

**BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES**

**WEDNESDAY, JULY 12, 2017**

Mr. Virgona called the meeting to order at 7:31 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 16, 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, Councilman DeBerardine, Mr. Jacobs, Mr. Richardi  
Mr. Bakal, Mr. Bonjuklian, Ms. Miller, Mr. LaBarbiera

**Absent:** Mayor Minichetti, Mr. Preusch, Mr. Donato, Mr. Koski

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

**CORRESPONDENCE:**

After reviewing correspondence dated July 12, 2017 from Allen Bell, Esq., re:  
Application of **Pioneer Developers, Inc. 86 Pleasant Avenue – Block 1302 – Lot 8.01**  
(*Preliminary & Final Major Subdivision with Bulk Variances*) Mr. Madaio explained the applicant has requested an extension of the Resolution of Approval dated January 11, 2017 in order to file the Subdivision Map with the County and perfect the Subdivision. Mr. Madaio noted the (6) month time period expired July 11, 2017.

A motion by Mr. Bonjuklian seconded by Mr. Polizzi to approve the request for an extension of the Resolution of Approval dated January 11, 2017.

**Roll Call**

**Ayes:** 6 Mr. Bonjuklian Mr. Polizzi, Councilman DeBerardine, Mr. Richardi, Mr. Jacobs,  
Mr. Virgona

**RESOLUTION** (*Memorialization*)

1. Application of **Martin Wojcik** ***APPROVED***  
**409 East Saddle River Road – Block 810 – Lot 6**  
(Amended Preliminary Major Final Subdivision Approval; Soil Moving  
With New Variances & Waivers/4 *Single Family Residential Lots*)

Mr. Madaio reviewed the Resolution. A motion by Mr. Bakal seconded by Mr. Bonjuklian to adopt the Resolution as presented.

## Roll Call

**Ayes:** 8 Mr. Bakal, Mr. Bonjuklian, Councilman DeBerardine, Mr. Bakal, Mr. Richardi, Ms. Miller, Mr. Polizzi, Mr. Virgona

## PUBLIC HEARING

1. *Continued (2/8/17) Application of David Mattiace (CARRIED TO JULY 27, 2017)*  
**368 Lake Street -0 Block 1205 – Lot 8**  
*(Eastern Side Yard Setback/New Detached (2) Car Garage/Seepage Pit)*
  
2. Application of **Toll Bros., Inc.** *(CONTINUED FROM JUNE 22, 2017)*  
**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)*

Richard Hoff, Esq., representing the applicant, advised this is a continuation of the June 22, 2017 Public Hearing. The following Exhibits were submitted and identified: **A-23:** 3 Pages; Color Photographs representing (6) Toll Bros. Communities; **A-24:** Lake Street – Revised Layout Plan prepared by ESE Planning, dated July 12, 2017.

Copies of the Exhibits were distributed to Board Members for their review.

Mr. Hoff clarified testimony provided at the last meeting was representative of what will be built.

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

In response to questions from the Board regarding the product line and price point, Mr. Greene, remaining under oath, stated it varies on location.

Board Members questioned if there is a reason why a particular design would not be selected to be built in Upper Saddle River; and which of the (6) photographs is most representative of the units to be constructed. *Mr. Greene testified to The Ravenscliff at Media, Media PA, depicted as the last photograph on Page 3 of 3.*

Board Members questioned why the last model on Page 3 is more appealing to Toll Bros. to build in this area rather than one of the first (4) photographed representations.

Mr. Hoff said the Board does not have jurisdiction over design. Toll Bros. is picking it because it is going to be successful and attractive.

Board Members were of the opinion the first and second photographs depicted on Page 1 of 3, and the second photograph depicted at the bottom of Page 2 of 3 were architecturally more interesting.

Discussion followed. Board Members commented the proposed units are not representative of an upscale development. Mr. Hoff said the architectural renderings presented at the last meeting still stand.

In response to Mr. Snieckus, Mr. Cherry testified prospective buyers will have renderings representative of the (6) different units, models and group featuring (6) different floor plans and (3) different elevations each.

Mr. Virgona provided comments as to the lack of quality architecture having a negative impact on our environment.

Mr. LaBarbiera provided comments in favor of hardy plank siding vs. vinyl siding. Mr. Greene disagreed.

Jay Kruse, PE, reviewed the original site plan *Exhibit A-2* compared to the revised Layout Plan-*Exhibit A-24*. Mr. Kruse testified the revised Lake Street Layout Plan addresses the issue of the internal roadways by providing a curvier linear design. Addressing Skymark Court, the AH units have been shifted closer to East Crescent Avenue and the parking area moved to the south, still maintaining the 35 ft. setback. The road will bend a little more enabling (2) trees to be saved from removal.

