

**BOROUGH OF WOODCLIFF LAKE
ZONING BOARD OF ADJUSTMENT
JUNE 27, 2017
MINUTES**

Call to Order:

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

Adequate Notice Statement:

The Chairwoman announced this meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, at the Reorganization Meeting of January 24, 2017, 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.

PLEDGE OF ALLEGIANCE

SWEARING IN OF REAPPOINTMENTS

The following members were sworn in by Attorney Princiotto:

Member: Christina Hembree (term ending December 31, 2020)

Roll Call:

Brian Boffa	Absent
Victor Bongard, Vice Chairman	Present
Sanjeev Dhawan	Present
Robin Malley	Present
Gary Newman, Alternate 1	Present
Yunaima Rodriguez	Present
John Spirig	Present
James Vercelli, Alternate 2	Present
Christina Hembree, Chairwoman	Present
S. Robert Princiotto, Esq.	Present
Tonya Tardibuono, Secretary	Present

Resolution:

**No. 17-03
Closed Session**

1. Valley Chabad litigation

A motion was made by Ms. Malley to go into closed session, seconded by Mr. Bongard, and carried by all.

Minutes:

The minutes of January 24, 2017 were approved on a motion from Ms. Malley, seconded by Mrs. Rodriguez, and carried by all.

The closed session minutes of January 24, 2017 were approved on a motion from Ms. Malley, seconded by Mrs. Rodriguez, and carried by all.

New Application:

David Adam Realty
453 Chestnut Ridge Road
Block 301.01 / Lot 3.01
Amended Site Plan / Use Variance

Attorney John Molinelli of the Price, Meese, Shulman and D'Arminio Law firm was present as the attorney for the applicant. The applicant is David Adam Realty the owner of Tice Mall.

Plans dated 6/26/17 drawings AD2.1-AD2.7 from The Montoro Architectural Group were marked as exhibit A-1. Mr. Molinelli announced that they were withdrawing their request for the four variances for the square footage of the signs, and pointed the specific signs out to the Board on exhibit 1. They will still need a variance as the facade signs exceed 5% of the total square foot of the facade.

Mr. Dhawan disclosed that he has worked with Mr. Molinelli, Mr. McGowan and Mr. Montoro in the past. Mr. Princiotto asked if they had any current business dealings. Mr. Dhawan replied, no. Mr. Princiotto asked Mr. Dhawan if he could judge this application fairly and partial. Mr. Dhawan replied, yes. Mr. Princiotto asked if Mr. Molinelli had any objections with Mr. Dhawan. Mr. Molinelli replied, no.

Mr. Newman disclosed that he has known Mr. Molinelli for 20 years but he does not feel that this will be a conflict of interest in any way. Mr. Princiotto stated that Mr. Molinelli is a resident of the Borough, an attorney and has held public positions for quite some time.

Mr. Vercelli disclosed that he has worked with Mr. Montoro in the past. Mr. Princiotta asked if they had any current business dealings. Mr. Vercelli replied, no. Mr. Princiotta asked Mr. Vercelli if he could judge this application fairly and partial. Mr. Vercelli replied, yes. Mr. Princiotta asked if Mr. Molinelli had any objections with Mr. Vercelli. Mr. Molinelli replied, no.

The applicant's Engineer, Michael McGowan of McGowan Engineering in River Vale, New Jersey was sworn in by Attorney Princiotta. Mr. McGowan gave his educational and employment history to the members of the Board and was accepted as an expert witness.

The site plan was marked A-2 (SP-1 - SP-4). Mr. McGowan commented that the employee parking was marked incorrectly on the plans. Mr. McGowan explained in detail and pointed out on the exhibit what changes would occur. The restaurant will be a 100 seat indoor / outdoor restaurant with 10 employees – That adds 60 spaces to the requirement, but you can deduct 15 spaces for the elimination of the retail area. This change represents a gross increase of 45 spaces. The applicant is planning on adding an additions 28 spaces, which results in a parking difference of 17 spaces. Mr. Molinelli asked if allowed to build the 28 parking spaces what does the total surface coverage go to? Mr. McGowan replied it goes up by 0.86% to 85.84%. Mr. Molinelli stated that all conditions from original resolution still apply. Mr. McGowan spoke about possibly reserving some space for some future parking if need be. Mr. McGowan spoke about the plantings the applicants architect specified.

A letter dated May 9, 2017 from the Woodcliff Lake Police Department was marked as Exhibit A-3 (attached). A letter dated June 16, 2017 from the Woodcliff Lake Fire Department was marked as Exhibit A-4 (attached). An E-Mail dated June 26, 2017 from Clay Bosch Chmn. of the Woodcliff Lake Shade Tree was marked as Exhibit A-5 (attached). Mr. Molinelli pointed out that none of the letters expressed any need for comment or concern.

