

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

WEDNESDAY, MAY 10, 2017

Mr. Virgona called the meeting to order at 7:38 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 23, 2016 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. Virgona, Mr. Polizzi, Mayor Minichetti, Councilman DeBerardine, Mr. Bakal, Mr. Donato, Mr. Jacobs, Mr. Richardi, Ms. Miller, Mr. Bonjuklian, Mr. Koski, Mr. LaBarbiera

Absent: Mr. Preusch

Also Present: Mark Madaio, Esq, Planning Board Attorney
Kevin Boswell, PE, Boswell Engineering/Borough Engineer
Marisa Tiberi, PE, Boswell Engineering/Borough/Board Engineer
Edward Snieckus, PP, Burgis Associates/Borough Planner

CORRESPONDENCE:

After reviewing correspondence from Daniel Steinhagen, Esq., Mr. Virgona announced the Public Hearing regarding the variance application of **David Mattiace - 368 Lake Street – Block 1205 – Lot 8** has been carried to the Wednesday, July 12, 2017 meeting without further noticing required.

APPROVAL OF MINUTES:

A motion by Councilman DeBerardine to adopt the minutes of the March 23, 2017 and April 27, 2017 meetings seconded by Mr. Polizzi was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **156 Carlough Road LLC**
156 Carlough Road – Block 501 – Lot 6
(Stipulation of Settlement Agreement/*Revised Minor Subdivision Plan*)

Mr. Virgona announced this matter is carried to the May 25, 2017 meeting.

PUBLIC HEARING

1. Application of **Toll Bros., Inc.**
1 Lake Street – Block 601 – Lot 1
(Preliminary & Final Major Site Plan, Soil Moving & Minor (2) Lot Subdivision /w Variances
208 Residential Units/Clubhouse & Swimming Pool)

Mr. Madaio counseled the Record reflect Mayor Minichetti recused herself from this application and has adjourned the meeting.

Richard Hoff, Esq, representing the applicant provided a brief history and overview of the plan for the 47.65 acre property located within the AH-5 Affordable Housing 5 Zoning District that was the subject of a Settlement Agreement negotiated between the Borough and the applicant. Mr. Hoff advised the plan being presented is identical to the concept plan yielded from the Settlement Agreement. The applicant is requesting approvals for preliminary and final site plan, minor subdivision and soil moving to permit construction of 208 single family attached townhouses of which (22) are affordable units; a clubhouse and swimming pool.

Mr. Madaio advised for the Record, the Board deems the application complete as of this date, May 10, 2017.

Jay Kruse, PE, for the applicant, duly sworn by Mr. Madaio, provided an overview of the application, describing existing conditions and surrounding properties depicted on an *Aerial Map*, submitted and identified as ***Exhibit A-1***. Mr. Kruse identified the (4) access points: (2) located on Lake Street and (2) located on East Crescent Avenue; and the existing buffer areas and wetlands, testifying the NJDEP had formally approved the flood hazard verification confirming the flood area limitations and the 150 ft. riparian buffer to the Pleasant Brook. Mr. Kruse testified a request for a Letter of Interpretation has been submitted to the DEP regarding the freshwater wetlands located along the northeastern border and existing detention basin.

Mr. Kruse referencing a *Colored Rendering of the Landscape Plan* submitted and identified as ***Exhibit A-2*** provided a general overview of the plans, location and building types of the proposed townhomes. Mr. Kruse testified to (186) 3 -bedroom standard townhome units, providing (2) car garages with driveway parking and (22) stacked flat townhomes with a mix of 1, 2 and 3 bedroom units providing a (1) car garage for each unit as per the settlement agreement. Mr. Kruse testified a larger building envelope was factored in to allow optional features for buyers. The 3,450 s.f. clubhouse for residents will be located in the area closest to Mountainview Road, includes a swimming pool, 24 parking spaces and trash enclosure. As part of the development, a (9) acre parcel along E. Crescent Avenue and Lake Street is to be conveyed to the Borough for municipal use.

