

Approved 9/23/09

**SPECIAL PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
September 9, 2009**

Chairwoman Wilmit called the meeting to order at 8:00 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Mary Beth Wilmit	Mayor Peter Rustin
	Kevin Tremble	James Sowlakis
	Gus Allen	Herb Galant
	Jeffrey Toonkel	Eugene Cho
	Mark Zinna	Charles Lipson
	Councilman Jon Warms (arrived 9:20 p.m.)	

Others present:	Jeff Zenn, Esq.
	David Hals, P.E.
	Janice Talley, Planner

A motion was made by Mayor Rustin and seconded by Mr. Allen to approve the minutes of the Regular Public Meeting of July 22, 2009. A voice vote carried the motion. All voted in favor of the motion; none were opposed. A motion was made by Mayor Rustin and seconded by Mr. Allen to approve the minutes of the Regular Public Meeting of August 26, 2009. A voice vote carried the motion. All voted in favor; none were opposed.

A motion was made by Mayor Rustin and seconded by Mr. Zinna to approve the Resolution of Approval for the Site Plan Waiver Application for Island Pools/Marc Pope, Block 1305, Lot 5, 22 Jersey Avenue. The roll was called and the motion carried. Voting YES: Mr. Allen, Mr. Toonkel, Mr. Galant, Mr. Lipson, Mr. Zinna, Mrs. Wilmit, Councilman Warms and Mayor Rustin.

A motion was made by Mr. Allen and seconded by Mr. Sowlakis to approve the Resolution of Approval for the Site Plan Waiver Application for Tenafly Senior Citizens Housing Corp, Block 1008, Lot 2, 355-369 Tenafly Road. The roll was called and the motion carried. Voting YES: Mr. Allen, Mr. Galant, Mr. Sowlakis, Mr. Toonkel, Mr. Lipson, Mr. Zinna, Councilman Warms and Mayor Rustin.

PUBLIC HEARINGS

PB#1-09-09 – Site Plan/Variance
Block 1012, Lot 2 - 29 County Road
Applicant: County Tiger, LLC (Ari Gezdir)

Planning Board Attorney Zenn noted that all documentation was in order for the application to proceed this evening.

Chairwoman Wilmit introduced the Planning Board's new planner, Janice Talley.

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Mr. Elliot Urdang is the attorney for the applicant. He introduced Mr. John Martinez. He was sworn in and gave his qualifications to the board. He was accepted as an expert in the field of engineering.

The following exhibits were entered into the record:

- Exhibit A-1, 9/9/09, Aerial view of area taken a few years ago, highlighted by a red boundary
- Exhibit A-2, 9/9/09, Colorized rendering of Sheet 3 of 12 entitled "Title Sheet Information"

Mr. Martinez noted that there have been slight modifications to the plans which were previously submitted to the board pursuant to Borough Engineer Hals' letter dated August 7, 2009. There will be no access back onto County Road; all egress will be onto Jay Street. There will be an "In Only" driveway from County Road.

A design waiver will be required for fifteen (15) parking spaces as they are 9'x18" instead of the required 9 1/2' x 18'. A design waiver is also required for a 3 foot parking/driveway setback.

The underground detention specifications will be resubmitted to the engineer. The system required by the Borough Engineer is not feasible due to deed restrictions emanating from the DEP. The engineer will look at a system to address oil leaking from cars and other pollutants seeping into the ground. The soil moving permit for this application will need to be amended.

Mr. Hals requested that shade trees be provided on Jay Street and County Road. Also, two trees must be planted on both streets and the type of tree must be approved by the DPW. The applicant will comply with his recommendations. Ms. Talley inquired as to the types of trees and location of said trees.

The applicant will comply with the stipulation that the existing downtown sidewalk/paver pattern on Jay Street will be extended along the entire street frontages of Jay Street and County Road.

The lighting that was suggested to fit in with the downtown area will require a design waiver. More landscaping will be added to the site.

An 8' high board-on-board fence will screen refuse and recycling containers. The food market will contract separately for private garbage and recycling collection.

Mr. Hals noted that the proposed exterior of the building is slit-faced block. He suggested that the building material should be similar to the other buildings within the downtown area. The applicant will comply with his suggestion.

There was a notation in Mr. Hals letter that this property adjoins the center courtyard of the Jay Street, Hillside Avenue, Highwood Avenue, and County Road block. This site can provide access to the courtyard. He suggested that consideration be given to providing access from this site. There was much discussion on this matter. Mr. Urdang noted that his associate had previously

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written to all affected property owners and that only one (1) negative response was ever received regarding pooling that courtyard area for parking.

Mr. Hals noted that approvals are required from, but not limited to: Bergen County Planning Board, Bergen County Soil Conservation District and Bergen County Utility Authority. Mr. Urdang responded that he had received a letter dated July 13, 2009, from the Bergen County Planning Board regarding this project. He provided a copy of the letter to the board, which will be copied and distributed at the next planning board meeting. Mr. Urdang commented that his applicant will follow all recommendations made by the Bergen County Planning Board.

