Minutes of the Park Ridge Planning Board

Meeting of October 15, 2008

These minutes have not been approved and are subject to change by the public body at its next meeting.

The regular meeting of the Park Ridge Planning Board was called to order by the Vice Chairman, Raymond Mital, on the above date, time and place.

Chairman called for the Pledge of Allegiance to the Flag.

ROLL CALL: Present: Mr. Browne, Mr. Mital, Mr. Maguire, Mr. O'Donoghue, Mr. Viola, Councilman Wells

Absent: Mr. Cassata, Mr. Mesiano, Mr. Oppelt, Mr. Sandler

Also Present: John Ten Hoeve, Jr., Board Attorney
Eve Mancuso, PE, Board Engineer
Brigette Bogart, PP, Planning Consultant

COMPLIANCE STATEMENT:

The Notice for this meeting required by Section 3(d) of the Open Public Meetings Act has been provided by the adoption of a resolution by the Park Ridge Planning Board on January 23, 2008, setting forth a schedule of regular meetings, by mailing of said schedule to the Record and The Review on January 24, 2008 and by posting of said schedule on the Municipal Bulletin Board and the continuous maintenance thereat and by filing the said schedule in the office of the Borough Clerk.

ANYONE PRESENT WISHING TO BE HEARD: (non-agenda items)

There was no one.

PUBLIC HEARING:

HISTORIC PRESERVATION ELEMENT TO THE MASTER PLAN

MITAL: First on the agenda is the Historic Preservation Element to the Master Plan and I am going to hand that directly over to the planner.

BOGART: Good evening everybody. My name is Brigette Bogart and I am a professional planner with Burgis Associates. I have been working with the town since about 2000 and have been working on the Historic Preservation Element since 200, with the first draft in 2005.

I will give you a little background as to how this all started. In 2001, the planning board was working through the beginnings of the Master Plan Reexamination report and we talked a lot about preservation in that report...preservation of open space, preservation of the historic nature of the town and looking to move forward and keep the existing character of Park Ridge.

At that point in time the Planning Board was seeing a lot of subdivisions, a lot of knockdowns, a lot of older dwellings being torn down for "McMansions". The key at that time was preserving the character, putting the park back in Park Ridge. Since that point in time, we created

an Open Space element and shortly after that in 2004, we acquired a few parcels of land to preserve for open space and environmental purposes.

The next step from the Open Space element was to actually prepare the Historic Preservation Element for the Master Plan. Back in 2003, 2004 when we started, we weren't sure what that plan was going to say. We knew we had a lot of work to do collecting data and info and weren't sure what the end result was going to be. We're here tonight to explain to you all the data we collected and how we got to where we are and what our end result is and what our final recommendations are.

Before I begin going through the plan itself, I just want to explain briefly that everything we do here and everything this board does and the Zoning Board is based on the Municipal Land Use Law statute, which gives this board the powers to adopt master plan elements, prepare zoning ordinances and finally review development applications.

The Planning Board has continually reviewed its Master Plan, the last reexamination report in 2003 and the Municipal Land Use Law requires that every municipality that has a zoning ordinance has a Land Use element in its Master Plan and a Housing Plan. From that you can create a zoning ordinance and in addition to those two elements there are several other optional elements that can be adopted by the municipality, one of which is a Historic Preservation Plan.

The Mayor and Council in 2003 opted to look into the adoption of an Historic Preservation Plan element for the Master Plan. From that the Mayor and Council created a Historic Preservation Committee that has been working on this document since early 2005. I have been working with the committee since then.

The Municipal Land Use Law requires that a Historic Preservation Element include three things....one is the location and the significance of the properties location in them, two is the criteria for which you included those properties and lastly, an analyzed impact on all those properties in any proposal under other Master Plan elements. All of these elements are included in the document we will be discussing tonight.

With that being said, I just want to walk you through the plan briefly. I will go through the background data, what we used for the basis of the document, the photographic inventory as well as the final recommendations.

The first thing we did was we became aware of the Bergen County Historic Site survey and we grabbed that survey and used it as the basis for this document. That map is in the document. As we were looking through the details of the survey and realizing that we had some really great structures in Park Ridge and a lot of great sites that have historical significance....let me back up a little bit because according to the MLUL (Municipal Land Use Law) historical significance does not always mean historic significance, it also means architectural significance or if a person of significance has lived in that structure or it could mean just as the visual character of the community is surrounded by structures of historical significance, so it has a broader meaning that just what you would thing a historic document or structure would mean.

So we looked into this Bergen County Survey and included all these parcels that are on this map and that includes not only individual parcels, for example, like the Bears Nest, but it also includes what is called "streetscapes", Pascack Road being a streetscape. What we realized was even though it was a thorough document, it had no teeth to it; that there was nothing the county could do to help preserve the character of that streetscape or help encourage the enhancement of that streetscape through helping us acquire grants or through helping us renovate those

structures. In particular, we saw a subdivision in here which was before the Planning Board in 2005, 2006 and they had an historic site on it and there was nothing the county could do to help us. The Planning Board looked at everything from preserving that structure to moving the structure off-site so the property could be developed and also looked at possibly encouraging the architectural stylings of that structure be implemented in the new dwellings. None of that we could do or enforce because we didn't have a local ordinance, so the only thing that could happen was the structure was going to be demolished.

So we took this county database and realized that in addition to this database there were a number of others. The county database included the National and State Registered Structures but there were a number of other structures throughout the town that warranted recognition as historic but weren't included in the County.

So what we did was we went on a 2 ½ year research extravaganza encouraging every resident to come out and identify if they thought they had an historical significant property. There were a couple of newspaper articles, newsletters written and the committee went and did their own research. We went down to Hackensack Library and looked through deeds and tax records, anything we could but a lot of the building records were destroyed by the flood so therefore we had a hard time getting any additional documents.

