions.

RESOLUTION:

Area in Need of Re-development Recommendation - Block 2501 and Block 2602:

Resolution No. 18-04 - A motion for approval to recommend Block 2602, Lots 1 2 & 9 and Block 2501, Lot 14 as an Area in Need of Redevelopment was made by Councilman Belgiovine and seconded by Mrs. Carluccio. Upon discussion, there were objections from Board Members. The motion and second were withdrawn, and the motion failed.

Resolution No. 18-03 - A motion for approval to recommend Block 2602, Lots 1, 2 & 9 as an Area in Need of Redevelopment was made by Mrs. Higgins, seconded by Mrs. Dispoto. On roll call vote, all members voted yes.

A motion for approval to recommend Block 2501, Lot 14 as an Area in Need of Redevelopment was made by Councilman Belgiovine and seconded by Mrs. Carluccio. On roll call vote, Councilman Belgiovine, Mrs. Carluccio, Mr. Friedberg, Mr. Ciaudelli, Mr. Panso, Mrs. DeScherer, and Chairman Langschultz voted yes. Mrs. Higgins and Mrs. Dispoto voted no.

Resolution No. 18-04 - A motion for approval to recommend Block 2602, Lots 1, 2 & 9 and Block 2501, Lot 14 as an Area in Need of Redevelopment was made by Councilman Belgiovine and seconded by Mr. Panso. On roll call vote, Councilman Belgiovine, Mrs. Carluccio, Mr. Friedberg, Mr. Ciaudelli, Mr. Panso, Mrs. DeScherer, and Chairman Langschultz voted yes. Mrs. Higgins and Mrs. Dispoto voted no. **The motion carried.**

PUBLIC SESSION:

The meeting was opened to the public on motion by Josephine Higgins and seconded by Mrs. DeScherer. There were no members of the public with questions or comments, and the matter was closed to the public on motion of Mrs. DeScherer and seconded by Mrs. Higgins.

CLOSED SESSION:

Risk Management and Training

A motion to go into Closed Session at 9:15 pm was made by Councilman Belgiovine, seconded by Mrs. Carluccio and carried.

RETURN TO OPEN SESSION:

A motion to return to Open Session at 10:15 pm was made by Councilman Belgiovine, seconded by Mrs. Carluccio and carried.

MINUTES:

The Minutes of **5/14/18** were tabled to the next meeting. The Minutes of **6/11/18** were approved as amended on a motion made by Councilman Belgiovine, seconded by Robert Friedberg, and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at approximately 10:25 p.m. on motion made by Councilman Belgiovine, seconded by Mrs. DeScherer, and carried unanimously.

Respectfully Submitted,

Mary Verducci

**Mary R. Verducci, Paralegal
Planning Board Secretary**