Mr. Kruse testified to and reviewed the extent of the revisions.

In response to the Board, Mr. Kruse testified Mr. Lowery and Mr. Lynch, residents of Autumn Court, were satisfied with the revisions. Mr. Kruse testified one of the stacked affordable units has been relocated away from Skymark Court, where there were originally (3) buildings; the units have been relocated from the flag portion bringing the number of units down from 42 to 39 units.

Mr. Snieckus confirmed parking for the AH units are within 150 ft. of the units and of the Club House.

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

Jure Miletic, Esq., questioned if the landscaping has been changed as a result of the changes to the northern portion of the site.

In response, Mr. Kruse testified the landscaping remains as originally proposed. In response to additional comments provided by Mr. Miletic, Mr. Kruse testified the parking area in the western side has been shifted, maintaining the 10 spaces as originally submitted. The road has been shallowed out as it extends eastward so that vegetation can be saved. The back patios remain optional features that are 10 ft. off the rear of the building envelope.

Mr. Kruse clarified in order to keep the AH units in the southern portion, the number of units has been reduced from 42 units to 39 units without eliminating any buildings. Discussion followed.

Board Members inquired about shifting the units. In response, Mr. Kruse testified shifting the units would create variance conditions.

Mr. Kruse reviewed and responded to the comments provided in the Boswell Engineering letter dated April 12, 2017.

In response to comments from the Board, Mr. Kruse testified the project will be developed in (4) phases: Phase 1 - the Club House; Phase 2 – Road B extension up to the flag portion; Phase 3 –

area of the former office building; Phase 4 – includes all units on the eastern side of Road B and Lake Street.

Mr. Boswell advised he will need a phasing document for establishing when the buffer gets built, bonding amounts and to ensure minimum impact to adjoining properties.

The Board recessed at 9:08 p.m. and reconvened at 9:24 p.m.

Mr. Kruse testified the applicant received a letter from the USR Fire Department and agrees to their recommendations.

In response to Mr. Boswell, Mr. Kruse testified a revised water plan will be submitted to United Water. Mr. Boswell advised the Ramsey and Suez water systems are not interconnected. Mr. Boswell stated he would like to leave that as an open issue pending further discussions.

Mr. Kruse reviewed and responded to the comments provided in the Burgis Associates letter dated April 12, 2017.

Referencing Page 7, Mr. Kruse testified the applicant is leaving all existing vegetation. If additional landscaping is required, the applicant will comply.

Mr. Snieckus recommended a supplemental landscaping plan be submitted if the tree removal plan deviates from that submitted. In addition, Mr. Snieckus suggested additional areas to plant evergreen trees to safeguard residents adjacent on Autumn Court and additional shrubs on the northerly side of Road B as it curves toward the intersection of Road B & C.

Mr. Kruse testified the applicant is removing (590) trees and replacing them with (600) or more as was submitted with the original application.

In response to Mr. Madaio regarding the need for landscape buffer variances, Mr. Snieckus identified the area on East Crescent that may need supplemental planting, but variances are not needed. Mr. Kruse testified the plans will be revised without variances.

Further discussion ensued regarding planting materials. Mr. Kruse testified the applicant will comply with the recommendations and consider lighting options.

Mr. Virgona confirmed review of the Board's Professionals letters was completed.

Dialogue ensued between the applicant, Board and Mr. Miletic regarding the possibility of eliminating a building adjacent to Skymark Court and finding space in another location. Discussion followed.

Mr. Hoff advised they are not inclined to move the units.

Mr. LaBarbiera provided comments questioning the research and projected number of students to be generated that was provided by Mr. Reading.

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

Jure Miletic, Esq., questioned Mr. Kruse's length of employment with ESE and other professional services provided to other entities other than Toll Bros.

In response to Mr. Miletic regarding the Tree Location Plan dated December 2015, Mr. Kruse testified he reviewed the line of disturbance along the perimeter of the northern border having a mixture of mature trees and vegetation, confirming a majority of the trees will be removed in that area.

In response to comments provided by Mr. Miletic regarding the time frame to prepare a draft regarding the relocation of units, Mr. Kruse testified it would take several weeks with authorization required by Toll Bros. Corporate.

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

Mr. Virgona announced the application is carried to Thursday, July 27, 2017 at 7:30 p.m.

Board Members requested additional photographs of other Toll Bros. projects.

In response to Mr. Boswell, Mr. Hoff advised temporary sales signs, etc. will be submitted to the Zoning Officer for approval.

## **ADJOURNMENT**

A motion to adjourn by Mr. Polizzi seconded by Ms. Miller was unanimously approved by all Members present. Meeting adjourned at 10:33 p.m.

Respectfully submitted,

Linda Marmora, Clerk

