

Approved 4/25/07

**SPECIAL PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
April 11, 2007**

Chairperson Sellinger called the meeting to order at 8:40 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Mayor Rustin	Councilwoman Hoernlein
	James Robert Sellinger	William Kelly
	Louise Kelly	Gus Allen
	Mary Beth Wilmit	Herb Galant
	Kevin Tremble	Ted Nevins

Voting members absent: James Sowlakis

Others present: Jeff Zenn, Esq.
Mike Carroll, P.E., Schwanewede/Hals Engineering
Frank Mottola, Zoning Officer

PUBLIC HEARING

PB#1-07-09 Site Plan
Block 1004, Lot 5, 33 Riveredge Road
Applicant: Emco Realty Corp. (Steve Cohen)

Mr. David Wecht is the attorney for the applicant. He called upon Mr. Steve Cohen, 24 Ridge Street, Alpine, who is the owner of the property. He was sworn in to give his testimony. Mr. Cohen advised the board that he wished to have his building become known as "Riveredge Row". The building will be stuccos and individual tenant signs will be illuminated from under hang lighting fixtures. The façade will be cultured stone of tan/grey. Columns in the front of the building will be stucco and wood. Grey pavers will be used for the sidewalk between the paved parking lot and the building. He plans on supplying decorative bollard covers. All window trim will match. The parking lot will be restriped. The lights in the back of the building will be shielded to avoid light spillage onto the neighboring property. The garbage areas will be fenced in along the alleyway with chain fence with vinyl slats to obscure view from the street.

The following exhibit was entered for the record:

- Exhibit A-1, 4/11/07, Colorized version of Sheet 1 of plan submitted to the board entitled "Façade Alteration to An Existing Building"

There was much discussion by board members and the applicant regarding landscaping on the property. Mr. Cohen testified that the way the lot is designed now is and has been working for many years. Board members wanted more vegetation on the site.

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Mr. Mike Carroll, engineer from Schwanewede/Hals Engineering, reviewed David Hals' letter of March 28, 2007, explaining the need for sidewalks and landscaping on the site. He commented that the sidewalks are needed to define the parking lot from the street and is a safety issue as well.

Mr. Frank Valente, was called and sworn in as a witness for the applicant. He gave his credentials to the board and was qualified as an expert in the field of architecture. He had prepared the plans for the applicant. He clarified that the sidewalk area being discussed is an 8' section of sidewalk/pavers near the street and away from the building.

Mr. Carroll noted that the landscaping near parking spaces 16 & 17 creates a visual break. This is standard landscaping for parking lots. The other landscaping area on the corner of Grove Street and Riveredge Road is comprised of low shrubs and should be no problem with sight distance.

Mr. Wecht argued that his client did not need to do anything additional to the building as the parking lot and building are existing conditions. Mr. Cohen should not be expected to provide sidewalks and landscaping. There are no variances needed with this application. There was no change of use. Mr. Wecht commented that drivers would have to go onto the sidewalks anyway to back out of the spaces and that was a safety hazard as well.

Mr. Frank Mottola, Tenaflly Zoning Officer, was sworn in to give his testimony this evening. He disagreed with Mr. Wecht—there was a change of a permitted use. Two new tenants wanted to change use.

Mr. Cohen argued that he could not financially do all the upgrades that the board wanted him to do. He has already spent approximately \$100,000.00 to get the two new stores renovated.

Most board members wanted the sidewalks to continue in the same fashion from the restaurant next door all along Riveredge Road and around Grove Street as well. There was a lengthy discussion on the sidewalk topic. Mr. Cohen agreed to a compromise of installing new sidewalks along Riveredge Road—but without pavers. Sidewalks would be concrete; macadam would be installed to the street. He agreed to put in the small landscaped area by parking spaces 16 & 17.

A motion as made by Mayor Rustin to approve this application provided Mr. Cohen install sidewalks along Riveredge Road with curb cuts and landscaping as discussed. There was no second to this motion.

Board discussion ensued about the possibility of interspersing some pavers or medallions or a small design instead of using macadam. Mr. Valente commented that perhaps pavers could be used on either side of the driveway entrances.

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There was some discussion about whether one driveway would be preferable to the two there presently. It was noted that the Police Department did not have concerns regarding the plans which were submitted.

There were no further comments from board members at this time. The meeting was opened to the public. Mr. Mike Lettieri, owner of Cartridge World, a tenant in the building, wants the board to find resolution this evening. He wants to open his store and is being prevented from doing so due to these proceedings this evening. The meeting was closed to the public for these witnesses.

The landscaping near spaces 16 & 17 must be reconfigured in order to permit cars to open doors without disturbing the landscaping. The consensus of the board was to eliminate the landscaping at the corner of Riveredge Road and Grove Street. No curbing should be required on Grove Street.

Mr. Hals' letter was reviewed by Chairman Sellinger. The applicant will satisfy Mr. Hals' requirements in that the building mounted flood lights at the rear of the building doors will be shielded from adjoining residential properties and proper signage will be provided for the handicapped parking space.

The board discussed drainage on the property and expressed the need for pavers with the sidewalk. Mr. Cohen agreed to plant the two trees requested in Mr. Hals' letter. Mr. Cohen offered to provide sidewalks with pavers along Riveredge Road. The aprons in the driveway will be macadam rather than concrete.

Mr. Zenn noted for the public that if the board approves this application tonight, a memorializing resolution will be approved at the next public meeting on April 25, 2007. At that point, the two tenants will be permitted to proceed.

A motion was made by Mr. Allen and seconded by Mrs. Wilmit to approve this application with the following stipulations which include, but is not limited to the following plus any and all other stipulations to be outlined in the memorializing resolution:

- There will be no curbing along Grove Street
- The landscaping proposed at the corner of Grove Street and Riveredge Road is eliminated with parking spaces 24-26 to remain
- A landscaping area will be planted near the building at spaces 16 & 17. The landscaping will be approved by the Borough Engineer
- Two (2) shade trees will be planted along Riveredge Road
- Concrete sidewalks and pavers as shown on David Hals' plan dated 3/28/07, along Riveredge Road to the handicapped curb cut on Grove Street will be installed to match the property immediately adjacent to the west. The sidewalks shall be approximately four feet wide with the pavers approximately five feet wide.
- The aprons along Riveredge Road will be made of macadam

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- Building-mounted floodlights in the rear of the building will be shielded from the adjoining residential properties to the satisfaction of the Borough Engineer
- Proper signage will be provided for the handicapped parking space
- The parking lot will be restriped
- The dumpster will be enclosed
- Bollard covers will be installed
- The applicant will provide for recycling to the satisfaction of the Borough Engineer
- All other Borough stipulations and those outlined

During the vote, several board members expressed their concern that this application was not brought before the Planning Board prior to this evening's meeting. There was discussion regarding the handling of this development by the Building Department. All proper procedures were followed in the matter.

The roll was called and the motion carried. The vote was as follows: Voting YES: Mr. Sellinger, Mr. Galant, Mrs. Kelly, Mr. Tremble, Mr. Kelly, Mr. Allen, Mrs. Wilmit and Mayor Rustin. Voting NO: Councilwoman Hoernlein

A motion was made by Mrs. Wilmit and seconded by Mr. Tremble to adjourn the meeting at 10:55 p.m. A voice vote carried the motion. All voted in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary