

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

ZOOM MEETING MINUTES – THURSDAY, JULY 23, 2020

Mr. Virgona called the meeting to order at 7:06 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 July 10, 2020 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 and on the Borough Website.

PLEDGE OF ALLEGIANCE

Present: Mr. Virgona, Mr. Polizzi, Mayor Minichetti, Ms. DeFuccio, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. Schaum

Absent: Mr. Rotella, Mr. Donato, Mr. DeBerardine

Also Present: Mark Madaio Esq, Planning Board Attorney
Marisa Tiberi PE, Boswell Engineering, Borough Engineer

APPROVAL OF MINUTES: A motion by Mr. Polizzi to adopt the minutes of the February 28, 2020 meeting seconded by Ms. DeFuccio.

Roll Call

Ayes: 9 Mr. Polizzi, Ms. DeFuccio, Mayor Minichetti, Mr. Preusch, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. Schaum, Mr. Virgona

RESOLUTION (Memorialization)

1. Application of **Sherman** ***APPROVED***
29 Pleasant Avenue - Block 1011 – Lot 12
(Side & Rear Yard Setback/*Patio*)

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

Roll Call

Ayes: 8 Mr. Preusch, Mr. Polizzi, Mayor Minichetti, Ms. DeFuccio, Mr. Richardi, Mr. Jacobs, Mr. Bonjuklian, Mr. Virgona

PUBLIC HEARING

As this application includes a request for a (d) Variance, the record reflects Mayor Minichetti and Councilwoman DeFuccio have recused themselves from participating.

1. Application of **Housing Development Corporation of Bergen County**
570 Route 17 North – Block 1002 – Lot 4.02
(Amended Major Site Plan w Height Variance)

Karl Kemm Esq, representing the applicant, advised certain minor changes are required to the prior approvals granted by the Resolution dated March 22, 2018. The building will now be constructed of modular units requiring an amendment of the site plan. Mr. Kemm provided a brief overview of the revised plans: the project has been reduced from two buildings to one building; the overall height of the retaining walls have been reduced; the allocation of the (70) units has been revised to include one (2) bedroom unit; the 71 parking spaces previously approved beneath the building will now be located on the surface; the building height has increased by (1) ft. for which a new (d) variance for height is requested.

Robert Costa PE, duly sworn by Mr. Madaio as an Engineer and a Planner, reviewed and testified to the previous approvals and the proposed changes. The following Exhibits were submitted and identified: **A-1**: *Site Plan, Upper Saddle River Affordable Housing Complex, 570 Route 17 North – Block 1002 – Lot 4.02 prepared by Costa Engineering Corp. dated September 13, 2017 revised through June 16, 2020*; **A-2**: *Architectural Plans, Proposed COAH Residential Development, prepared by DMR Architecture, dated September 27, 2017 revised through June 16, 2020*. **B-1**: *Boswell Engineering Review Letter dated June 9, 2020*; **B-2**: *Boswell Engineering Review Letter dated June 17, 2020*.

Mr. Costa testified the additional height of 58.25 ft is required due to the structure now being modular construction. The project originally approved for (2) buildings is now proposed as (1) building reducing the overall size of building and area. The modular construction necessitated the relocation of the stairwell to the lower level on the north side resulting in the encroachment into the side yard setback requiring a 5 ft. variance. Mr. Costa testified parking below the residential units has been eliminated and is now located at grade level. The number of units remain at 70 but will include one (2) bedroom unit reserved for the resident superintendent, increasing the parking spaces from 70 to 71 spaces. The modified lighting meets code requirements and can be revisited subject to a 6 month and 1 year review to determine if adjustments are necessary. The two retaining walls have been reduced from 6 ft. to 5 ft. and from 12 ft. to 10 ft. The original variance for a 445 ft. rear yard setback has been eliminated and is now conforming at 450 ft. Mr. Costa testified all other site plan issues remain unchanged and all site plan requirements have been met.