Mr. Kruse reviewed the points of access, testifying the proposed 24 ft. wide cartway with no parking on either side, is RSIS compliant. Street parking is proposed on Roads CDE, to handle additional parking for visitors. Due to environmental constraints, Road B will be a straight stretch of roadway; the architecture features staggered building faces.

Mr. Kruse reviewed parking, testifying 3.5 spaces are provided vs. the RSIS required 2.4 spaces. In response to comments from the Board, Mr. Kruse testified 3.5 spaces would provide for visitor parking, with 104 visitor spaces scattered throughout and an extra (11) spaces for the stacked units; a few units have double width driveways.

In response to Mr. Boswell, Mr. Hoff advised the applicant has no objection to designating specific reserved spaces for the affordable units.

Mr. Kruse reviewed the proposed sidewalks, testifying RSIS compliant sidewalks are proposed on either side of the street, except for (2) areas within the development: from E. Crescent only (1) sidewalk is proposed on the southern side of the roadway to minimize interference to the property located to the north; and to prevent impact to the freshwater wetlands buffer, (1) sidewalk is proposed on the southern side into the flag portion of the interior road.

Mr. Kruse testified access points are proposed to be maintained in the same locations that serviced the prior tenant.

Mr. Kruse reviewed the stormwater management plan, testifying design parameters are set by NJDEP criteria requirements to reduce the flow rate. The existing detention basins designed for the property along the Possum Trail cul-de-sac is overgrown and will be allowed to revert to being a wetlands feature. A new stormwater detention basin is proposed along the eastern boundary in the area that was used for parking. Mr. Kruse reviewed the proposed design and location of the proposed drainage system, and testified once the flow rate has been set, the best sites will be determined for locating discharge points.

In response to comments from the Board regarding the landscaping in and around the existing and proposed detention basins, Mr. Kruse testified the Homeowner's Association will contract with a maintenance company to maintain the landscaping as per NJDEP requirements. Mr. Kruse addressed the requirement for a landscaping buffer around the boundaries. Landscape buffering will be provided along the northern and southern property lines, the main body, adjacent commercial use, western boundary; and (20) ft. border from the municipal parcel with extensive buffering along Lake Street.

In response to additional comments from the Board regarding the lack of proposed landscaping along the detention basin located along the eastern property line, Mr. Kruse testified the mature vegetation will remain in its natural state.

Mr. Kruse reviewed the variance requirement for the walls exceeding (3) ft. in height. The retaining wall along the perimeter at the northern and western boundary requires a 10 ft. high wall due to the steep existing grade that recesses down. Other walls having varying heights are located in the interior of the development and necessary to allow the material providing coverage along the basin to stabilize and not wash away and erode out; the highest of these is (8) ft.; small aesthetic walls are below (3) ft.

Mr. Kruse reviewed the utilities providing water and sanitary sewer testifying the existing building was served by a sanitary sewer system with a manhole due to grading of the site. A small sanitary pump station to be maintained by the Homeowners Associate is proposed to be located behind Unit 104 that is adjacent to the stormwater basin.

In response to Mr. Boswell's comments regarding the location of the Affordable Housing Units, Mr. Kruse testified to the location on Exhibit 2 and reviewed the elevations and distance of the fully recessed units from the roadway on Lake Street. Mr. Boswell requested confirmation of the elevations and more detail regarding the retaining walls be provided at the next meeting.

Mr. Boswell referencing the (9) acres to be conveyed to the Borough for municipal use, said there should be an appropriate accommodation from the project to access this parcel, so that it is not an island.

Mr. Boswell recommended sidewalks, crosswalks and provision for vehicular access be considered by the Board and the applicant in consideration of the adjacent uses around the project.

Mr. Boswell referencing the pond located on the easterly portion of the site commented the addition of landscaping on either side would not interfere with maintenance access to the pond.

In response to Mr. Boswell's comments regarding the retaining walls relating to the foundation of units 105 and 108, Mr. Virgona also suggested shifting the buildings to the north creating an opportunity to create a much more visually appealing road. Mr. Virgona referencing the townhomes that are elevated and designated for affordable units, questioned if they must be handicap accessible and barrier free.

Mr. Snieckus requested designated parking spaces to be shown on the plan in relation to the units.

In response to comments provided by Mr. Snieckus, Mr. Kruse testified sidewalks will be concrete; decorative features will be provided in the area around the clubhouse, curbing is Belgian Block, and a sidewalk and crosswalk will be provided in the northwesterly corner.

Mr. Snieckus suggested additional landscaping in the curvature of the road and providing landscape screening for the pump station.

Mr. Virgona opened the Hearing to Members of the Board.

Board Members requested clarification of the proposed stormwater management system. Discussion followed. In response, Mr. Kruse testified the proposed detention basin exceeds requirements.

Board Members questioned traffic entrance patterns and requested changes in order to make it safer negotiating left hand turns into the development.

In response to comments from the Board, Mr. Kruse reviewed the location of the sanitary sewer line and advised there would be a cap on flow capacity regarding the Borough's use of the (9) acre parcel. Mr. Kruse advised the sized main should be sufficient capacity, but will calculate and discuss with Mr. Boswell.

Mr. Boswell requested a breakdown of the bedroom distribution. Discussion followed.

In response to additional comments from the Board, Mr. Kruse testified Road B is 1,200 linear ft. The options for buyers do not include additional bedrooms.

In response to comments regarding the retaining wall, Mr. Boswell advised there is a mechanism to reduce the size of the wall.

In response to comments regarding the location of the club house and pool at the entrance, Mr. Kruse testified it becomes a focal point and marketing tool for potential buyers.

A motion by Councilman DeBerardine to open the Hearing to Members of the public seconded by Mr. Polizzi.

James Lynch - 18 Autumn Court, advised he lives near the flag section of the development and asked if there was a way to itemize the existing trees, those to be removed and those to remain, as he would like

to have a better idea what is left as a buffer. Mr. Lynch also questioned if there were intent to change the grade relative to the townhomes. *In response, Mr. Kruse testified the interior of the townhome will provide partially recessed first floors with some grading lowering the height of the homes.*

In response to additional comments provided by Mr. Lynch, Mr. Kruse testified the height of the unit closest to the Lowry House, 22 Autumn Court, is 38 ft. Mr. Kruse advised he will provide information regarding the location of the lighting and the elevation of the units relative to his house and the Lowry house.

Discussion followed regarding the possibility of distributing the units differently in a less sensitive location.

Mr. Kruse testified lowering the height of the townhomes to make them less problematic to the Autumn Court properties are limited due to the utility service.

Mr. DeBerardine advised he would like to question a landscape architect regarding the proposed landscaping. Mr. Koski commented a detailed plan around the townhomes was not provided.

William Lowry – 22 Autumn Court, advised his home is located 150 ft. north of the buildings, requested the applicant adequately provide a perpetual landscape buffer to provide screening.

Marc Bernhardt – 23 Carlough Road – questioned if the water flow into the Pleasant Brook incurred by increased impervious coverage generated at the (9) acre municipal property would provide further water issues. In response, *Mr. Kruse advised the Borough would have to address runoff issues.*

Sam Anzalone – 8 Schindler Court - questioned if there is any information on what was going to go on the (9) acre property. *In response, Councilman DeBerardine advised there has been no decision but the public would be kept informed.*

In response to additional comments provided by Mr. Anzalone regarding traffic safety concerns, Mr. Hoff advised a traffic engineer will provide testimony.

With no further comments from the Board or public, Mr. Virgona closed that portion of the Hearing.

Mr. Virgona announced the application is carried to the Wednesday, June 14, 2017 meeting at 7:30 p.m.

ADJOURNMENT

A motion to adjourn by Councilman DeBerardine seconded by Mr. Polizzi was unanimously approved by all Members present. Meeting adjourned at 10:25 p.m.

Respectfully submitted,

Linda Marmora
Clerk

