

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD ZOOM MEETING MINUTES

WEDNESDAY, DECEMBER 9, 2020

Mr. Virgona called the meeting to order at 7:13 pm. 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 19, 2019 and November 25, 2020 at which time the date, time, place and purpose of the meeting was set forth and notice was posted on the Boro website.

PLEDGE OF ALLEGIANCE

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

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

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

APPROVAL OF MINUTES: November 18, 2020 and November 30, 2020

A motion by Mr. Polizzi to adopt the minutes of the November 18, 2020 and November 30, 2020 meeting seconded by Mr. Bakal was unanimously approved by all Members present.

PUBLIC HEARING

(Continuation of the Public Hearing held Wednesday, October 14, 2020 via ZOOM)

1. Application of **PSI Atlantic USR NJ LLC (Premier Self-Storage)**
100 Route 17 North – Block 1304 – Lot 7.01
(Major Preliminary & Final Site Plan w Use Variance and Bulk Variances: Side Yard Buffer, Rear Yard Buffer, Building Height, Building Coverage, Retaining Wall Height, Front Yard Setback, Traffic Aisle Location /3 Story Self Storage Facility /Sales Office)

Before proceeding, Mr. Madaio confirmed with all Professionals present, they recognized and were in agreement the continuation of this application has been properly noticed and had no objections to proceeding with the Public Hearing.

Mr. Virgona called for a roll call vote of Board Members. A motion by Mr. Bonjuklian concurring agreement to proceed with the Public Hearing regarding this application seconded by Mr. Polizzi.

Roll Call

Ayes: 7 Mr. Bonjuklian, Mr. Polizzi, Mr. Preusch, Mr. Bakal, Mr Richardi, Ms. Schaum,
Mr. Virgona

Note: Mayor Minichetti and Ms. DeFuccio recused themselves from participating in this application requiring a (d) variance for use and height.

James Jaworski Esq, representing the applicant, advised in response to concerns of the Board, there have been revisions to the Plans prepared by Mr. Dipple, L2A Land Design LLC. Mr. Jaworski advised the proposed future parking in the rear of the site located in the R-1 Zone has been eliminated and a fence is now proposed more than 60 ft. from the rear property line with significant landscaping, leaving the natural vegetation, moving the curb line eliminating the variance request for impervious coverage located in the R- 1 Zone. Additional site parking has been added to the (7) spaces provided in the front of the property. The requested trip generation information to the site gathered from the other (2) PSI facilities located in Bergen County (Glen Rock and Northvale) has been provided.

Mr. Jaworski referenced the 1977 Supreme Court case AMG vs. Springfield, supporting the proposed drive aisle going through the R-1 portion of the property. Mr. Jaworski also advised the conventional commercial or retail use of the subject property is limited due to the sewer limitations imposed by the Ten Cees Agreement with the Borough of Ramsey. Mr. Jaworski noted the other (2) existing storage facilities located on Route 17 are also impacted by the Ten Cees Agreement as well.

Michael Dipple, PE, L2A Land Design, duly re-sworn by Mr. Madaio, testified to preparing **Exhibit A-5**, *Revised Colorized Rendering of Site Plan – Sheet C-03 dated November 5, 2020*. Mr. Dipple testified the building and its location and the traffic circulation pattern remain the same. The revisions to the rear of the site include the elimination of the proposed future parking and an added buffer of landscaping including evergreen and deciduous trees. The curb line has been moved westerly closer to the building, meeting the impervious lot coverage for the R- 1 Zone. Eleven (11) additional 25 ft. x 8 ft. parallel parking spaces have been added down the north side of the building for a total of (18) parking spaces on site.

Exhibit A-6 – *PSI Northvale (4/1/2020 – 9/30/2020 and Glen Rock (10/1/2018 – 9/30/2020 Usage Statistics - 3 Sheets* was submitted and identified. Mr. Dipple reviewed the data for the average number of visits on weekdays, weekends and monthly. Mr. Dipple clarified vehicles coming to the site maintaining the need for the originally proposed (7) parking spaces. Seven (7) spaces work in the front of the building, one of which is ADA compliant and with the additional (11) spaces proposed on the north side of the building provide multiple times the number spaces needed.

Mr. Dipple testified all questions raised by the DOT have been answered as to the drainage design, which is the same as accepted for the previously approved auto dealership. Mr. Dipple testified the DOT access permit is imminent, at the end of the year.

In response to comments from Ms. Tiberi regarding the 14 ft. drive aisle that should be 17 ft. could be accomplished by setting back the notch at the southwest corner of the building a few feet. Mr. Dipple testified it could be expanded without removing the notch, but this area of the building has an overhang and the architecture would have to be changed.

In response to comments from Mr. Virgona, Mr. Dipple testified if it weren't for the architectural design, nothing would prevent the building from being moved a little. Mr. Dipple testified that a one-way 14 ft. drive aisle is adequate. Discussion followed. Ms. Tiberi commented with the piers and gates, it seems a little tight and it is a good idea to open it up.

Ms. DeFuccio, advised before the Hearing went any further, for the record, clarified she was in the public section for this application. Mr. Virgona advised Ms. DeFuccio is an attendee.

Mr. Dipple testified the proposed gate is a (6) ft decorative black fence with a (15) ft. side vertical liftgate.

Discussion ensued regarding the clearance considering the width of the fire truck and 4 ft. on each side.

Ms. Tiberi commented the canopy and building corner can be cut back to achieve a clearance of 16 ft. or 17 ft. Mr. Dipple testified he didn't disagree, but defers to the testimony to be provided by the architect.

Ms. Tiberi requested clarity as to soil movement quantities. Mr. Dipple testified estimating 3,700 cy, calculating the removal of the existing concrete slabs, pads and foundations of old building that remain on the site. Considering the detention basin proposed in the rear to address the stormwater management, the grade drops and has to be filled in.

Ms. Tiberi questioned if the whole building could be lowered, reducing fill, wall height and height variance. Discussion followed regarding the total amount of soil being exported off the site and lowering the grade. Ms. Tiberi commented the grading could be adjusted to reduce the variance requests.

Mr. Dipple testified if he is complying with stormwater requirements, he cannot commit to it given the seasonal high-water table. Further discussion ensued regarding the possibility of lowering the height of the building.

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

Mr. Jaworski advised that the building itself is 35 ft. above grade. Ordinance requires height to be measured from the lowest natural grade to the highest point on the new structure, which measures 39.5 ft. where the real height is only 35 ft.

In response to additional comments, Mr. Dipple testified lawn would be installed on the south side between the property line and the fence, consistent with the adjacent hotel's lawn area. The fence could be pushed right to the property line so that owner would maintain it or plant a ground cover that is low maintenance.

Discussion followed regarding the area that is disturbed after the removal of the asphalt. Mr. Dipple testified after it was cleared, some plant life would be brought in, but it is essentially a wooded hillside buffer area having an existing wooden fence at the rear of the property, ownership unknown.

Additional discussion followed regarding additional plantings and screening with a mix of evergreens and some deciduous trees, which will block the light spillage and the building for those adjacent residential properties.

In response to comments regarding enforcing the restriction of customers from using the dumpster, Mr. Dipple testified it is part of their lease agreement, everything you bring on, you take off site with you.

In response to comments regarding the location of the dumpster, Mr. Dipple testified there is little internal office trash, they take a walk, dump it and they take a walk back. The dumpster is enclosed by a wooden like fence, not chain link.

After discussion, it was determined to be a good idea to have an access gate, near the trash enclosure in case there was a need to get small machinery to the rear. Further discussion followed reason for the proposed 6 ft. black vinyl fence 33 ft. around the building. Mr. Dipple testified it gives more space on the north side, where most business is entering.

Ms. Tiberi advised more comment is required from the police and fire departments concerning fire truck access, and the where fire lane is to be marked and distinguished.

Mr. Jaworski advised they do have comments from the Police Chief, but was not aware of one from the Fire Department. Further discussion ensued regarding striping the back part of the site with a fire lane.

Mr. Dipple reviewed the typical movement accessing a storage unit: the customer pulls in over parallel to the building, loads or unloads, staying a short time and leaving room for someone to pass.

In response to comments regarding the posting of signs that limit time for parking, Mr. Dipple explained these are roll-up doors inside and at the back and main entrances. Mr. Jaworski added, customers are not supposed to back up to these, and if seen on camera, they will be instructed not to.

Discussion followed regarding the clearance from the parking space to the building. Mr. Dipple confirmed it is 15 ft. between the parking space and the canopy. Mr. Dipple testified space could be eliminated near the canopies and the distance would be back to 23 ft.

In response to comments from the Board, Peter Williams, preciously sworn. testified it takes (3) years for a facility to become 90% occupied; the Northvale facility is (8) months old and at 40% capacity. Discussion followed regarding the number of visits applying the ITE standard as provided in **Exhibit A-6**.