There was much discussion regarding a 25 sq. ft. pylon sign "Tenafly Food Market" to be placed on the site. This is a 12 foot high sign with internal illumination and will be depicted on revised plans. There presently is a sign located in the right-of-way. The applicant proposes to move the sign onto their property.

Mr. Sowlakis suggested that the building be moved on the site so that parking is not fronting Jay Street. Mr. Martinez presented Concept "A" and Concept "B" for the board's informal review. Both concepts show the square footage of the building will remain the same; however, parking will be reduced to thirteen (13) spaces, which is two (2) less than shown on the plans presented.

Mr. Hals will work with Mr. Martinez to reconfigure the location of the building.

The meeting was opened to the public. The following individual voiced her concerns:

Lorig Chorluyan, 12 Deerhill Road, Demarest, owner of ARI Realty, property owner of 7, 11 and 15-17 Hillside Avenue. She noted that on a previous application that she presented to the board that she was required to install seepage pits for drainage. She asked that this applicant consider permitting access to the rear courtyard area. She and her husband are the owners of the courtyard properties. Mr. Hubschman agreed to review plans with the Borough Engineer regarding her request.

This application will be continued to the meeting of September 23, 2009, at 8:00 p.m. It was noted that the Work Session will begin at 7:30 p.m. and the Public Hearing will begin at 8:00 p.m.

The board took a brief recess at 9:30 p.m.

PB#1-09-10 – Site Plan/Variance and Minor Subdivision
Block 1306, Lots 1 through 5 - Hudson, Madison and Atwood Avenues and North Summit Street
Applicant: Alfonso and Sandra Diasparra

Planning Board Attorney Zenn noted that all documentation was in order for the application to proceed this evening.

Mr. Elliot Urdang is the attorney for the applicant. He gave a brief overview of the project. His applicant is seeking site plan approval with ancillary variances for an office building. This site will be subdivided into three (3) lots—an office building will be on one lot, with an existing Tenafly

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warehouse/dance studio on another, whilst the third lot will have inclusionary affordable housing. The applicant is not able to bring that application for development for the Planning Board's review because the ordinance has not yet been approved by COAH or subsequently adopted by the Mayor & Council.

Mr. Michael Hubschman was sworn in and gave his qualifications to the board. He was qualified as an expert in the field of planning and engineering. The following Exhibit was marked into the record:

- Exhibit A-1, 9/9/09, Colorized version of Sheet 2 dated 6/15/09, "Site Plan"

He noted that there is parking under the building as well as surface parking. The front entrance faces Hudson Avenue. Thirty-eight (38) parking spaces are proposed; while forty-two (42) spaces are required. There will be a 2-way driveway providing access from Atwood and Madison Avenues. There are spaces marked "Van Pool Parking Only", "Car Pool Parking Only" and "Fuel Efficient Car Parking Only".

Mr. Hubschman reviewed drainage plans, including the catch basin provisions and retention system. The lighting and landscaping plans were discussed.

The following Exhibit was marked into the record:

- Exhibit A-2, 9/9/09, No Further Action Letter from the New Jersey Department of Environmental Protection dated 7/23/97

There was some discussion regarding the Planner's Report. Ms. Talley requested a clarification as to the number of lots proposed in this application. There was much discussion on the number of trees to be planted on the site.

Mr. Urdang reviewed Mr. Hals' letter of August 7, 2009. The proposed lot numbers will be revised on plans as follows: Lot 1.01 to remain Lot 1.01. Lot 3 to become Lot 3.01, and Lot 4.01 to become Lot 5.01.

Mr. Hubschman will submit updated impervious coverage calculations. The drainage for the site is to be collected and piped to an underground pipe detention system located in the front yard of Hudson Avenue. The applicant will comply with this recommendation from the engineer. The overflow pipe from the irrigation tank must be sized and labeled on revised plans—the applicant will comply. Flow guards will be installed in catch basins and water quality measures need to be provided for the parking lot runoff. Mr. Hubschman will look at alternatives and submit revised plans.

The application is requesting a variance for four (4) parking spaces. A contribution to the Tenafly Parking Trust Fund Account is required; however, the applicant wants this waived and held in abeyance as litigation is pending in this matter.

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The parking lot lighting is proposed to be provided with 175 watt metal halide pole mounted and building mounted lights. The lighting plan shows light spillage to the northeast property. Shielding must be provided on the lights. The applicant will comply.

Mr. Hubschman will provide revised Construction Details per Mr. Hals' request. The Architectural Plan should correctly identify the project site as 35 Hudson Avenue; the applicant will have this addressed.

It was noted that approvals are required from, but not limited to: Bergen County Planning Board, Bergen County Soil Conservation District and Bergen County Utility Authority.

The meeting was opened to the public. There being no one from the public wishing to ask questions of this witness, this portion of the meeting was closed to the public.

This application will be continued to the meeting of September 23, 2009, at 8:00 p.m. It was noted that the Work Session will begin at 7:30 p.m. and the Public Hearing will begin at 8:00 p.m.

A motion was made by Mr. Tremble and seconded by Mr. Toonkel to adjourn the meeting at 10:50 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary