

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

THURSDAY, JUNE 22, 2017

Mr. Virgona called the meeting to order at 7:40 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. Preusch, Mr. Jacobs, Mr. Richardi, Ms. Miller, Mr. LaBarbiera

Absent: Mayor Minichetti, Mr. Bakal, Mr. Donato, Mr. Bonjuklian, Mr. Koski

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

APPROVAL OF MINUTES

A motion to adopt the minutes of the June 14, 2017 meeting by Councilman DeBerardine seconded by Ms. Miller was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **Martin D. Wojcik**
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. Virgona announced this matter is carried to the Wednesday, July 12, 2017 meeting.

PUBLIC HEARING

1. Application of **Toll Bros., Inc.** (*Continued from June 14, 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 Public Hearing held June 14, 2017.

The following witnesses were duly sworn by Mr. Madaio: Craig Cherry, Toll Bros., Representative;

Jay Kruse, PE, ESE Consultants Inc.; Jeremy Greene, LA, Toll Bros., Inc., and Richard Reading, Financial Consultant.

Mr. Hoff advised Mr. Reading is offering a brief overview of the Report on file and will answer questions from the Board or public.

Mr. Reading testified to preparing and briefly reviewed the Fiscal Impact Analysis Report, dated December 19, 2016, described as a standard presentation prepared from information obtained from the Borough Clerk and other departments in connection with new development proposals.

In response to comments from the Board, Mr. Reading testified the market units would generate 45 public school children, and the affordable units 5 school children.

Mr. Burgis commented his analysis does not differ that much from that of Mr. Reading.

Discussion ensued regarding the fiscal impact upon the school districts.

A motion by Mr. Polizzi seconded by Councilman DeBerardine to open the Hearing to Members of the Public regarding the testimony provided by Mr. Reading. No one appeared to provide comment.

Jeremy Greene, LA duly sworn by Mr. Madaio, submitted, identified and reviewed the elevations and interior layouts of the following exhibits: **A-14:** *Barnfield Marquee*; **A-15:** *Burskirk Marquee*; **A-16:** *Osburn Marquee*; **A-17:** *Overbrook Marquee*; **A-18:** *Gristmill*; **A-19:** *Allendale*; **A-20:** *Dansfield*; **A-21:** *Grade/Market Rate Units*; **A-22:** *Grades/Market Rate with COAH Units*.

In response to comments from the Board, Mr. Greene testified each unit is marketed differently offering a variety of layouts as well as design options, mainly interior. A variety of units are offered with homogeneous looks integrated with each other.

Mr. Greene reviewed the various layouts of the COAH units testifying the units do meet accessibility regulations. The units will offer a variety of different decks, patios and window wells.

In response to comments from the Board, Mr. Cherry testified all decks and exteriors will be uniform and controlled by Toll Brothers. An individual would have no ability to change without the approval of the Condo Association.

In response to comments from the Board, Mr. Greene testified the general dimension for all of the units is 30 ft. from the curb to the sidewalk, with a 4 ft. deep planting strip.

Discussion followed regarding parking arrangement for the units and distance from the back of the sidewalk to the front of the garage.

In response to comments from the Board regarding the bonus room, Mr. Hoff advised the applicant will agree to a Deed Restriction to be reviewed by Mr. Madaio stipulating none of these units shall be used as (2) family homes.

In response to additional comments from the Board, Mr. Kruse reviewed the grading conditions and height as measured per Ordinance. Mr. Kruse reviewed the fire walls confirming the job will be fully sprinklered.

In response to Mr. Burgis regarding the number of affordable units in any one building, Mr. Hoff advised the affordable units have been relocated throughout the project; Mr. Kruse would review the revised layout.

In response to comments from the Board regarding inspiration for the design, Mr. Greene testified the styles are drawn from the sales and operations team following trends in the market.

In response to comments from the Board, Mr. Greene testified the proposed units are new and have not been constructed in other locations. The proposed units are a spinoff of the “Bradbury” which is being built in Connecticut, Massachusetts, Maryland, Pennsylvania and Virginia.

Board Members confirmed pictures of the proposed units have not been provided. Mr. Greene testified he did not bring any exhibits or comp packages from his design group.

In response to comments from the Board regarding inconsistencies in the conceptual architectural design, Mr. Greene testified he will look at them more closely.

In response to comments from Mr. Boswell, Mr. Greene clarified patios and decks are off the rear of the units, not 10 ft. out to the side. The porches, eaves, stairs and chimneys go out to the side and front 5 ft.

A motion by Mr. Preusch seconded by Mr. Jacobs to open the Hearing to Members of the public regarding testimony provided by Mr. Greene.

Jure Miletec, Esq., representing the Objectors, East Crescent Condo Association, questioned the number and depth of the market and COAH units of which a potential owner may choose. In response to additional comments, Mr. Greene clarified the dimensions of decks and patios

Alan Soares – 34 Skymark Court, questioned the distance from the largest deck to the rear property line. In response, Mr. Kruse testified the unit is required to have a 30 ft. setback. Discussion followed. Mr. Kruse testified the setback has been increased to 35 ft. feet where 30 ft. is required between Skymark Court and the proposed units.

Discussion ensued regarding the height of the wall of the proposed building and grade differential. In response, Mr. Greene testified approximately 20 ft. The grade elevation of Skymark Court is higher than the elevation of the proposed units, 208, 204 and 200.

Mr. Soares expressed his concern regarding aesthetics and loss of property values.

The Board recessed at 9:33 p.m. and reconvened at 9:43 p.m.

Mr. Kruse testified in response to comments of the Board relative to the length and lack of movement regarding proposed Road B, it has been redesigned with a gradual curvature to meander breaking up the visibility of the long strait pathway; and to alleviate speed. The storm water management to the east will not be negatively impacted. Potentially (1) unit from those on Road C may be relocated and moved to the units located between Road C and Road B. A Site layout will be provided for the Board’s review at the next meeting.

Mr. Kruse testified in the area of Road B the retention basin would be pulled wider providing more land in the basin as well.

In response to comments from the Board, pertaining to overflow and environmental concerns, Mr. Kruse testified there are no environmental problems within the stormwater basin. The existing basin serving the previous commercial property since the 1970's will remain, as it has reverted into a wetland type feature discharging to the Pleasant Brook. The proposed new basin will further reduce the flow rates off the property and discharge it into that basin.

Mr. Boswell commented the direct effort to have a basin with buffering is good practice and aesthetically pleasing.

A motion by Mr. Preusch seconded by Mr. Polizzi to open the Hearing for questions regarding the testimony provided by Mr. Kruse.

In response to Mr. Boswell, Mr. Kruse testified they are looking at the other roadway to make it compatible with Road B.

Mr. Miletic, asked if while the firm looks at redesigning the road will they be looking at moving the unit on the northern end. In response, Mr. Hoff advised no.

In response to Councilman DeBerardine, Mr. Hoff said he would check Mr. Pehnke's availability to be brought back for additional traffic testimony.

Mr. Hoff advised the applicant is not proposing any improvements at the intersection at Lake Street and Carlough Road.

In response to comments from the Board, Mr. Hoff advised they are not moving the north unit south because there is not room to relocate 18 units; the proposed plan conforms to the zoning ordinances. In response to additional comments, Mr. Hoff advised Mr. Kruse will be brought back and will review the Boswell Engineering review letters.

A motion to adjourn by Mr. Polizzi seconded by Councilman DeBerardine was unanimously approved by all Members present. Meeting adjourned at 9:58 p.m.

Respectfully submitted,

Linda Marmora
Clerk

