

**BOROUGH OF WOODCLIFF LAKE
ZONING BOARD OF ADJUSTMENT
MAY 26, 2015
7:30 P.M.
MINUTES**

Call to Order:

The meeting was called to order at 7:30 p.m. by Chairwoman Hembree.

Adequate Notice Statement:

The Chairman announced this meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, at the Reorganization Meeting of January 27, 2015 in the Municipal Building. Notice of this meeting was posted, and two newspapers, The Record and The Ridgewood News, were notified. The public was advised of the Zoning Board's rule that the meeting will conclude at 10:30 p.m.

Flag Salute

Roll Call:

Christine Hembree, Chairwoman	Present
Marcia Denbeaux	Present
Gary Newman	Present (7:40 p.m.)
Robin Effron-Malley	Present
Brian Boffa	Absent
Justin Cohen	Present
Dana Cassell	Present
Victor Bongard	Present
Jay Ferreira	Present
S. Robert Princiotta, Esq.	Present
John Pavlovich, Traffic	Absent (not requested)

Joe Vuich (Neglia Eng.) Present
Kathy Rizza, Secretary Present

New Business:

Ennis

51 Woodcrest Drive

Block 104/lot 7

Addition and Alterations

Mrs. Colleen Ennis, the applicant, was sworn in by Attorney Princiotto. Nick Saluzzi was also present to assist in case the Board needs any explanation. The notice to the neighbors and to the paper was sufficient. The plan is to use the existing footprint and add 5.1' to the front for the garage so that it may hold their cars. Mr. Ennis is a plumber and would like to be able to garage his work vehicle. The addition cannot go to the rear because of the existing pool. Exhibit A-1, the architectural plans, was submitted consisting of three pages. Exhibit A-2 is the survey, Exhibit A-3 are photos of the neighborhood, and Exhibit A-4 is the plot plan. All exhibits were explained to all present. Mrs. Ennis stated that the proposal for her property will add character to the home. A front yard variance is requested.

A motion to approve the application as presented was made by Mr. Ferreira, seconded by Mr. Cassell and carried by roll call vote as follows:

Mrs. Denbeaux	Yes
Mr. Newman	Yes
Ms. Malley	Yes
Mr. Cohen	Yes
Mr. Bongard	Yes
Mr. Ferreira	Yes
Mr. Cassell	Yes
Mrs. Hembree	Yes

The resolution will be read at the next meeting.

Old Business:

Valley Chabad

10 Overlook Drive

Block 908/lot 1

Change of Use/Site Plan Application with variances

Mr. Cassell has recused himself from the application.

Mr. Elliot Urdang was present as the Attorney for the applicant. His witness for this meeting is Rabbi Dov Drizen from 100 Overlook Drive. The Rabbi was sworn in by Attorney Princiotto. Rabbi Drizen was ordained in 1996 and has run the Valley Chabad since May of 2000. Rabbi Drizen gave the following information to all present. The Chabad was established in 1998 under a previous name in the same location. Their mission is, as part of a worldwide religious Jewish organization, a local synagogue and outreach center for all Jews, to learn and grow in a religious environment. The Valley Chabad does a number of community services including team programs, special needs and senior programs and sports leagues for special needs children. There are other Chabads in Bergen County – Paramus, Franklin Lakes, Old Tappan, Tenafly, Fort Lee and Teaneck. This Chabad is a service area in the Pascack Valley with a Woodcliff Lake Center. It is not a formal membership organization with partners but is open to all Jews. The location is 100 Overlook Drive. The Rabbi lives and works from this location. Additional space is needed to accommodate the amount of people and programs that take place. Presently there are Friday and Saturday morning services, bible study classes and small study groups taking place at this location. There other sites that are utilized for Hanukah, Passover, high holidays and lectures. The difficulty is in logistics and expenses. There have been attempts to find other locations. In the year 2006 a group was formed to search for a new location. The Hathaway property, County Road property, and Galaxy Gardens were

looked at in Woodcliff Lake. The Higgins property at the border of Hillsdale and Woodcliff Lake was also looked at. The Rabbi further explained that there was a contract for Galaxy Gardens but they were pushed out and it got very contentious. The town said they would condemn the property. He was asked by Attorney Urdang if the town has started the condemnation process. Rabbi Drizen stated that he was unsure of whether they had or not.

