

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

MEETING MINUTES – THURSDAY, OCTOBER 24, 2013

Mr. Virgona called the meeting to order at 7:34 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. Virgona, Mr. Polizzi, Councilman Durante, Councilman DeBerardine, Mr. Preusch, Mr. Prober, Mr. Stutman, Mr. Wortmann, Ms. Rosenthal

Absent: Mayor Minichetti, Mr. Friedman, Ms. Miller, Mr. Abramson

Also Present: Mark Madaio, Planning Board Attorney
Christopher Statile, P.E., Planning Board Engineer

Approval of Minutes:

A motion by Councilman DeBerardine seconded by Councilman Durante to approve the minutes of the September 26, 2013 and October 9, 2013 meetings was unanimously approved by all Members present.

PUBLIC HEARING

1. Application of **GaGa Realty LLC** (*Continuation of June 27, 2013 P. Hearing*)
209 Route 17 South – Block 1301 – Lot 12
(Preliminary Site Plan w Variances/Construction *New Commercial Building/Retail Use*)

Bruce Whitaker, Esq. representing the applicant, explained that recognizing the Board's concern, the continuation of the Public Hearing was delayed until after an application had been submitted to the DEP for a Flood Hazard Area Permit, Verification and Letter of Interpretation. The applicant revised the original Plan, eliminating the proposed restaurant and retail use, and is now seeking preliminary site plan approval with variances to construct a 4,800 s.f. one-story retail commercial building, providing twenty-three (23) parking spaces. Bulk variances are requested for side and rear yard setbacks due to the irregular shape of the property, 0 ft. proposed vs. 5 ft. required; and for the location of the free standing sign: 19.3 ft. proposed vs. 35 ft. required. Waivers are requested for the proposed 23 parking spaces vs. 32 required and, the requirement to show the storm water management within 500 ft. of the site. A waiver for the requirement to provide a loading zone and parking aisle is based upon the configuration of the property itself.

The following documents were submitted and marked for identification: **A-1:** *October 24, 2013: Revised Site Plans*; **A-2:** *Landscape Plan*; **A-3:** *EcolSciences, Inc. DEP Application*; **A-4:** *Colorized*

Rendering Landscape Plan; B-1 – B4: C. Statile review letters dated May 3, September 4, and October 24, 2013; B-5: Fire Prevention Bureau letter dated September 4, 2013; B-6: Fire Prevention Bureau letter dated May 7, 2013.

Robert Weissman, P.E., remaining under oath, testified to having prepared the revised plans and how they developed. The building has been shifted back 10 ft. to accommodate the turning radius in order to provide adequate parking space in front of the building and a 29 ft. wide drive aisle to facilitate maneuvering. The sign has been relocated to the south side of the property; parking along the north side of the building has been removed; the dumpster has been shifted to be in a conforming location; and a level step out platform in the rear of the building to provide an employee only exit.

Mr. Weissman testified drainage modifications and minor detail modifications of the plans will be executed as per Mr. Statile's recommendations.

William Glaner, L.A., Landscape Concepts, referred to a colorized rendering of the revised plan identified as A-4. Mr. Glaner, remaining under oath testified that by shifting the building back 10 ft. permitted the green strip in front and a clean green look. One (1) oak tree is proposed in the frontage along Route 17 allowing for clear visibility entering and exiting the site. Mr. Glaner testified (10) existing trees will be removed and a mix of (12) deciduous and evergreen trees will be planted.

Mr. Virgona opened the Hearing to the Board for comments regarding Mr. Glaner's testimony.

Mr. Statile suggested planting small low growing hedges along the front of the property set-back (5) ft. from the right of way.

In response to Mr. Virgona, Mr. Whitaker advised all signs would be conforming.

In response to Mr. Prober, Mr. Statile explained that tractor trailers cannot navigate the site to make deliveries. Mr. Whitaker advised he would coordinate delivery restrictions in a tenant lease agreement.

Mr. Virgona opened the Hearing to Members of the public. No one appeared to testify.

Mr. Whitaker advised this application is for true preliminary site plan approval, the applicant will come back for final approval.

Mr. Virgona closed the Hearing.

A motion by Councilman DeBerardine seconded by Mr. Stutman to approve the application as presented.

Roll Call

Ayes: 6 Councilman DeBerardine, Mr. Stutman, Mr. Prober, Mr. Wortmann, Mr. Polizzi, Mr. Virgona.

ADJOURNMENT

A motion to adjourn by Councilman DeBerardine seconded by Mr. Polizzi was unanimously approved by all Members present. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Linda Marmora
Clerk