

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

MEETING MINUTES – WEDNESDAY, MARCH 9, 2016

Mr. Polizzi called the meeting to order at 7:35 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, 2015 and February 25, 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. Polizzi, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Richardi, Mr. Donato,

Absent: Mr. Virgona, Ms. Miller, Mr. Bonjuklian

Also Present: Mark Madaio, Esq., Planning Board Attorney
Eileen Boland, P.E., Boswell Engineering, Borough/Planning Board Engineer
Edward Snieckus, P.P., L.A., Burgis Associates, Borough Planner

APPROVAL OF MINUTES: A motion to adopt the minutes of the February 10, 2016 meeting by Councilman DeBerardine seconded by Mr. Preusch was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **HWP II, LLC** ***APPROVED***
98 Pleasant Avenue – Block 1302 – Lot 3
(Amended Site Plan Approval w Variances/Office Use/Size Parking Spaces)

Mr. Madaio reviewed the Resolution. A motion by Mr. Polizzi seconded by Mr. Richardi to adopt the Resolution as presented.

Roll Call

Ayes: 8 Mr. Polizzi, Mr. Richardi, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Donato

PUBLIC HEARING (*Continued from December 9, 2015*)

1. Application of **East Crescent Development Corp., LLC**
558 & 572 East Crescent Avenue – Block 601 – Lots 2 & 3
(Preliminary & Final Site Plan Approval; Use Variance, Bulk Variances,
Soil Movement Permit/Redevelopment for Office & Retail Use/Restaurant)

Mr. Madaio counseled the Record is to reflect Mayor Minichetti and Councilman DeBerardine recused themselves from this application and stepped down from the dais.

Antimo Del Vecchio, Esq., representing the applicant advised the plans have been revised incorporating the Board's comments to reduce the square footage of the building, eliminate the drive thru feature proposed for the coffee shop, lower the height of the building, improve aisle grading, lower retaining wall heights, provide additional landscaping, reduce FAR, eliminate variances for the driveway separation and the generator pad.

The following exhibits were submitted and identified: **A-11:** *Updated Architectural Plans dated February 24, 2016 prepared by Zampolin & Associates*; **A-12:** *Site Plans dated May 18, 2015 revised thru February 24, 2016 prepared by MAP Engineering*; **A-13:** *Vehicle Turning Radius Diagrams dated October 13, 2015 revised thru February 25, 2016 prepared by MAP Engineering*; **A-14:** *Landscaping Plan dated March 8, 2016 prepared by Meumann Associates*; **A-15:** *Updated Color Rendering /Front Elevation of Building prepared by Zampolin & Associates*; **A-16:** *Landscaping (5) sheets prepared by Meumann Associates*; **A-17:** *Color Rendering of Landscape Plan prepared by Meumann Associates*. **B-8:** *Fire Prevention Memo dated March 7, 2016*; **B-9:** *Burgis Associates review Memo dated March 7, 2016*; **B-10:** *Updated Report prepared dated March 1, 2016 prepared by Boswell Engineering*; **B-11:** *Police Chief Report/Revised Plan Review dated March 9, 2016*.

Mark Palus, P.E., remaining under oath, reviewed the most recent changes to the site plan: the size of the building has been reduced from 215 ft. to 196 ft. achieved by reducing the lobby area and relocating the kitchen from behind the lobby area; eliminating the driveway in the north end which provides for additional parking and an extension of the walkway promenade; relocating the loading area to be under the covered valet; modifying rear grading; lowering wall heights to have a maximum height of 12 ½ ft.; eliminating the impeded rear parking stalls and; relocating the generator pad to a conforming southern area.

In response to comments from the Board, Mr. Palus testified the poured concrete retaining wall with stone veneer facing is to be located without intruding on the neighboring property. The perimeter walls having an exposed height of 4 ft. will have permanent safety fencing installed on the high side. The driveway and widening of East Crescent Avenue is consistent to what was approved and required by the County (5) years ago.

Mr. Palus testified all setbacks are measured to the roof overhang and reviewed the variances required for the proposed improvements: **building height** – 36.5 ft. proposed vs. 35 ft. required; **front yard setback** – 71.1 ft. proposed vs. 100 required; **side yard setback** – 29.3 ft. proposed vs. 50 ft. required; **improvement coverage** – 81.7% proposed vs. 50% required; **122 parking spaces proposed** vs. 132 spaces required; **size of parking stalls** – 9' x 18' proposed vs. 10' x 20' required; **height of rear yard retaining wall** – 12.5 ft. proposed vs. 3 ft. required; **height of retaining wall to rear of restaurant** - 6 ft. proposed vs. 3 ft. required; **rear and side yard setbacks of retaining wall** – 3.1 ft. proposed vs. 50 ft. required; **parking island width** – 3.4 ft. proposed vs. 10 ft. required; **parking in front yard and side yard** – 6.7 ft. and 8.5 ft. proposed vs. 15 ft. required; **parking area island width** – 3.4 ft. proposed vs. 10 ft. required; number of signs – 7 proposed vs. 1 permitted; **total sign area** – 143 s.f. area proposed vs. 50 s.f. required.