From the county database we would up expanding our inventory to what you see on this map and this map is everything on the county database plus anything we found during our 2 ½ year research. What this map represents is 87 structures that were built between the early settlement years and 1930 and are grouped into different categories. The reason we on this exhaustive process to determine the historic significant structures was because in order to move forward with anything, in order to create any type of design guidelines or to encourage any grant considerations for any of the homeowners to rehab their homes, those structures had to be identified in the Master Plan document.

Now what happens, is once you identify in your Master Plan document, you can then move forward and create design guidelines or zoning ordinances if you like. So the Master Plan document for which we are here tonight is merely just a photographic inventory of those sites that we feel are significant from an historic perspective. If, this board or the governing body, feels that once this is adopted by the Planning Board that a design guideline or zoning ordinance is appropriate for some or all of these structures, they can consider its implementation. So what we wanted to do is make sure we didn't leave out any structures and I'm sure we have because obviously not every resident that has a house that warrants those guidelines came up to us and felt that need to put them in. We did the drive by street by street and did all we could. We had about 25 people working on this altogether but at some point we had to end our search, so we came up with these 87 structures, we've identified a number of streetscapes including Pascack Road, very similar to the county database. We included the Park Avenue corridor and a number of similar sites and I am sure you are all very familiar with them.

As I mentioned earlier, in general, the structures represent structures from early settlement up to 1930. We further tried to break them down into architectural categories and we reason we decided to do this is because it has always been a goal of the Historic Committee that the end result would not be a zoning ordinance that would prohibit the demolition of a structure but would rather encourage the rehabilitation of a structure and the enhancement of a structure and so what we are trying to do is set up this database as the basis for design guidelines that would set forth architectural guidelines, and architectural standards to help you

move forward and rehab your house, not to suggest that you couldn't demolish it, not to suggest that you couldn't add an addition or paint it a certain color or add shutters where there weren't shutters before but rather identify specific standards that would help you bring your house more consistent with the time period for which it was created.

Those guidelines have not been created. The enforcement of how they would actually be enforced has not been decided. There has been no decision that guidelines would be created. Right this document is merely an inventory of recognition, recognition of all these structures. One of the goals that we have, which you will see as we go through the plan is not only to create guidelines but also creating centers to help property owners to rehab or renovate the properties to bring them more into conformance with the historic nature of the structure while at the same time, possibly helping them get grants, helping them pay for those renovations, possibly relaxing zoning standards to encourage their renovations, anything we can do to rehab or renovate these structures and bring their aesthetics up would help the aesthetics of the community as a whole. Those structures that you see in the plan are what we are calling a visual imprint from the past and we feel that their enhancement would be an enhancement of the visual imprint of the history of the borough.

So what I want everyone to understand here is that we are not suggesting that we would prohibit demolition. We are not suggesting that they couldn't be developed. We are merely suggesting that we are recognizing these structures and want to make sure that they are enhanced if possible. The one thing I will note is that just today I was speaking to one of the residents here who is in this room, and actually this is one of two conversations I had with them and they were concerned because they were planning on an addition to their home, their home is in the plan and that we were going to prohibit it. I said there was no way that we would prohibit an addition. First of all, we couldn't at this point in time and second, even if we had a zoning ordinance that is not what the zoning ordinance is looking to do. The document itself talks about design standards for preservation, it doesn't talk about not allowing homeowners to demolish their homes, it does not talk about not allowing homeowners do additions. In fact, I think it would be the opposite of any ordinance to be created. It would allow for those additions if that would help offset some costs or help improve the homes livability and help the homeowners renovate it so they could live in it.

Between those conversations I actually came across the last page in the document that had some wording in there that didn't apply to our final goals in the project, so I actually revised the last page of the document...I don't know if anybody has read through the entire thing and the final recommendations of the October 5th document but I would just like to read to you the final recommendations that are in a page that was literally revised today. Actually the Planning Board has not seen it either.

When the final recommendations were written it was back in June and since June we have added a number of properties and have revised a number of items and obviously the goals from June and April drafts are not the same goals as today. So I just wanted to briefly read through them so you all can understand what this document is about and what we are trying to achieve through the adoption of this document.

We indicate that due to the fact that historic structures are throughout the entire municipality and numerous zoning districts, we wanted to recommend an Historic Preservation overlay and what that means from a State perspective is due to the fact that you do not have an Historic designated site on the register, we don't have the right to require you to keep that structure. Within an Historic District we can merely

suggest that these are the design guidelines that you could utilize to move forward.

Given that, we would like to keep the underlying zone districts and then create an overlay zoning for Historic Preservation purposes or enhancement purposes. Maybe preservation may not be the word we want to use but it is the technical term that is given to us by the State. So what we are suggesting is that the Planning Board should consider the adoption of this document as an element of the Master Plan so we can recognize the structures that are historically significant and we can consider recommending to the Mayor and Council the creation of an historic overlay district.

We further suggest that the borough should consider creating an Historic Preservation Committee which would be responsible for acting in an advisory role, educational role and an informative role identifying to the municipality historic preservation issues. The Planning Board in cooperation with the Historic Preservation Committee could move forward with creating an ordinance, an ordinance that would outline the procedures and guidelines for designating specific sites, if that was warranted, creating the actual districts because the one thing the state law requires is that not all the 87 structures in the Master Plan would actually make it to the ordinance....maybe they would, maybe they wouldn't but if there are a number of them that don't warrant historic preservation or enhancement and don't warrant the guidelines they would be left off the ordinance. We had to include them in the Master Plan to even consider them to move forward with the zoning regulations.