Mr. Molinelli asked Mr. McGowan to go over drainage and soil moving. Mr. McGowan spoke briefly about both drainage and soil moving. He said there shouldn't be any issues with either.

Mr. Molinelli asked Mr. McGowan to go over the lighting plan. Mr. McGowan replied that they have requested a waiver because they would like to move 2 lights approximately ten feet and overall that should have no consequential effects.

Mr. Molinelli asked Mr. McGowan to go over the loading. Mr. McGowan replied that they are keeping the loading as is.

Mr. Vuich asked if the Board was to accept the banked landscaping would it be the same buffer landscaping rejuvenated or a new landscaping plan. Mr. Molinelli replied that some of the landscaping in the area is a little too high now they would be happy to replace them with lower lining shrubs.

Mr. Newman asked why the same parking is not being proposed behind building A and B. Mr. Molinelli replied there is not enough room. Mr. Newman inquired about the traffic pattern. Mr. McGowan and Mr. Molinelli both explained the traffic pattern. Mr. Molinelli stated that the traffic

pattern is not changing. Mr. Newman asked about the cross parking agreement with Wells Fargo and the Mall. Mr. Molinelli explained what the agreement was.

Mrs. Rodriguez asked if any traffic signage will be put in place for the people parking behind the building. Mr. McGowan went over the traffic pattern and explained that the traffic pattern was not going to change at all. A lengthy discussion was had pertaining to the traffic patterns and parking by all members and professionals.

Mr. Richard Preiss the Planner for the Board was sworn in by Mr. Princiotto. Mr. Preiss commented that we still need to hear from the Planner but he suggested that Mr. Vuich and he work with the applicant for better signage. He also commented that a lot depends on if parking will get banked or not.

The meeting was opened to the public to ask questions of the applicants Engineer Mr. McGowan on a motion from Ms. Malley, seconded by Mr. Newman, and carried by all. With no members of the public wishing to speak, **the meeting was closed to the public** to ask questions of Mr. McGowan on a motion from Ms. Malley, seconded by Mr. Newman, and carried by all.

The applicant's Architect, John Montoro of The Montoro Architectural Group in Saddle River, New Jersey was sworn in by Attorney Princiotto. Mr. Montoro gave his educational and employment history to the members of the Board and was accepted as an expert witness.

Mr. Montoro spoke about Exhibit A-1, drawing AD2.2 the trash enclosure. Mr. Montoro spoke about how the gate would work. He stated the gates would be covered with vinyl slats.

Mr. Montoro marked Exhibit A-7A (original) and Exhibit A-7B (revised) and spoke in detail about the entrances and the storefront signs.

Mr. Montoro spoke about the free standing 70 square foot sign with water features as shown in Exhibit A-7A, PB-4. The sign is not a store sign, but a sign for the entire complex. The sign is made from arriscraft. A sample of arriscraft was passed around and marked as Exhibit A-8. A discussion was had pertaining to the location and the design of the sign by all members and professionals. Mr. Preiss commented that when Tice was developed it was anticipated that many would not use that entrance, but many people do use this entrance. Mr. Princiotto asked Mr. Montoro to explain where the other free standing signs were located. Mr. Montoro replied one is at the entrance of Chestnut Ridge Road and the other is at the entrance of County Road.

The meeting was opened to the public to ask questions of the applicants Architect Mr. Montoro on a motion from Mr. Newman, seconded by Mrs. Rodriguez, and carried by all. With no members of the public wishing to speak, **the meeting was closed to the public** to ask questions of Mr. Montoro on a motion from Mr. Newman, seconded by Mrs. Rodriguez, and carried by all.

This application will continue at the next Zoning Board of Adjustment meeting scheduled for July 25, 2017.

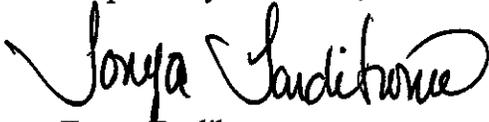
New Application:

Michael & Tracey Tsontakis
60 Wyandemere Drive
Block 509 / Lot 4
Variance for minimum both side yards

This application will be heard at the next Zoning Board of Adjustment meeting scheduled for July 25, 2017.

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

Respectfully Submitted,

A handwritten signature in black ink, reading "Tonya Tardibuono". The signature is written in a cursive, flowing style with a large initial "T".

Tonya Tardibuono

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**Resolution No. 17-03
June 27, 2017**

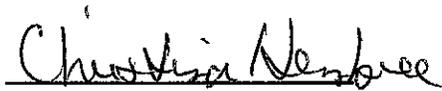
WHEREAS, the Woodcliff Lake Zoning Board, may meet in closed session.

WHEREAS, the following is the subject matter to be discussed in closed session:

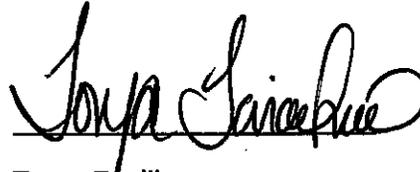
Valley Chabad litigation

WHEREAS, these minutes will be kept and once the matter involving the confidentiality of the aforementioned no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT FURTHER RESOLVED that formal action may be taken at the Meeting.



Christina Hembree
Chairwoman



Tonya Tardibuono
Board Secretary



Woodcliff Lake Police Dept.

ANTHONY JANNICELLI
CHIEF OF POLICE

184 PASCACK ROAD
WOODCLIFF LAKE, NEW JERSEY 07677

PHONE 201-391-8222
FAX 201-307-3482
Website: www.WCLPD.com

May 9, 2017

Subject: Tice's Corner
453 Chestnut Ridge Rd.
Block 301.01, Lot 301.01.

Chief Anthony Jannicelli,

After reviewing the new plans to modify the parking and traffic flow in the northwest corner of the Tice's Corner, the traffic bureau does not have any issues with the proposed changes. Any new parking spaces will be 9 feet 6 inches, just like the rest of the mall. As long as appropriate signage is displayed, including a Stop sign while travelling south behind the Panera Bread upon reaching the access road between the buildings, the traffic bureau does not see any safety related issues with the project. If I may be of further assistance please let me know.

Respectfully Submitted,

Sgt. Craig DeGeorge,
Traffic Safety Officer

June 16, 2017

Woodcliff Lake Planning Board
188 Pascack Road
Woodcliff Lake, New Jersey 07677
Attn. Tonya Tardibuono, Zoning Board Secretary

From: Chief Dan Schuster

RE: **PLAN CHECK**
David Adam Realty
Tice's Corner Marketplace
Block 3.01 Lot 301.01
453 Chestnut Ridge Road
Plans Dated 05/02/17 and 05/03/17

Gentlemen:

We have reviewed the above referenced plan submittal for compliance with applicable Woodcliff Lake Fire Department Codes and Standards. At this time, we have found the plans to be:

APPROVED APPROVED W/CONDITIONS NOT APPROVED

If the plans are not in compliance, please revise the plans as indicated below and resubmit for review and approval. No work shall commence until appropriate plans have been approved

◆ The Fire Department has no comments at this time.

Please do not hesitate to contact the Woodcliff Lake Fire Department should you have any questions or comments regarding this plan review reply. We encourage all parties to set up any meetings with us to answer any questions with our review of these plans.

cc Jacquie Gadeletta Fire Commissioner
 Nick Saluzzi Building Inspector
 Paul Bechtel Fire Official

Tonya Tardibuono

From: cbosch@wclnj.com
Sent: Monday, June 26, 2017 2:59 PM
To: Tonya Tardibuono
Cc: Sprinciotto@marcusandlevy.com
Subject: Tice Market

Tonya,
Woodcliff Lake Shade Tree Committee has reviewed drawings for the Tice market project and the Neglia Eng, comments - sec 9 Landscaping- and concur with the comments and recommendations.

Clay Bosch
Chmn. WCL Shade Tree

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MEMORANDUM

Date: June 27, 2017

Re: Tice's Corner Marketplace

Exhibit List

EXHIBITS

A-2 Site Plan dated 5.3.2017 prepared by McGowan Engineering rev to 6.15.2017 (4 pgs)

- 1- Cover
- 2- Existing Conditions
- 3- Site Plan
- 4- Grading, Drainage and Soil

A-7 Architecturals The Montoro Group dated 11.4.2016 rev to 6.7.2017

A-7A Original 4 Page set

A-7B Revised 2 page set

A-6 Aerial Map, Nishuane Group LLC (with Bldg B Detail)

___ Photo Sheet [2 photos] Exh 1 and 2

___ Photo Sheet [2 photos] Exh 3 and 4

___ Photo Sheet [2 photos] Exh 5 and 6

___ Photo Sheet [2 photos] Exh 7 and 8

___ Neglia [Joseph Vuich P.E.] Review Letter 5.25.2017 (15 pgs)

___ Richard Preiss PP Letter 6.19.2017

A-3 Police Review Letter 5.9.2017

A-4 Fire Dept Rev Letter 6.16.2017

A-5 Shade Tree email 6.26.2017

A-1 Detail Sheet on Compactor and Refuse Area AD 2.1-2.6