

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

WEDNESDAY, SEPTEMBER 13, 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, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Bakal, Mr. Donato, Mr. Jacobs, Ms. Miller, Mr. Richardi

Absent: Mr. Bonjuklian

ANNOUNCEMENT:

Mr. Virgona advised the application of **Porven Real Estate, Inc., 600 Route 17 North, Block 1002 – Lots 4.01 & 4.02** will be carried to the next Public Hearing scheduled Thursday, September 28, 2017 at 7:30 p.m. without further noticing required.

APPROVAL OF MINUTES: A motion to adopt the minutes of the August 24, 2017 meeting by Mr. Polizzi seconded by Ms. Miller was unanimously approved by all Members present.

RESOLUTIONS (*Memorialization*)

1. Application of **Timothy & Vanessa Ford** ***APPROVED***
11 Sparrowbush Road – Block 102 – Lot 9
(Right Side Yard Setback/*HVAC Units*)

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

Roll Call

Ayes: 6 Mr. Preusch, Mr. Polizzi, Councilman DeBerardine, Mr. Donato, Mr. Jacobs, Ms. Miller

2. Application of **Sam Awad & Eman Gadalla**
52 Ware Road – Block 1012 – Lot 3
(Front Yard Setbacks; Right Side Yard Setback/*Additions*)

Mr. Madaio reviewed the Resolution. A motion to adopt the Resolution as presented by Mr. Jacobs seconded by Ms. Miller.

Roll Call

Ayes: 6 Mr. Jacobs, Ms. Miller, Councilman DeBerardine, Mr. Preusch, Mr. Donato, Mr. Polizzi

PUBLIC HEARING

Mr. Madaio counseled the record is to reflect Mayor Minichetti has recused herself and adjourned the meeting.

1. Application of Toll Bros., Inc. (*Continuation of August 9, 2017 Public Hearing*)
1 Lake Street – Block 601 – Lot 1
(Preliminary & Final Major Site Plan, Soil Moving & Minor (2) Lot Subdivision
208 Residential Units/Clubhouse & Swimming Pool)

Richard Hoff, Esq. represented the applicant. Jure Miletic, Esq., representing the objectors, East Crescent Condominium Association, advised he would not be presenting witnesses but will provide a closing statement.

Mr. Hoff advised he had no further questions of Mr. Kauker P.P. for the objectors; Mr. Miletic advised there would be no further testimony provided by Mr. Kauker.

Jeremy Greene, LA, remaining under oath, testified he prepared an additional set of conceptual renderings relative to the questions posed by the Board at the last meeting. Referencing Exhibit **A-29** and the revised renderings, submitted and identified as **A-30**, Mr. Green reviewed the revisions depicting varying stone heights on the façades; cottage style windows; second garage door style; and a (1) story bay projection on the front elevation designed to break up the scale of the stone.

Mr. Greene clarified the buyer's options being limited to having a side entry and the (1) story bay projection provided there is the ability on the site plan. Mr. Greene emphasized the majority of options are on the interior of the units; the exterior is controlled by Toll Bros.

Mr. Hoff provided a global sense of where the application started and has arrived stating the applicant worked on introducing a number of different elements that would be harmonious throughout the project.

Mr. Boswell advised the patios and decks can encroach in the back, but not into the side yards.

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

In response to Mr. Miletic, it was confirmed the site plan has not changed since the last meeting.

In response to comments from the Board regarding direct access entry to the bonus room, Mr. Green testified the entrance sequence does not change; the entry would be on the side. The bonus room is located on the lower level.

In response to various comments from the Board, Mr. Green testified the window grills are located in between panes of glass and are not removable; angled bay windows would not fit architecturally;

due to utility issues, the units can't be flipped in order to accommodate a tree in the front of the units. Mr. Kruse testified an ornamental tree will be provided mid-block.

Discussion ensued regarding architectural features pertaining to windows, eaves, roof lines and mail box locations.

Mr. Kruse testified exterior gang mailboxes would be spaced out in multiple locations in several areas of the site. One is proposed in the area of the Club House and one in the flag portion of the site, but are subject to regulations and approval by the Post Master General.

In response to additional comments from the Board, Mr. Kruse testified the walkway material is concrete for durability; the AC units are located in areas that are obscured; the decks are an attractive composite material with vinyl rails.

With no further questions from the Board, a motion to open the Hearing to Members of the public by Mr. Polizzi seconded by Mr. Preusch.

Jure Militec, Esq., questioned the placement of the mailbox provided on the site plan.

Mr. Boswell provided suggestions to alter sidewalks in order to increase the green.

With no further comments or witnesses, a motion to open the Hearing to Members of the public regarding the application. No one appeared to provide comment. Mr. Virgona closed that portion of the Hearing.

Mr. Miletic provided a closing statement referencing **Exhibit A-25**, stating despite East Crescent Condominium Association's objection to the location of the (17) units north of Road B and testimony provided by Mr. Kauker as to how they could be moved and the Plans adjusted to satisfy the concerns of the objectors, the Plans have not changed and remain the same. Mr. Miletic stated the approval of the application relies on a variance to be granted by the Board for the 25 ft. planted buffer located in the northern section. Mr. Miletic requested the Board not grant the variance and deny the application.

Mr. Hoff thanked the Board with respect to the application itself, advising there are no variances requested for this application. The concept Plan attached to the Settlement Agreement, through this process has improved the anticipated project and it has been changed dramatically for the better.

Mr. Boswell clarified the buildings located on the northerly side of the property themselves are set 35 ft. from the northerly property line and the parking on that northerly side has a sidewalk having a distance of 30 ft.

Discussion ensued regarding room or the need for additional plantings in the rear back corner.

In response to comments from the Board regarding homes possibly being affected by the projection of headlights, Mr. Snieckus advised the proposed parking area is lower; the parking area located on Skymark Court is (9) ft. higher.

With no further questions from the Board or public, Mr. Virgona closed the Hearing.

A motion to approve the application by Mr. Polizzi seconded by Mr. Preusch.

Roll Call

Ayes: 9 Mr. Polizzi, Mr. Preusch, Councilman DeBerardine, Mr. Donato, Mr. Jacobs, Mr. Bakal, Mr. Richardi, Ms. Miller, Mr. Virgona

ADJOURNMENT

A motion to adjourn by Mr. Preusch seconded by Councilman DeBerardine was unanimously approved by all Members present. Meeting adjourned at 9:26 p.m.

Respectfully submitted,

Linda Marmora
Clerk