What we suggest is that the ordinance should establish procedures for the enforcement if any enforcement of the National Register structures is needed. We suggest that the ordinance should include incentives for homeowners that are willing to undertake renovations and rehabilitation projects that are consistent and complimentary to the character of the original structure and we also suggest that the ordinance should include design guidelines that the property owners could use in designing additions or renovations and that the planning board or zoning board could utilize in reviewing development applications that affect historic landmarks or historic districts.

Those are our goals of the plan and I indicated to you that most of the plan is actually just the historic inventory and we tried to include everything from 1930 and prior and at this point we are just asking the Planning Board to adopt as part of our Master Plan. That would help the Planning Board move forward if they have a subdivision of a property they can see the new houses mimic the architecture of the house that was once there or maybe preserve that structure maybe on a different site or preserve that structure and renovate it on that site as part of the subdivision. It gives this board and the Zoning Board some enforcement where they have none right now. I believe that's it. Those are the goals, that was the inventory, this is the map. In the plan, this map and the inventory are broken down by time period, architectural style and a couple of different tables and some are in the National and State Historic Register. I am going to leave these (displays) up here for anybody if they want to go through them and I don't know if the board is going to have any questions because they saw that last page for the first time tonight but I am ready to take some questions.

TEN HOEVE: Just a comment, this is a public hearing because the Municipal Land Use Law mandates that before you adopt an amendment to your Master Plan, you can only do so after holding a public hearing, so I believe the procedure the Chairman will follow tonight, is that anyone who wishes to either question the planner or question the board or wishes to

make a statement, can simply come up, identify yourself by your name and address when you are recognized by the chair and ask whatever questions you have or make whatever statement you would like to make.

MITAL: First we will go with questions from the board.

BROWNE: Would you identify for us some of the types of incentives that might be available to the homeowners, the nature of those incentives.

BOGART: There are a couple of different ways you can go about providing incentives to homeowners. First you can go from the zoning perspective, within that overlay district if a homeowner is willing to renovate a structure that is in keeping with the historic character or the architectural character of that structure or within our guidelines, then we can offer relaxation when they need side yard setbacks, FAR requirements, height setbacks...say it is a Victorian that has unusual high building height, normally under a zoning ordinance you would have to go for a building height variance and appear before the Zoning Board, if the board recognizes that it is a structure that is in keeping or a renovation that is in keeping with the historic nature of the structure, you can provide in the zoning ordinance, that a height requirement can be exceeded by X and you would pick a new height requirement. Typically in those type of structures you also have an FAR that is in excess of what you would see in normal structures of today, because you have unusual ceiling heights in the attic and so forth, so you can relax the FAR requirements. In a lot of the historic lots the structures will be located close to the lot lines, either the front or the lots will be narrow so you can relax the side yard requirements or the front yard requirements and setbacks. You wouldn't ordinarily do that to a new structure but if the homeowner is going to take the time to renovate it you would want to see them renovate it with the existing footprint and you would obviously want to grant that variance or create zoning regulations so they wouldn't even have to apply for that variance.

At the other end of it, there are a number of grants that are available to homeowners that have historically recognized sites. The document has a list of about five or six but they are probably old at this point and what we would have to do is set up a list of grants available and the borough could work with homeowners to establish grants or just keep an updated list available either on the website or in borough hall and make sure that they are able to seek out or be pointed in the direction of these grants in order to renovate the homes. In most cases you have to have an historic element in the town and in most cases you have to have a committee created by your Mayor & Council and usually you have to have your zoning ordinance in place or your design guidelines. If the municipality has all that in place then when that homeowner goes to seek out a grant, they are able to get monies to help renovate their home. Does that answer your question?

BROWNE: Very well, thank you.

VIOLA: If I understand you right, other than National or State Registries there's no requirements of any kind to do anything or any (?) property rights?

BOGART: No, not even on the State or National Registry, that's all voluntary. Any registry is voluntary. Anytime you subject yourself to any possible reduction in property rights possibly by State or National Registry, that's all voluntary. You couldn't do that without a voluntary property owner.

VIOLA: Even if you exclude those two, it's still only voluntary?

BOGART: Yes, we would created the design guidelines and it would be an overlay district so if they were rehabbing..let's say they were taking the

structure and going to rehab it within those design guidelines, then they could possibly get those relaxed area and bulk regs but if they were going to create a new structure, they would just go by the zoning as it currently is, R-10, R-20...

MITAL: The design guidelines, I get interested when you start talking about guidelines and standards....it's sort of my line of business. How easily available would that be to somebody if they say they would like to renovate their house which was built in 1890...would that fit into a certain set of standards or specifications or guidelines? How readily available are these, if they wanted to do an addition? Is it catalogued?

BOGART: It would be part of your zoning ordinance but I think what the town would want to do is pull them out and create a separate brochure for just Historic Preservation Guidelines that could be picked up at Borough Hall and they could just thumb through it with their architect. Their architect would run through the zoning ordinance anyway, if they were to hire one.

MITAL: Anyone else on the board? Alright, I will open it up to any questions.

Gerard Jacob, 106 Rivervale Road

JACOB: Can I voluntarily opt out of this? If the ordinance is adopted am I forced to have my house included in the element?

TEN HOEVE: I suspect that under the current plan, if the plan is recommended by the board as being an element to the Master Plan, there isn't a provision in it that any single property owner can opt out.

JACOB: Then am I bound by any future guidelines and zoning changes that you make without knowing what could possibly lie in the future with these areas, that might be different than any other private home?

TEN HOEVE: Yes. If the Mayor and Council decided to adopt an ordinance that created restrictions or benefits to homes that are located within the Historic Preservation area, then any home that is in that, would be subject to those restrictions or benefits.

JACOB: So if you adopt that tonight, that's a given.

TEN HOEVE: No. Let me explain the statutory framework here.

The MLUL provides that every town must have a Master Plan, it is required to have certain elements that are mandatory. There are other elements that are optional. The Historic Preservation element is an optional element. If the town wishes to include an Historic Preservation element, the first step in that process is that the investigation is done and the Planning Board makes a determination as to whether they want to adopt such an element after holding a hearing.

