

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

WEDNESDAY, OCTOBER 11, 2017

Mr. Virgona 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 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, Mr. Preusch, Mr. Donato, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. Schaum

Absent: Mayor Minichetti, Councilman DeBerardine, Mr. Bakal, Ms. Miller

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

ANNOUNCEMENT: Mr. Virgona announced the application of **David Mattiace – 368 Lake Street, Block 1205 – Lot 8** is carried to Wednesday, November 13, 2017. Public Re-Noticing is required.

APPROVAL OF MINUTES: A motion to adopt the minutes of the September 28, 2017 meeting by Mr. Bonjuklian seconded by Mr. Richardi was unanimously approved by all Members present.

OATH OF ALLEGIANCE

Mr. Madaio administered the Oath of Allegiance to Meredith Schaum, appointed to serve as Alternate III Member of the Planning Board for the term ending December 31, 2017.

PUBLIC HEARING

1. Application of **Porven Real Estate, Inc.** (Porcelanosa) (*Continued from September 28, 2017*)
600 Route 17 North Ramsey – Block 5102- Lot 1
Block 1002 – Lots 4.01 & 4.02 Upper Saddle River
(Amended Site Plan Approval w Variances, Design Waivers & Soil Moving/*Additions/Office & Warehouse*)

James Jaworski Esq., representing the applicant, advised since the last meeting, the Borough of Ramsey had adopted the Resolution approving the application.

Robert Krieger LA, remaining under oath, testified to preparing the following exhibits submitted and identified: **A-8: Architectural Plans; l. revised May 30, 2017 – a – SK.01 – Proposed Ground Floor**

Plan; b – SK.02 – Proposed Mezzanine Plan; c – SK.03 – Proposed Building Elevations; A-9: Colored Rendering (3) pages. Mr. Krieger testified the expansion is composed of (3) additions consisting of the new receiving area in the northwest corner; new warehouse addition on the eastern side and a (2) story office addition on the southeast corner.

Mr. Krieger testified to the utility and operational aspect of the proposed additions to provide distinct shipping and receiving areas making the operation more efficient. The proposed new office space, although adding 6,400 s.f. will not add more employees, but provide a solution to the currently cramped office. The existing showroom is remaining and not expanding. The design of the addition is intended to match the existing building, with no distinction from the old and the new.

The existing height is not exceeded, and in some areas, will actually be lower. Currently and going forward the height from the finished floor to the roof, is approximately 43 ft. and mitigates in the southerly direction with a height of 40 ft., below the variance previously granted in 2004.

Mr. Krieger testified the existing building and the proposed additions are fully sprinklered, designed to conform to all applicable Codes. The applicant's professionals met with Fire service Members of Ramsey and Upper Saddle River, and both are satisfied with what has been provided.

In response to comments from the Board, Mr. Krieger testified the (2) rear doors were added at the request of the Borough's Construction Code Official in 2004. The proposed stairs, located in the easement, qualify as an egress, but will not be used as a means of egress.

Discussion followed regarding the placement of the stairs within the easement. Mr. Boswell explained the easement is an encumbrance on the property. The idea is to get the fire apparatus around the building.

Mr. Jaworski stated the fire lane is not necessary, it was something that was requested and the applicant was willing to do. The Code Official did not want anyone parking in the 24 ft. access drive. Based on testimony, neither of the (2) doors being necessary, there will not be a Code compliance issue and the easement will remain. Discussion followed.

Mr. Krieger suggested eliminating (1) door and relocating the other door around the side with an exterior hanging stairway. Discussion followed.

Mr. Burgis provided comments regarding the issue of density with little flexibility pertaining to the proposed 70 affordable housing units.

Mr. Jaworski advised the applicant is responsible with maintaining the rear wall and will indemnify the Borough. The proposed landscaping buffering is the responsibility of Porcelanosa. The cost will be shared 62% Porcelanosa and 38% by the Affordable Housing Development in the access way for the detention basin and along that area.

Mr. Boswell explained the construction of the retention system is a shared cost of Porcelanosa and the Affordable Housing Development on a pro-rata basis. The secondary access along the extended cul-de-sac can be a sub-division line.

In response to comments from the Board, Mr. Krieger testified the width of the landscaping strip between Porcelanosa and the Affordable Housing Development is approximately 10 – 12 ft.

In response to comments from the Board regarding building circulation, Mr. Krieger testified visitors park in the front and enter through the showroom. Contractors enter the sale service area on the south side of the building. The proposed location of the compactor is not visible to the neighboring properties.

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

Board Members questioned if the proposed landscaping provided sufficient buffering to the properties located on Brookside Drive. Discussion followed regarding maintaining the 25 ft. setback, eliminating several parking spaces and landscaping the entire property line.

Skot Koenig LA, PP, Lapatka Associates, duly sworn by Mr. Madaio, testified he was involved in preparing Exhibit A-3, reviewed the net loss of parking spaces that would become a planted buffer area.

Mr. Jaworski advised the applicant's professionals have already met with the neighbors regarding the planting of large evergreen trees and would accept the requirements of the Board for the purpose of providing an additional planted buffer area.

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

Christopher Mitsinikos, 48 Pine Hill Drive duly sworn by Mr. Madaio, commented living north of the proposed Affordable Housing Development, he is able to see Porcelanosa in the fall and winter and is concerned what the Borough puts in will affect him more with what comes next.

Ron Tonuzi – 44 Pine Hill Drive duly sworn by Mr. Madaio, said he has the same issues as his neighbor, as to the large cement building, landscaping and lighting. Mr. Tonuzi also expressed his concern with land erosion and would ask that the natural landscaping be protected so they are not looking at a cement wall.

Mr. Jaworski advised of the applicant's willingness to put in the Resolution, any lighting issue would be subject to the Board's jurisdiction for a period of (1) year after construction.

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

Mia Petrou PP, Kenneth Ochab Associates, for the applicant, duly sworn by Mr. Madaio, testified the variances requested are located entirely within the Borough of Upper Saddle River.

Ms. Petrou reviewed the positive criteria and negative criteria of the requested d variances. Mr. Petrou testified the proposed expansion promotes public safety and the goals of the Master Plan and Housing Plan. The height variance is an issue of how the building height is calculated. Matching the existing building height is a basis for criteria in granting the requested height variances. The proposed expansion and related variances offer no detriment to the public good, no impact on light and air and no impact to the Zone Plan.

Mr. Jaworski stated the bulk C-1 variances can be granted based on practical difficulties; the C-2 variances can be granted where the benefits outweigh the detriments. The demand for the banked parking spaces never materialized.

Mr. Burgis commented the proposed expansion offers no substantial detriment; the issues have been addressed.

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

Joseph Cadillac – 68 Brookside Drive – remaining under oath, commented he observed the trees have been cleared as depicted in Exhibit **A-10**.

With no further comment from the public, Mr. Virgona closed that portion of the Hearing.

Mr. Boswell referring to the area in front of the door in the rear of the building suggested putting in an interior stairway. Discussion followed. Mr. Boswell suggested pulling the wall back, eliminating 2- 4 parking spaces and wrapping the landscaping around Lots 25 and Lot 26 located on Brookside Drive.

Mr. Jaworski stated the applicant will provide revised plans subject to the review and approval of the Borough's professionals.

A motion by Mr. Richardi seconded by Mr. Preusch to approve the application based on the changes discussed.

Roll Call

Ayes: 7 Mr. Richardi, Mr. Preusch, Mr. Donato, Mr. Jacobs, Mr. Bonjuklian, Mr. Polizzi,
Mr. Virgona

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Jacobs was unanimously approved by all Members present. Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Linda Marmora
Clerk