How the renovated facility would be used was next to be discussed. The Rabbi explained that all ongoing programs could be held under one roof. Regarding worship services, the following information was given: there are classical services on Friday night and Saturday mornings. There are services on Thursday morning for Thanksgiving and Passover and Yom Kippur; which is the largest holiday. The high holidays are the first day of Yom Kippur and Rosh Shoshanna which are equal to Easter and Christmas. Pre-registration is usually done for big events. There would normally be an additional service when too many people are anticipated. There is nothing else going on during services and most people come as a family. The members are not supposed to drive to the synagogue so many people walk. After Bar Mitzvahs there is usually a small luncheon, called a Kiddush that would be held in the new facility. But they are not caterers, the space will not be rented out. Rabbi Drizen stated that it would be hard to estimate how many people would attend a Bar Mitzvah. The largest one that he has officiated had 210 attendees. Regarding adult education on Tuesday night there are 30 people that attend. There are some day classes with 6-8 people. At a lecture usually 50 people is the average, but the rabbi has had 800 people. On Sunday from 9:30 to noon there is Hebrew School and there are presently 58 students and room for more. The plan is to reintroduce a one night a week Hebrew School class from 4:00 p.m. to 5 p.m. The age group for Hebrew School is 5-13. All pupils are dropped off and nothing else is going on at this time except for possibly morning prayer sessions with approximately 12 people. On Thursday the older children are present. There is approximately 30 of them but they are not drivers. The office

and teaching staff is made up of 3-5 people and possibly a random Rabbi with a Bar Mitzvah/Bat Mitzvah child studying.

Rabbi Drizen stated that this plan was not their first choice and that they have done all they can to cooperate. They have hired the best professional and tried to do what the Board has asked of them.

Attorney Urdang is finished with this witness.

Board questions –

Victor Bongard asked if the applicant had looked in other towns in the Pascack Valley area. The Rabbi stated that they need to be located where people can walk and that they love Woodcliff Lake. The Rabbi also stated that he would move out if and when their application is approved.

Gary Newman - Asked how large the Hathaway property is – he was told over 2 acres. Also asked the size of Galaxy Gardens – he was told 2.3 acres. Mr. Newman asked who terminated the contract with Galaxy Gardens. The Rabbi stated that the Chabad did. It was stated that both sites mentioned were of similar size. Mr. Newman also asked how many children can be hosted for Hebrew School. The Rabbi stated 90 students and the Sanctuary has 120 seats with a catering hall. If used together there would be 324 seats. The most participants for a service has been 350-400 people. Once when there was a Holocaust speaker there was over 800 people present. On a normal basis, except for high holidays, there would be 100-150 people. There is not a full kitchen just a warming kitchen facility. The Rabbi wants people to be comfortable. Mr. Newman asked the Rabbi if he could perform what he wants with a size building that conforms to the property. The Rabbi stated that he would like to function properly and that this site has given them the flexibility to run a good facility – aesthetically and safely. Mr. Newman stated that the parking is short and asked why not work on a 15,000 square foot facility. He was told that this is what the applicant has

envisioned and suits their needs. Mr. Newman asked if they have looked at other classrooms in New Jersey.

Chairwoman Hembree – Asked how many Woodcliff Lake residents are on the mailing list. Mrs. Hembree was told approximately 300 families.

Justin Cohen – Asked if there will be a nursery school onsite? He was told possibly in the future. Mr. Cohen was concerned that 30% of members walk to the facility and there are no sidewalks on Overlook Drive. The applicant stated that they would pay police overtime or do whatever the Board wishes when traffic is an issue.

Jay Ferreira – Spoke regarding education. Asked how many days a week for a nursery school – was told likely 5 days a week. There would be a maximum of 30 children, 15 in each class. There will not be infant children. During high holy days the children are in separate services. Children will be included in all counts. Mr. Ferreira asked if there would be parties at the Chabad using the outdoor decking. The Rabbi stated that yes they would use the facility for parties after services but probably not for big parties and yes, they would like to use the deck. Office staff was discussed. There will be 3-5 people making up the staff of which 2 are Rabbi's. Mr. Ferreira stated that there are no sidewalks, no curbs and no lighting on Overlook Drive.

Mr. Newman again- Asked if the applicant would agree to a maximum number of attendees except for the high holidays. The applicant agreed to discuss this with his team.

Mrs. Denbeaux - Asked for an explanation of 'Concept of Multiple Services'. She was told that this service lasts approximately one hour.

Board Attorney Princiotta – Asked if this is an Orthodox Synagogue, do you have to be Orthodox to attend. He was told that the service is run in an orthodox setting but has an open door. Mr. Princiotta confirmed that a member could go to the Temple or the Chabad. Differences and

similarities were discussed. The Attorney asked if this possible approval will have an adverse effect on the Temple. Rabbi Dove said no, there is a choice, both enhancing the Jewish community. River Vale or Upper Saddle River has the highest membership after Woodcliff Lake. It was asked if member walk from River Vale. The Rabbi stated that they have but not regularly.