If the Planning Board does that and recommends it to the Mayor and Council, the Mayor and Council has the option again to either adopt and ordinance or to not adopt any ordinance that creates regulations that control properties that are in the Historic Preservation area. The Mayor and Council can do nothing. They can adopt no ordinance, create no committee, you still have an element in your Master Plan that is something that can benefit an applicant before a particular board because they can say "I'm going to preserve this structure and it is identified as being an historical structure and therefore that's reason why you should grant my application to develop the rest of the property" as the planner explained before but each step of the process is another optional process. Whether you adopt an ordinance is an option. Whether you include in that ordinance any restrictions is another option. Whether you create a committee is another option.

JACOB: And all this options will be available forever in the future once the element is adopted here.

TEN HOEVE: You can't create the ordinance, you can't create an ordinance unless you have first created the Historic Preservation element.

JACOB: And that's what I am saying. You are going to adopt this tonight.

TEN HOEVE: I don't think anything is being adopted tonight, this is a hearing.

JACOB: The letter I got said they assumed it would be adopted and a committee appointed.

TEN HOEVE: I have no idea what the board's intention is but I would doubt that they were going to vote tonight but that's up to the board to decide whether they wanted to do that or not. Generally this board deliberates at subsequent meetings after it holds hearings before it makes any determination.

JACOB: But if that is adopted, that is the case, right? If these changes are made, we would be obligated to follow them, the historical thing.

TEN HOEVE: If the Mayor and Council adopt...

JACOB: Ok, that's fine.

VIOLA: My follow up on the question and answer....because I know you wrote me an Email about your concern of this confiscating your property or limiting your property rights.

I think the other issue is that the town could pass an ordinance to change the zoning under any conditions, not necessarily just for the Historic Preservation zone, is that correct?

TEN HOEVE: They have, in fact, done that during the past five years and have rezoned several areas within the municipality, creating new zoning districts that didn't exist in the past and creating new regulations applicable to those districts.

Councilwoman Tammy Levinson, 134 Ridge Avenue came forward.

LEVINSON: You received the letter from me and I did the letter purposely as a pro-active approach. Tonight this hearing was setup and if you were not notified you would never have seen the plan and this was my only way to reach out to you so I apologize if I alarmed any of you inappropriately but I really wanted you to be part of this. I don't feel qualified other than listening to the Planning Board and the Planner, who I do trust, and I value their input, but I wanted you to be part of this process. Too many things get misconstrued and they are said in the paper incorrectly not incorrectly, but just pieces of it...Mill Pond is a perfect example...I didn't want this to be another Mill Pond.

Each of you live in these homes. I don't have an historic home, I think my home that was knocked down to build my home, might have been, I don't know but it is important to me to hear your comments and the Planning Board, so that when this version of the plan goes to the Mayor and Council, they know where you're at. I don't know that we want to go as far as an ordinance. I have heard nightmares from other towns, you can't paint your house this color, you have to do this kind of roof...I do understand and am happy about the things, that just by having this element, alleviates some of the other zoning variances you might have to apply for. So again I am sorry and I am also sorry about the 7:30pm meeting start. With all the meetings I go to, I didn't mean to get you guys out too early but however I got you here, I'm happy you're here and as Liaison to the Historic Advisory Committee, I know B.J. Quackenbush is on my committee, we did have a couple of releases in the paper and I hadn't heard from anybody...there may be homes in here incorrectly but this all started when Barbara Martine and I drove around town and said

"oh, this house looks and this house looks" and Hurricane Floyd did destroy a lot of our records, so you might be mentioned in here incorrectly, I just wanted to get you guys here so you're part of the process and it's not done before it's too late.

Again, I know Peter can echo my concerns. The Mayor & Council have not even seen this latest draft. Brigette sat with us last fall and we said go ahead and we spent many hours, we went down to the Hackensack Library, like Brigette said, looking through records to see if we missed anything...I think there are things that we might want to add like Dr. Alexander's house and some others of significance, like we might want to add things like that to the plan. And our Historic Advisory Committee wants to do other things and this but this is one of the first things we really need to look at, so thank you for coming tonight and thank you for all your comments...again, I apologize if you were alarmed or comparing it to Teaneck or Tenafly, those other towns are very hard ones.

At this time I can promise you that as Liaison to the Committee the Committee has no intention to come over to the Mayor Council saying "we recommend this ordinance be stringent", we don't want it to be any harder for you to do anything to your home than it is already.

Tim Kennedy, 23 Ridge Avenue came forward.

KENNEDY: I am just wondering with your expertise and it seems like you did a bunch of research here, with the real estate downfall right now in all the areas, what do you perceive for this group? Does it make it worse, make it better or no difference? Do you know what I am saying, as far as selling a house, does it make it worse to be a part of this?

BOGART: I don't think this would affect your value at all, if an ordinance was created, you could have more options to develop your house, so you could get benefits from it. If your house is identified as historically significant, I'm not sure that has any market value but I'm not realtor.

KENNEDY: So in other towns that have it, I would imagine that if someone wanted to buy the house, they might not be as interested because it has restrictions and that's a huge concern to me. I would hope that you guys did the research on that.

BOGART: I don't know if you heard earlier but I don't believe that anyone here or anyone on the committee is trying to create restrictions to your house or to anyone's house. What we are trying to do if create guidelines to help you renovate it if possible and possibly relax any existing restrictions so that you would have more room on your lot or more development potential for your structure. There's nothing that has been said to me in the planning of this document that would suggest, for one second, that we are looking to restrict the development of your property.