Mr. Palus reviewed the proposed soil moving calculations for the project: 9,986 c.y. total cut; 1,160 c.y. total fill with a net export of 8,826 c.y.

Mr. Palus reviewed the proposed parking spaces provided for the (110) seat restaurant, (16) seat coffee shop and retail/office use of the building. Mr. Del Vecchio stipulated the applicant is seeking approval for the number of seats on the Plan, if it needs to change, the applicant acknowledges a return to the Board for approval is required.

In response to comments from the Board, Mr. Palus testified the retail space is accessed from the front of the building; the office space is accessed from the rear of the building. The proposed plan requires an additional allocation for 2,500 gallons of sanitary flow, which is to be negotiated as per the Ten Cees Agreement.

Mr. Palus advised the applicant will locate the (2) fire hydrants where directed by the Fire Department.

Edward Snieckus, P.P., provided comment regarding altering the plan to provide a sidewalk for accessibility to the building by removing (1) parking space off on either end; provide additional landscaping and modifying the plan to avoid the use of flood lighting fixtures.

A motion to open the Hearing to Members of the public by Mr. Jacobs seconded by Mr. Bakal. No one appeared to provide comment.

Robert Zampolin, Architect, remaining under oath, testified to visiting the property and the plans being prepared under his supervision with the aesthetics of Upper Saddle River in mind. Mr. Zampolin described the 10, 220 sq. ft. first floor featuring a restaurant, coffee shop and retail space. The second floor features a lobby, private function space with outdoor balcony and office space. The 4,000 s.f. basement is serviced by an elevator, and restricted to machinery and storage; it will not be used for occupancy.

Mr. Zampolin testified to the front elevation and aesthetic details. The requested height variance has been eliminated except for a 20 ft. section which is part of the architectural design feature.

Mr. Zampolin reviewed the proposed 143 s.f. sign to be mounted on the building and on (6) fabric awnings, stating it is well below what other towns permit.

In response to comments from the Board, Mr. Zampolin testified the access for the second floor tenants is via the elevator; not by stairs.

Eileen Boland, P.E. suggested the tenants for offices utilize the parking spaces in the rear of the building in order to free up the front.

A motion by Mr. Preusch seconded by Mr. Jacobs to open the Hearing for questions regarding the testimony provided Mr. Zampolin. No one appeared to provide comment.

Betsy Dolan, P.E. for the applicant, duly sworn by Mr. Madaio, testified to being familiar with the property and provided an overview of the Traffic Impact Analysis Report regarding onsite circulation and parking capacity for the site. Mr. Dolan concluded by endorsing the proposed 9'x 18' parking stall sizes, turning radius for emergency vehicles and deliveries, and the (122) parking spaces provided for the combined proposed use for the site.

A motion to open the Hearing to Members of the public regarding the testimony provided by Ms. Dolan. No one appeared to provide comment.

The Board recessed at 9:25 p.m. and reconvened at 9:33 p.m.

Brad Meumann, L.A., duly sworn by Mr. Madaio, testified to visiting the site and being familiar with the Plans. Referencing Exhibit A-17, Mr. Meumann described what, how and why he created

the themes for the street scape, decorative walls, parking lot and plaza. Mr. Meumann testified the substantial planters will provide seasonal changes.

In response to comments from the Board and Professionals, Mr. Meumann identified the trees sizes at time of planting and the irrigation system to be employed. The dumpster areas will be screened with adequate plant materials. If a sidewalk is required along East Crescent Avenue, landscaping can be provided.

A motion by Mr. Jacobs seconded by Mr. Richardi to open the Hearing to Members of the public.

Joanne Minichetti, 14 Autumn Court, expressed concern if there is to be outdoor dining a barrier be provided for an additional level of safety.

Roger DeBerardine, 49 Clover Lane – confirmed the Plan is as presented.

Richard Price, P.P. duly sworn by Mr. Madaio testified to being familiar with the site and reviewing the plans. Mr. Price reviewed the variances and waivers associated with the proposed development testifying this is the last remaining opportunity to add an upscale small shopping center to serve the local community that is particularly suited to the site without creating a negative impact, impairing the intent and purpose of the Zone Plan, and fulfilling Goal 6 of the Master Plan by providing the greatest ratable with the least amount of impact. Mr. Price summarized there is no detriment to all the variances and waivers being granted.

A motion by Mr. Preusch seconded by Mr. Richardi to open the Hearing to Members of the public regarding the testimony provided by Mr. Price. No one appeared to provide comment.

A motion by Mr. Richardi seconded by Mr. Preusch to open the Hearing to the public for comments regarding this application. Upon no one appearing to provide comment, Mr. Polizzi closed the Hearing.

A motion to approve the application as submitted by Mr. Preusch seconded by Mr. Richardi.

Roll Call

Ayes: 6 Mr. Preusch, Mr. Richardi, Mr. Bakal, Mr. Jacobs, Mr. Donato, Mr. Polizzi

PUBLIC COMMENT

A motion by Mr. Jacobs seconded by Mr. Donato to open the Meeting to Members of the public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Jacobs seconded by Mr. Richardi was unanimously approved by all Members present. Meeting adjourned at 10:15 p.m.

Respectfully submitted,

Linda Marmora
Clerk