In response to comments from the Board, Mr. Costa testified the soil movement calculations are similar or less than previously approved. One of the two retaining walls will be “Redi-Rock” and the other will be a “Keystone Wall” having a lesser height than the original wall proposed.

The total units remain at 70, but the breakdown has been revised to include one (2) bedroom unit.

In response to additional comments from the Board, Mr. Costa testified the driving factor for the proposed modular construction is both cost and speed at which the project can be completed.

A motion by Mr. Polizzi seconded by Mr. Jacobs to open the Hearing to Members of the public regarding testimony provided by Mr. Costa. No one appeared to provide comment.

Kurt Vierhelig, AIA, DMR Architects, duly sworn by Mr. Madaio, testified to the Architectural Plans. Mr. Vierhelig testified the increase in height was due to the thickness of the modular units. The building was redesigned since the March 2018 approval based on cost consideration and the speed at which the project can be completed to meet the need for affordable housing.

In response to comments from the Board, Mr. Vierhelig testified the footprint of the building is 4,300 sf less than the original approved and a total building reduction of 17,200 sf. The previous height of the building was 57.25 ft and (4) stories. The amended application requires a height variance of 58.25 ft. remaining with 4 stories.

A motion by Mr. Polizzi seconded by Mr. Bonjuklian to open the Hearing to Members of the public regarding testimony provided by Mr. Vierheilig. No one appeared to testify.

Mr. Costa recalled as a Professional Planner testified to the requested (d) variance. Mr. Costa testified due to the prefabricated height of the modular units and the need to maintain a proper roof pitch, the previously approved height is slightly increased to 58.25 ft. Mr. Costa testified the same modular construction was employed in North Vale and Saddle Brook very successfully. The proposed site plan amendments have no impact on the neighbors, no change to the zone plan and the positive criteria outweigh any negative criteria. The requested variances meet the purposes of the Master Plan meeting the affordable housing needs of the community.

A motion by Mr. Jacobs seconded by Mr. Polizzi to open the Hearing to Members of the public regarding testimony provided by Mr. Costa. No one appeared to testify.

A motion by Mr. Polizzi seconded by Mr. Preusch to open the Hearing to the public regarding the application.

Mary Mitsinikos – 48 Pine Hill Road – duly sworn by Mr. Madaio, commented the previous building was nice looking and expressed her concern the revised plan is missing a patio, outdoor space and; the issue of the retaining wall as viewed from the lower level of the building. In response, Mr. Vierhelig reviewed the elevation color change and the heavy landscaping proposed to provide screening along the lowest façade of the building.

Matt Harold – 2 Secor Road – duly sworn by Mr. Madaio, provided comments regarding the previous plan providing parking underneath the units and suggested eliminating (1) story of the proposed building, rather than providing grade level parking. In response, Mr. Veirhelig advised

by doing so, the project would lose a number of units; the affordable housing obligation for this project is 70 units.

With no further comments from the Public, Mr. Virgona closed that portion of the meeting.

Discussion followed regarding the fence atop the rear retaining wall and the proposed landscaping. Mr. Costa advised he will work with Boswell Engineering and comply with all recommendations.

A motion by Mr. Polizzi seconded by Mr. Jacobs to approve the Amended Site Plan, Soil Movement, Bulk Variances and (d) Height Variance with the conditions as discussed.

Roll Call

Ayes: 8 Mr. Polizzi, Mr. Jacobs, Mr. Preusch, Mr. Richardi, Mr. Bakal, Mr. Bonjuklian, Ms. Schaum, Mr. Virgona

PUBLIC COMMENT

A motion by Mr. Preusch seconded by Mr. Polizzi to open the Meeting to the public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Preusch was unanimously approved by all Members present. Meeting adjourned at 8:41 p.m.

Respectfully submitted,

Linda Marmora
Clerk

Next Meeting Date: **Thursday, August 27, 2020 at 7:00 pm via ZOOM**