KENNEDY: I had just heard what you were saying about in other areas so if that's the case it's a tremendous negative for us. If there are some positives, like tax benefits or things like that or some improvements like you mentioned, then I would see it as positive...but like this gentlemen over here that does not want to be part of it but has to be part of it and if it hurts the value of the house because of these restrictions that might come later down the line, I don't feel that is something we would care to be a part of.

BOGART: We wouldn't spend five or six years of our lives doing this if it wasn't positive. We are not trying to create restrictions that would have a negative effect on anybody, we are trying to improve the town.

KENNEDY: And my concern is we bought out house two years ago and I was never informed that I would be a part of this and then all of a sudden

I get this letter in the mail that says you are going to be a part of this. And it is alarming.

BOGART: Technically, when you have a Master Plan hearing you don't have to notify every single resident. Tammy went out of her way to sent letters just to get your input. So technically the planning board could have adopted this document and you may not have known unless you read it in the paper or on the bulletin board outside.

Joseph Bruno, 29 Pascack Road came forward.

BRUNO: I applaud the Planning Board's efforts for the recognition that we've got an architectural heritage in town that needs to be, not only preserved but enhanced and I think you've got a tough job ahead of you because you've also got to balance that with making sure that property owner's rights don't get trampled on.

One thing that I would be interested in seeing is that Brigette had mentioned the relaxation of certain zoning standards and so on, which is a good thing, but I would prefer to have it looked at as creating zoning standards that are much more appropriate to these historic structures.

A number of years ago, the zoning ordinance was changed and there were different zones added and requirements in those zones paid a little bit more attention to the existing housing stock and the existing lots, which was good but in my opinion, I don't think it went far enough. I think with these much older homes that, as I just said, we need to create standards that are much more appropriate to those homes. You have a house like mine, for instance, which was built in the 1880's, very small bedrooms, virtually no closet space so when you are trying to expand a home like that, you've got to do it very skillfully, you've got not a heck of a lot of options, especially if you have a zoning ordinance that doesn't recognize the peculiarities of any older home, such as just basic space inefficiencies and sometimes you have to create more space and add more new space in a much older home just to overcome some of those special inefficiencies which could put you over the requirements for either lot coverage or floor area ratio, so again, I think the creation of more appropriate standards would be in order. Thank you.

Alan Solarino, 144 Ridge Avenue

SOLARINO: The question I have is, if somewhere down the line I decided to sell my home in this designated area what are my obligations to a purchaser? Suppose the purchaser is not interested in the historic value of the house and wants to demolish the house as has been done in a lot of places, would that preclude the purchaser from doing that if an ordinance is passed?

BOGART: Right now adopted is a Land Use Element of the town and there are several different land use categories and your parcel is one of those land use categories. Would you tell a purchaser that you are in the medium density residential category?

SOLARINO: But if he wants to take it down and he finds out that he can't isn't that bad for me because I misrepresented the house?

BOGART: No, this element doesn't say anything about not allowing demolition.

SOLARINO: I like what you are saying but if the person buying the house isn't interested then it's only what the property is worth.

BOGART: Master Plan designation doesn't restrict you from doing anything. It's the zoning ordinance that would restrict you, if anything, or create benefits for you. So you don't know, for instance, that you are in the medium density residential category in our Land Use Plan but you probably know what zone district you are in and the future homeowner

would look up that zone district which would identify the regulations he has to abide by. It would be the same thing here. He or she probably wouldn't know that you are in the Historic Preservation Plan but if we were to create guidelines in their due diligence to buy the house, they would identify the zoning ordinance and possibly look at the design guidelines to see what they could do.

SOLARINO: So it would be due diligence on the part of the buyer to find out, if in fact, they are interested in doing this as to whether they could demolish.

B OGART: Correct, just like any other zoning regulation,

TEN HOEVE: Can I just make a comment? Many of the questions that the public is asking pertain to the next step in the process and it's impossible to answer lots of those questions even though you have been told what the intent of the people who have been involved in the process are.

The amendment to the Master Plan to include a historic element is as the planner explained before, it focuses on three things...1) what sites are you going to include 2) what standards were used to determine how you included those sites and 3) does your decision to identify these sites and include them have any impact on other elements of your Master Plan. That's really all that is being done in this process at this time. That enables you to take other steps but what those steps are aren't even known at this time. Whether the Mayor and Council would want to even adopt an ordinance isn't known, whether the Mayor and Council would include any restrictions that were restrictive or were beneficial isn't known and those questions aren't questions that this board can even answer or that the planner can even answer other that what council people have told you what their intent is and what the goals, as identified by the planner, are. I hope that helps.

SOLARINO: You said that this is the first step and even if this board now tonight adopts, for example, it would still go to the Mayor and Council to develop an ordinance?

TEN HOEVE: Absolutely. Which they could do and not do and which could include provisions that cover some of the items you are asking about or would not include those items.

LEVINSON: And I can tell you right now that our Historic Committee that is in place now, did not have the intent to go as far as the ordinance at this time and honestly, I can't speak on behalf of the entire Mayor and Council, but once they see this plan, they will probably get it in a mail drop this weekend, if we can get it on the agenda, maybe by November, we'll discuss it but again, my recommendation from our committee, is we do not want to create any kind of hardship for the residents to do any kind of changes to their home.

SOLARINO: What about the benefits?

LEVINSON: Well, the benefits, that's what we will work directly with Brigette on what she recommends but again, I'll get the time right, but I will inform you in a letter again, when it is something that concerns you because other than mailing a letter to your house, and I think I missed three people because there was a wrong address in there, and I feel bad about that, but other than sending a letter to your house, you might not see the borough board, you might not read the blurb in Pascack Press. I want to reach out to you directly and the only way I have is to do this through this letter. So again, I apologize for alarming you and upsetting you and worrying you, I can tell you that maybe I should have had a paragraph in the letter saying that at this time the committee has no intention to make any kind of hardship or ordinance but the Mayor and

Council does need to discuss the plan, where we are and Brigette will probably come back and speak to us like she did last fall...this is where we are, we have this element adopted, if not this month then next month when the Planning Board meets again and then we can discuss options that she might recommend and again, I promise you that I will inform you of that step, so if even you can't come to another meeting, at least you are kept in the loop and you can have direct dialogue, either with Lyn Beer directly as Secretary to the Planning Board, or however you want to communicate.

Colleen Higgins Jacob, 106 Rivervale Road came forward.

JACOB: I am Gerry's wife...the question I have really goes to this letter that we received. Specifically it says, "most obviously to try to preserve the character of the properties in the borough of historic significance but secondly because we are eligible to receive or apply for various grants"...my question is Brigette mentioned that two specific incentives that might be to the homeowner are relaxation of ordinances or variances within those guidelines for whatever you want to do on rehabbing and grants may be available to homeowners.

My question to you is in doing all this Master Plan and adding the Historic Element, what economic gain is there to the town? Is there any? Because this led me to believe that the town would be able to receive or apply for various grants and for what purpose and why?

BOGART: If there is a house that goes on the market that they are willing to purchase for renovations or rehabilitations or creation or rehabilitation for a museum or a senior center or a recreation center, they could apply for grants for that. They could also apply for grants for creating design guidelines that would benefit the homeowners. Typically when the planning board or professional planners create planning documents it's not for economic benefit, it's usually for the benefit of the community as a whole for the visual benefits, for zoning benefits. We don't take economics into consideration.

JACOB: In doing your research and checking with other towns, do you have any idea of what these grants are like, how big they are, where they go...just getting some comparison bench marking, what other people have done in this regard. I am just trying to determine how important this Historic Element is to our Master Plan, given the fact that the Mayor and the town are going to have three more options to vote on this and we don't have an option to opt out.

BOGART: As I mentioned earlier, economics is usually not considered in planning.

Sean Peppard, 46 Colony Avenue came forward.

PEPPARD: I received this letter and upon doing so had no clue to what it meant so I consulted with my architect, James Virgona from Virgona & Virgona, Architects and I am going to ask him to step up and ask some questions on my behalf.

James Virgona, AIA, 115 River Road, Suite 1031, Edgewater, NJ

VERGONA: I and Sean are the two who have been speaking with Brigette when she mentioned the homeowners who had contacted her. For this purpose I am speaking for general observations and for the record I am related to the homeowner as well. Always helps when you have a member of the family who is familiar with this stuff.

I am also Chairman of the Planning Board in Upper Saddle River for about four or five years. I just wanted to bring a few things up for the board's consideration before I get into specifics. The first would be we recently adopted a Historic Preservation ordinance, if you want to call it

that. Preservation is a very serious work, we don't like using this word, it implies that things cannot come down or be changed to often without a commission's say. We do not have a commission, we have an Historical Committee as being suggested here. Our ordinance is written in such a way that all homeowners have to volunteer into the ordinance, that was to protect and create any confusion from anybody who wants to sell or was thinking of renovating, that they would opt into it and know where they stood when they made that decision. We did not adopt it into our Land Use Element plan without having an ordinance drafted so everybody could see what were the implications in the future.

What I find a little bit alarming is that the Planning Board is considering recommending adoption of an Historic Land Use element without presenting to the public what that ordinance would say. I think it would help the public to know what it would say. Let me give a for instance...if anybody here is considering selling and any developer, builder or homeowner wishes to buy their house and this is on the table, there would be a big question mark and cloud hanging over the house until they know the actual ramifications of an ordinance. That's a biggie. It is the biggest purchase they are ever going to make in their life and it's the one thing they won't have any confidence or certainty about. So I am suggesting and it is only a suggestion or a consideration, that the board examine an ordinance when they are doing this for the benefit of the public and anybody else who is interested in moving into town. 87 is quite a few structures. I know that not all 87 are for sale, I know that a lot of these are historic landmarks...we passed our ordinance, I am for preservation so I just want that to be a consideration.

TEN HOEVE: Just one comment. I won't comment in the opt/in or opt/out because it's a planning issue not a legal issue. But from a legal perspective, a subsequent Mayor & Council with an existing historical element in your Master Plan could adopt a new ordinance that would be dramatically different from the one you have in effect right now.

VIRGONA: That's correct. I am completely aware of that and that's the case with any ordinance.

TEN HOEVE: All I am saying is the fact that that you have an ordinance that somebody presented when you were adopting the Land Use element doesn't mean that ordinance is going to stay in effect forever.

VIRGONA: I'm suggesting that the Land Use element does not adopt a Historical Element to its plan unless an ordinance is presented. That's all I'm suggesting and I'm suggesting that they both be done together. That a Historical element be approved in your Land Use plan along with the recommendation resolution for changing the zoning ordinance in the borough to the Mayor and Council, so that it happens together. And there is a reason why, it protects everyone who is involved, that's all.

Specifically, I wanted to talk about one other thing and that is, not to point fingers or anything but when I went to look at the historical element plan in the Borough Hall, it was dated June and so are the ones that are being passed out but this document was revised in October. I suggest that everyone get a newer copy because it addresses lot and block numbers that don't necessarily correlate with that document that is on the easel. So I suggest that everyone try and get a newer copy if you really are interested. The reason why I bring that up was because there was some confusion as to Sean's house being included or excluded. It turns out that it is listed on the county historical survey inventory so from that we took a few additional steps and looked at the eight houses on Colony Avenue in the historic streetscape to see which houses were there. Of the eight, two of the addresses, one is an empty lot and one is a street, Lafayette Street. There is no number 53 or 48 Colony Avenue, so you're including elements in this historical element proposal that do not refer to

a specific house. I think that needs to be changed and the reason why that is important is you are starting off with eight houses and two of the eight aren't there.