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

Eric Lowder PA, duly sworn by Mr. Madaio, testified to preparing the Architectural Plans, dated April 15, 2020 (**Exhibit A-7**) identical to the Plans filed with the application and also preparing the Conceptual Design Sheets (8 pages). Mr. Lowder testified to the layout of the first floor featuring the office, toilets for the public area and one for the facility, break room and electrical room, etc; stairs for egress, (2) elevators; and (2) entrances to access the interior units; larger premium units on the exterior are accessed from an outside door. The second floor is the same as the first floor without the office; the third floor is similar. The total footprint is 34, 000 sf with the interior sf of the building being 99,651, or 33,000 sf per floor. The building is ADA compliant, and fully sprinklered as required.

Referencing Ms Tiberi's concerns regarding the width of the drive aisle, Mr Lowder testified he can work with Mr. Dipple to accommodate what is needed.

Mr. Lowder testified to the building materials: masonry at the base with a wasabi green metal panel above it, white and gray metal panels creating a pattern in front and a mixture of pencil-rib gray panels behind the "Extra Storage Space" sign. Mr. Lowder described the style off gates and fencing, testifying the height of the canopy along the north side allows trucks and other vehicles to pass under.

Mr. Lowder testified the building height is required to be called off at 39.5 ft. where the actual height of the building is 35 ft. Mr. Lowder compared the height of the Extended Stay building located to the immediate south to the proposed self- storage facility as being very similar.

Mr. Lowder testified the height and architecture of the building shouldn't be much of an issue to the residential properties located in the R-1 Zone to the rear.

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

Mr. Polizzi commented on the width of the drive aisle located on the south side not being as wide as on the north side, allowing for vehicles to pass those accessing the outside storage units. Ms. Tiberi advised the south drive aisle width is 25 ft. allowing 16 ft, 17 ft, and 18 ft. to pass.

Mr. Virgona questioned if each storage unit had its own ceiling. In response, Mr. Lowder testified it is open to the structure above. Security is handled by a burglar bar, so someone can't crawl over one unit into another. The fire suppression system floats above this bar.

Mr. Virgona expressed concern the rear fire door exiting into the drive aisle allow does not provide protection for people walking out and into it. In response, Mr. Lowder advised this can addressed with Mr. Dipple to provide a safety precaution. Mr. Virgona suggested it should be coordinated with the Borough Engineer, Mr. Dipple and the Borough Building Department.

In response to Mr. Virgona regarding the building materials, Mr. Lowder testified the color of the building and the materials are based on a brand identity of the franchise. The size of the panels can be varied to make then a little less high and chunky looking.

In response to additional comments, Mr. Lowder testified the mechanisms for all outside doors would be interior. The lower level is masonry around the entire lower level of the building.

Mr. Tiberi commented the access door having (2) bollards. Mr. Lowder testified it won't be an issue.

Discussion ensued regarding a way to lower the height of building.

Referencing the Google Earth Map, Mr. Virgona commented the property on Extended Stay appears to be (10) ft. higher, and questioned based on Mr. Lowder's knowledge of grades, will residents in the rear be looking at the roof of the proposed storage facility. In response, Mr. Lowder responded, he didn't think so.

Discussion ensued regarding the height of Lenape Trail. Mr. Dipple advised he would be able to get the number for the Board.

In response to additional comments, Mr. Lowder testified only the mechanical units would be located on the roof. The number of units have not been engineered at this time. The units are concentrated to the center of the buildings and would not be seen from anywhere around the property, but could be screened if necessary. Mr. Lowder confirmed the units are for both cooling and heating, and are not gas fired.

Mr. Williams testified to the units and their location with a remote condenser on the roof.

Mr. Vigona stated from any point on the property, the Board would not want to see these units visible from the ground. Mr. Jaworski advised it is a stipulation the applicant would accept.

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

Keenan Hughes, P.P. Phillips Preiss, duly sworn by Mr. Madaio, provided testimony as a Professional Planner.

Mr. Rosenberg, Esq, for the objector, questioned if Mr. Hughes had prepared Master Plans in the State of New Jersey. Mr. Hughes responded yes, approximately five to ten.

Mr. Hughes testified to visiting the subject property and surrounding area, reviewed the application materials, met with the professional teams, reviewed the application materials, and reviewed the Borough's Master Plan and Zoning Ordinance, and attended the October 14, 2020 Public Hearing.

Mr. Hughes reviewed **Exhibit A-3, Sheet C-02A**, testifying to the existing conditions of the subject property as being a deteriorated vacant property located along the Route 17 corridor in need of investment. Mr. Hughes testified to the use of the surrounding properties.