Other possible sites were discussed again - A team of people from the Chabad had looked at possible sites. There were five properties in Woodcliff Lake that the applicant had serious conversations with. The Board Attorney asked if any of these sites were 3 acres or more. He was told that a nursery on Glen Road and a few homes on County Road were looked at but were not 3 acres. There is a different story with each one as to why the property was not chosen. Mr. Ferreira asked if someone from this Borough interfered. The Rabbi stated that he would rather not say. With the Hathaway property they voluntarily terminated the contract. Mr. Ferreira asked why they were here when they are supposed to have 3 acres, especially since 100 Overlook is the smallest site considered. The applicant had consulted with Joe Burgis, a Planner of Burgis Associates. Mr. Urdang stated that Mr. Burgis will be testifying.

The Higgins property on Van Emburgh is 5 acres. They were under contract after the Hathaway site in 2008-2009 but they could not renegotiate so the Chabad terminate the contract. Homes have recently been approved for that site.

At this time a 5 minute break was taken.

Board attendance remained the same. Attorney Urdang asked the Rabbi if something led up to the termination of the Galaxy Gardens contract. The Rabbi said yes it was a strong political issue and there was an indication of condemnation. Chairwoman Hembree asked if the property was for sale. She was told yes.

Mr. Diktas thanked the Rabbi for his history of the Chabad. He spoke regarding the Jewish Standard, a periodical Jewish letter on the internet and delivered. The Rabbi has written for this publication. Mr. Diktas referred to an article in 2006 which said that the Valley Chabad has 150-200 people attending events. Rabbi Dov did not recall this article and added that this could be a true accounting. He continued by saying there will be day camp for 2 weeks with 30 children. Camp will be from 9:00 a.m. to 3:00 p.m. and will be held at 100 Overlook Drive. They will utilize the indoor classrooms and go on day trips. There will also be a youth program for 6-10 year olds for 12 or more children. Chairwoman Hembree asked how many Woodcliff Lake residents receive mailings. She was told approximately 300. The outreach program mailings go to 2000-3000 homes to create awareness.

The size of the current property is 20,000 sq. ft. 1.27 acres. The Hathaway property was 3.8 acres. Mr. Diktas questioned the size of the Valley Chabad budget. Mr. Urdang objected. Board Attorney Princiotto stated that has nothing to do with the ability or the inability to purchase property. Mr. Diktas stated that he needs to know if they have enough money to finish the building. Bonding was discussed. Mr. Princiotto stated that there would be a developers agreement. Mr. Diktas withdrew the question. Mr. Diktas asked how many teenagers are involved with the Chabad. The Rabbi stated that 40 will be honored on May 31st. Again it was stated that the kitchen is only a warming kitchen. There will be gas and sewer lines to operate in the future. Mr. Diktas asked if the applicant would be willing to stipulate no gas lines in the kitchen for future use. The Rabbi stated there are no plans to have a cooking kitchen. The amount of children in a classroom was discussed. Presently they rent rooms at Park Ridge High School. Mr. Diktas asked the Rabbi if he is aware that the proposed wall is 25' with a fence of 4-6' for safety. He also mentioned that the structure the neighbors will be seeing is 30' high. It was stated that the wall will not be visible from the street, but will be visible from the southeast. There will be planters, something pleasant. There will not be a Yeshiva school at the site. The applicant stated that they will allow the Board to tell them the conditions

allowed. Mr. Urdang stated that this is the Chair's prerogative – Mr. Diktas challenges the obligation. Mr. Diktas asked the Rabbi if they are allowed to have services now. The Rabbi stated yes. Mr. Diktas asked if they have ever received a summons for overcrowding. The Rabbi said yes on April 25 during a large event. Pictures were shown of cars at the site for services. Buildings and lot sizes between the Hathaway property and the present site were compared. Mr. Diktas asked if the effect on the neighbors was taken into consideration. The Rabbi stated yes, that is why we have experts. Rabbi Dov stated that he has been here for 15 years and that he is very much entrenched in this community – it is his home and his children's home. The Rabbi wants to be a good neighbor. Neighbors and community are always on his mind.

The Rabbi was asked by Attorney Diktas if trees that will be cut down will be restored. The Rabbi stated that they will do what the Board instructs them to do. A plan will be given to the Shade Tree Committee if it has not been given already.

The meeting was opened to the public on a motion from Ms. Denbeaux, seconded by Ms. Malley, and carried by all present.

Bob Fischer – 60 Old Mill Ext – Has lived here 3 years, quiet neighborhood. Mr. Fischer is curious about the parking and the excess cars. He was assured that the parking situation would be under control. Mr. Fischer would like to see in writing that there will be no parking in the street.

The meeting was closed to the public on a motion from Mr. Ferreira, seconded by Mrs. Denbeaux, and carried by all present.

Attorney Princiotta asked if there will be any playground equipment on the deck. Rabbi Dov stated that he did not know but he thinks not. The Rabbi will get back to the Board on this issue.

This application will continue at a special meeting of the Zoning Board on June 23rd at 7:30 p.m.

The meeting was adjourned on a motion from Mr. Cohen, seconded by Ms. Denbeaux and carried by all.

Respectfully Submitted,
Kathleen S. Rizza, Secretary