The other thing is the historic site survey for everyone here in Bergen County and for anyone here in Park Ridge, who is not aware of this, Bergen County prepared this in 1984-88 and maybe Brigette knows better but it was prepared 20 years ago or 24 years ago over the course of four years. There have been a lot of renovations since then and there have been a lot of changes...of the other six remaining homes, two of them have been significantly renovated since that time the survey was prepared, on Colony Avenue. I suggest that someone reexamine that to see if that has any impact on this proposal because as an architect, I think it does have an impact. Two of those houses no longer retain the same historic appearance or architectural significance to the street, one of them has eliminated most of the windows on the second floor in the renovation and there is a blank wall facing forward on the second floor...and the other one has added a second floor and changed the original bungalow style of the home which was probably an Aladdin or Montgomery Ward kit house and made it into a colonial look, it's a different house. It looks great by the way and the street still has a lot of character but also has mature vegetation, all the older houses are closer to the street so there is a more intimate scale, these are the things that contribute to the streetscape as well but not necessarily the architectural significance, which was mentioned by Brigette, but it should be examined.

And finally, specifically to this house, 46 Colony, Sean bought the house 3 ½ years ago and we had met Mr. Maguire while we were looking at the house, I don't know if you remember and we had a good time and talked, we had just spent some time at a planning board instruction meeting or something and the reason why I mentioned that is because, and you would know, we intended to do work to that house in the future. The house is 860 sq ft and it's an old kit house that was built in approximately 1938 and the house, and I don't want to bore everyone here with the details and his miserable living conditions but the house is really charming, don't get me wrong but let's start off with the foundation because that's where everything starts. The basement is about 6'8" high...old house are not built to the same standard of new houses. When you encourage preservation you also have to consider the standard you are going to leave in the house. It's made of cinderblock and older houses are not really made of cinderblock, really old houses and historic houses are usually stone, rubble foundations or some other things, but it is cinderblock. Cinderblock is not concrete block, cinderblock deteriorates with moisture and his foundation is deteriorating. It's great if we have the option to renovate and get incentives, of which I would love to find out if it is really legitimate because certain incentives that change the zoning could have negative impacts on your neighbors. So there is a double-edged sword in that one but if we were to renovate the house, the foundation is no good in parts of that house and I'm not so sure that this is beneficial to people in old houses who actually have old houses that need a lot of work. The floor system is not up to code, it's not adequate really for today's building codes and it is not anchored properly to the foundation, the brass piping is springing leaks, there are a lot of problems with old houses. To renovate some of these things requires significant changes, not just a paint job and removal of asbestos siding and addition of some venting moldings and eave brackets, so that in conjunction with 46 Colony Avenue is a kit house that was built as a vacation bungalow and never intended to be a permanent residence and doesn't have the details of a bungalow style house that you would see from Greene and Greene Architects in California, which is where this originated from, it doesn't have the (?) moldings, it doesn't have the eave brackets, it doesn't have the roof exposed rafter ends, the long overhangs that are there, I

question whether or not it should be and I respectfully request that it be eliminated from this selection in the Land Use element plan because it doesn't have that significance, coupling that with the fact that the houses have changed on the block since the survey was prepared.

And finally, and I'm sorry to be so longwinded everybody, I just want to mention when we include incentives, incentives are great for the homeowner if they can accommodate them in their structure and their building is Ok for them but if you have a house that is 10' or 8' off the line and you intend to allow somebody to keep the historic nature of the home and add to it and encourage them to add to it, you really have to consider the neighbor who is going to look at the larger wall 10' away when it should be 15' in let's say in the 15 zone or 20 in the 20 zone...and that's negatively impacting somebody else. It may benefit some aspect of the street and it may negatively impact the neighbor next door or somebody who is in the vicinity of that property. So I think that should be considered. We considered this in our borough and decided not to do this for that reason and be careful when writing an ordinance with a streetscape or an area that has different style homes. If you have a Victorian home the window proportions are vertical, the mullions and dividing lights in the windows, those little pieces are all different than a bungalow, which is prairie-style or craftsman-like, horizontal proportions, you are going to have a difficult time writing an ordinance that proposes design considerations unless you start breaking down different styles, which I hear is being considered and then you have to be clear if someone is allowed to change the style of the home. If you have a bungalow style now can you make it, such as across the street, a new colonial like they did on Colony and those are the things I would like to bring to your attention. I am sorry for being long-winded and I wish you luck and I hope that you do actually pass something that is beneficial to the town, we did and I just wanted to give you some heads-up.

So if you are actually going suggest a lot of the things we talked about tonight as far as creating the overlay zone that would only be applicable if they were going to preserve the structure and that the overlay zone should encourage incentives or relaxed standards and put some more of that language in there to ensure that any new ordinance if created is based upon the Master Plan that identified all these issues because if it wasn't then the Master Plan would have to be amended and we would be back in this scenario, so instead of going through the whole process, which is going to take several years of creating a detailed ordinance and our going over each detail of each regulation at this point in time, my suggestion is to go back to this document, put in all the specific recommendations that were talked about tonight in this document and say if you are going to create an ordinance these are the things we would like to see here to insure that you are not creating an ordinance that would require preservation of a structure but in creating an ordinance that would actually enhance these homeowner's situations.

So if you going to consider that recommendation, which I said I think is a good one and I think would allay a lot of fears here. You could revise this document to include a lot of that language that was discussed.

(speaker was not a microphone so his comment was not picked up)

BOGART: That's up to the board.

Monique Bliss, 7 Marti Road came forward.

BLISS: I'm wondering if the Allen property is part of this Historic Preservation or if that's a done deal? That was supposed to be an 8 lot or more subdivision on Grand, the property with the sandstone house.

