

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

MEETING MINUTES – WEDNESDAY, AUGUST 14, 2013

Mr. Polizzi called the meeting to order at 7:30 p.m. The following statement was read:
Pursuant to The Open Public Meetings Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by fax and mail to The Record and The Ridgewood News on December 28, 2012 at which time the date, time, place and purpose of the meeting was set forth and notice was posted on the official bulletin board in the Borough Hall.

PLEDGE OF ALLEGIANCE

Present: Mr. Polizzi, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Friedman, Mr. Prober, Mr. Richardi, Mr. Stutman

Absent: Mr. Virgona, Councilman Durante, Mr. Wortmann, Ms. Rosenthal, Ms. Miller, Mr. Abramson

Also Present: Mark Madaio, Esq., Planning Board Attorney
Joel Minch, P.E., for Christopher Statile, P.E., Planning Board Engineer

Approval of Minutes: A motion by Councilman DeBerardine seconded by Mr. Friedman to adopt the minutes of the July 10, 2013 meeting was unanimously approved by all Members present.

CORRESPONDENCE

1. Mr. Polizzi reviewed a letter dated August 14, 2013 from Bruce E. Whitaker, Esq. Re: **GaGa Realty LLC – 209 Route 17 South – Block 1301 – Lot 12** requesting the application be carried to the August 22, 2013 Public Hearing.

PUBLIC HEARING

1. Application of **Upper Saddle River Developers, LLC**
The Commons – 2 Silver Beech Court – Block 1017 – Lot 1

James Jaworski, Esq., representing the applicant, reviewed the site plan application with bulk variances to permit the construction of a (2) story building at the end of a cul-de-sac within the existing residential development, located in the AH-2 Zone. The purpose of the building is to create a rental office and a garage for the storage of maintenance equipment and supplies that serve the “Commons”.

Discussion followed regarding the question if the building were an accessory use or structure, requiring a “d” variance. Mr. Jaworski advised the accessory use is for the 154 units located on site, the garage to store equipment is accessory use for the principal use.

Anthony Guidetti, Regional Director for the entity Garden Homes, was duly sworn by Mr. Madaio.

Mr. Guidetti testified the staff has outgrown the apartment unit that has served as the rental and management office for the Commons. The proposed building is designed to blend in with the surrounding residential units.

In response to comments from the Board, Mr. Guidetti testified as to the day to day operations of the (5) employees. Three of the employees park in an area furthest away from the residential units; two employees live in the complex, and walk to work. The unit now serving as the office will become a rental unit. A maintenance truck would be parked in the garage, but during winter months, parked on the other side of the building for easy accessibility in deploying the snow plow.

Mr. Jaworski reviewed the requested variances: maximum height of accessory building: 31 ft. proposed – 20 ft. required; minimum setback of accessory building from internal driveways or parking areas: 6 ft. proposed – 15 ft. required.

Joseph Donato, A.I.A., duly sworn by Mr. Madaio, testified to the floor plans and elevation as depicted on A-2 dated April 25, 2013. Mr. Donato described the building's design as residential in nature, with the lower front faced with brick veneer, vinyl sided upper level and the roof line broken up with dormers. The 1,055 s.f. first floor features a reception area, (3) work stations; small kitchenette; (2) 5 ft. x 5 ft. bathrooms featuring a toilet and sink only; one of which is designated for handicap use. Steps lead down from the garage to a partial 529 s.f. basement having a small bathroom. The 1,055 s.f. second floor features (2) enclosed offices, storage closets, kitchenette, and (2) small private bathrooms each with a sink and toilet only.

In response to comments from the Board, Mr. Donato testified the dormers are not usable space.

Mr. Guidetti testified the basement is to be used for storing caulk, salt and other supplies. A bathroom is needed in the garage for the maintenance staff's use, on call 24 hrs.

In response to comments from the Board regarding the proposed height of the building, Mr. Donato testified it can be lowered to 24.2 ft. by lowering the height of each floor to (8) ft.

Mr. Jaworski advised the application has been amended to propose an 8 ft. height first floor; 8 ft. height second floor and a 4 on 12 roof pitch with additional roof peaks having a height of 24.2 ft.

Daniel La Mothe, P.E., Lapatka Associates, duly sworn by Mr. Madaio, testified the colorized version of the Site Layout Plan/Existing Conditions Map is identical to the submitted plans, Page 2 of 4, dated August 10, 2012. Mr. LaMothe testified the existing landscaping will continue with more trees planted to provide additional buffering. A (6) ft. high PV fence is proposed to be added to the top of the existing retaining wall. The applicant agrees to increase the buffer along Lake Street and provide an additional seepage pit as recommended in Mr. Statile's review letter dated June 27, 2013.

In response to comments from the Board, Mr. Jaworski, on behalf of the applicant, agreed to provide a planting plan depicting a mix of deciduous and pine trees for review and approval by the Shade Tree Commission.

Mr. Jaworski requested a waiver for the application submission requirements as listed on Pages 2 and 3 of Mr. Statile's review letter dated June 27, 2013.

In response to comments from the Board, Mr. Jaworski advised a (2) layer fire wall for safety is provided. The level of visibility from the Orchard Hills Condominium Development is buffered as

depicted in A-4 and in (3) current photos of the site circulated for the Board to review; and the planting of an additional row of trees.

Mr. Polizzi opened the Hearing to Members of the Public. No one appeared to provide comment.

In response to Mr. Minch, Mr. Madaio advised a Developer's Agreement is required for public improvements, not private property.

With no further comments from the Board or Public, Mr. Polizzi closed the Hearing.

A motion by Mr. Friedman seconded by Councilman DeBerardine to approve the application as submitted with the following stipulations: Maximum height of building 24.2 ft.; a second row of evergreen trees mixed with deciduous trees; a tree removal and planting plan submitted to the Shade Tree Commission for approval; provision of a low maintenance (6) ft. tall fence along the retaining wall as shown on the filed plan; all bathrooms are to contain only a toilet and sink – no showers or bathtubs; the building is to serve the residents and to conduct the business for this development only; and the building shall not be used as a residential unit or overnight quarters for staff or contractors.

Roll Call

Ayes: 8 Mr. Friedman, Councilman DeBerardine, Mayor Minichetti, Mr. Preusch, Mr. Prober
Mr. Stutman, Mr. Richardi, Mr. Polizzi

PUBLIC COMMENT

Mr. Polizzi opened the Meeting to the Public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Councilman DeBerardine seconded by Mr. Friedman was unanimously approved by all Members present. Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Linda Marmora
Clerk