Mr. Hughes testified to the property being located in a split zone with the majority being located within the H1-R Highway Retail and Commercial District, permitting a wide variety of non-residential uses consistent with the Route 17 corridor. The proposed use is not permitted within these zones, and the reason for the use variance request. The Ten Cees Agreement is a constraint to the development potential of the property and the likely reason for the lack of development within some of the sites along the corridor.

Mr. Hughes reviewed the requested variances: D (1) variance for the H-1R zone and R-1 Zone, because it is not a permitted use; Bulk Variances: Height – proposed retaining wall exceeding maximum 3 ft. permitted; Minimum Side Yard Setback of 0.87 ft. vs. 10 ft permitted; Side Yard Setback buffer vs. 87 proposed; Building Height – 39.25 ft. proposed vs. 35 ft. permitted.

Mr. Hughes addressed the required proofs under the positive and negative criteria for granting the D (1) variance. In terms of the positive criteria, the property is particularly suited for the proposed use and advances objectives of the Borough's Master Plan. Goal 5, to provide adequate buffer zones to separate incompatible land uses; and Goal 6 , to encourage the redevelopment of commercially zoned properties along Route 17.

In terms of the negative criteria, the proposed use would not create any substantial detriment to the surrounding area.

Mr. Hughes testified there is no substantial impairment to the zoning Ordinance and Master Plan objectives.

Mr. Hughes testified the physical features of the property prove a valid basis under the C (1) hardship criteria to support the granting of the bulk variances. Under the C (2) justification, the variances allow for the narrow property, which has been vacant for a long time, to be redeveloped for commercial use.

In terms of the height variance, the applicant is requesting a minimal deviation to accommodate a (3) story building, being a function of how the Ordinance calculates height. Mr. Hughes referenced the Westy Self Storage facility located to the north on Route 17, having received a variance to permit a maximum building height of 61 ft.

Mr. Hughes testified the granting of the height variance accommodating a (3) story building will not create any substantial detriment to the surrounding area nor will it impair the zone plan and can be justified on a C (2) basis.

As per the variance request for light spillage onto adjacent sites, Mr. Hughes testified there is no light spillage onto any adjoining properties and none to the residential properties, just onto the roadway, and can be justified on a C (2) basis.

As per the variance for location of the free- standing sign proposed to be 10 ft. from the lot frontage vs. 35 ft. permitted, Mr. Hughes testified it is proposed in the perfect location affording visibility to traffic

traveling on Route 17 which is absolutely critical; conforming to Ordinance would push it further back and impact access and circulation. Mr. Hughes testified this variance request can be justified applying C (1) and C (2) criteria.

Mr. Virgona opened the Hearing for questions from the Board.

Ms. Tiberi requested clarification of the fencing mitigating the walls. Mr. Hughes testified it is a (6) ft black vinyl chain link fence, having slats. Mr. Dipple clarified slats are not proposed, it is just a black chain link fence with a PVC coat.

In response to Mr. Virgona, Mr. Hughes testified to the narrow width of the property at the angled location of the proposed sign is a physical feature that plays into the requested variance relief.

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

Mr. Dipple being recalled, addressed the previous issue raised by Ms. Tiberi with respect to grade changes might be appropriate to mitigate the overall height of the building. Referencing **Sheet C-07**, the basin sits as low as it can go, with the depth of storage and to the top, are at the minimum coverage for this type of basin and driving the grade in the rear.

As to the soil export, Mr. Dipple testified considering the retaining wall height is 3.1 ft is almost up against the property line, the height of the building and the seasonal water table, this is the best design for the site, dropping it a bit further, would be very limited.

A motion by Mr. Richardi to open the Hearing to Members of the public regarding the testimony provided by Mr. Dipple seconded by Mr. Polizzi.

No one appeared to provide comment.

Mr. Virgona advised the Public Hearing regarding this application is carried to the next Planning Board Meeting scheduled to be held Wednesday, January 13, 2021 at 7:00 pm via ZOOM.

Mr. Rosenberg advised he will provide a list of any experts.

Mr. Virgona announced for the second time, the matter of Premier Self Storage, PSI Atlantic USR New Jersey, LLC, 100 Route 17 North, Block 1304 – Lot 7.01 will be continued to our January 13, 2021 meeting.

You can find information for that meeting on our official website at usrtoday.org

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Richardi was unanimously approved by all Members present. Meeting adjourned at 10:20 pm.

Respectfully submitted,

Linda Marmora, Clerk