BOGART: Garrety property. Actually that was one of the development applications that started to make me and others aware that the county data base really had no teeth because there was nothing we could do with that structure. So it was an approved seven-lot subdivision and that was one of the subdivisions discussed with the architect as far as pulling some of the architectural styles of that area into the subdivision architecture and he said, "no, I don't have to do that". It's in the plan, it's in the county data base but it is still an approved seven-lot subdivision for that property. It is listed in the county data base as far as historic site, not an historic structure.

BLISS: So they are not going to preserve the house itself?

BOGART: I don't know what they are doing with it but the approved subdivision does not call for the preservation of the house.

BLISS: Would this offer any protection for existing homeowners who have historic homes where there is new development, like say next door, and I'm referring in particular to a 200-year old house on Lafayette, where the subdivision behind them, they allowed a huge house to be ten feet off the property line and it looks ridiculous. I can't imagine that those homeowners are too pleased.

BOGART: That's a very good question. One of the things, and I'm sure you've heard about the affordable housing requirements and COAH and standards and whatnot, but one of the things that COAH allows you to do is the municipality can reduce their affordable housing obligation by, if they have the historic structures in place that are in the State and National register, the State Historic Preservation Office identifies buffer zones that go around those structures and within those buffer zones adjacent structures would have to abide by or should abide by the architectural standards of that structure.

One of the things that we are looking into is what the recommended buffers from the state office are to reduce our affordable housing obligation but that is only at the state and national level, that's not at a local level but those are the types of ideas that are looked at the State preservation level.

BLISS: And it doesn't relate to the Historic Element tonight? I noticed there was a steep slope ordinance on one of the previous agenda and I was wondering if there was any headway made?

TEN HOEVE: No, I think that there was just a brief initial discussion, that's my recollection and that the planning board is still looking into that topic. There is certainly no current ordinance that is contemplated, at least as far as I know.

BLISS: So is that something that is going to be worked on at a work session?

TEN HOEVE: My best suggestion would be to check with Mrs. Beer, to check the agenda, find out if it is scheduled to be discussed at any subsequent meeting.

Michael Ortega, 130 Pascack Road came forward.

ORTEGA: I've only been in front of this board maybe once or twice in the 17 years that I've been here and I've got to thank you for the great work you have done in this town and to the committee for the great work you've done in terms of trying to put this Historic Preservation Act together but I do have some concerns.

I know that in working with the Planning Board they usually use good judgment in terms of making decisions especially for homeowners. In my case, I had a major renovation done to my property, 130 Pascack Road, I live right next to the brook, it's a fieldstone house and it was a

tremendous effort in terms of trying to work with the town, in the terms of what I wanted to do with the property and how I wanted to preserve it. One of the things I found in terms of working with my specific property, in trying to preserve it, was that I did the opposite...I turned away developers, I took the equity in my home and put it back in my house and I tried to restore the house the best I could even the interior with the crown moldings and everything.

I found that in most cases it was extremely hard, difficult for me to try to preserve the house, to try to restore blown glass windows, to try to retain the framing of the windows. I had to replace every window, it's a brand new window, a brand new frame, a lot of the molding I couldn't find and I had to recreate it myself, I had to handcraft it. That could be particularly costly to homeowners when they are trying to preserve their houses in terms of looks and feel, so the first question I would have for the audience is; based on what you've heard tonight, because the board is here to determine how we feel, how many of you are getting a warm and fuzzy feeling right now based on meeting we're having, based on a comfort level...how many people are feeling uncomfortable because they really don't know what is going on?

Right, and I'm one of them as well. So that kind of gives the Planning Board, in terms of how the general population feels in the room and you mentioned there are 80 homes, I don't see 80 people here so we don't know what their opinion is. I'll tell you what I'm scared of. I'm scared of words like *control, guidelines, standards* and I think generally that's what the room feels in terms of their concerns as well. I know we don't have all the information in front of us and I thank Tammy for letting us come to this hearing without even being required to come to the hearing. Words like *enforcement*, when you use words like *enforcement* people kind of get scared and think, you're going to stop me from doing what I want to do with my house or stopping me from selling my house. So, I think the one thing I would recommend is information. The cat's out of the bag, you let it out of the bag and now, I guess, people are going to start coming and word is going to get out. You don't see me here very often and I just wanted to get more of my input in terms of my experience in keeping my house preserved as well as I could and still have it very different from what it originally was. We took down Yankee gutters, we had to take out all the blown glass, some of it I still have in the basement, I will use it for art work, so it was very difficult to do and I certainly wouldn't want to see any ordinances put in place that are going to be a burden or a hardship to anybody in this community and I trust that the Planning Board based on my experiences with you, will make the right decision for everybody. I want to thank you again for all your efforts.

Mary Elizabeth Rasile, 2 Webb Court came forward.

RASILE: All of the architectural details of my home were removed before I arrived. My house has plastic siding and thermo pane windows and I'm not sure why we have been included in this. I'm at the corner of Webb and Park, a Dutch colonial. The only thing that has any significance, is perhaps, the outline of the house but other than that everything was gone long before I got there especially on the interior. I wish I had some architectural detail, but it's not there.

(Mrs. Rasile and Ms. Bogart spoke away from the microphone)

RASILE: It really doesn't have any of the original elements. Long before I arrived the roofline had been changed and it has plastic siding.

(Ms. Bogart spoke to Mrs. Racile without microphone so discussion not picked up)

RASILE: I have not been able to find any information, I have tried to check in the past and was not able to find any information.

BOGART: I think I do have some information otherwise I wouldn't have added it solely on the recommendation of a committee member. I will look into that for you.

MITAL: Anyone else? There was no one.

TEN HOEVE: I suggestion I have for the board...as I indicated before one of the principle purposes of this hearing is to deal with the three factors that are supposed to be considered when adopting an Historic Preservation Element to the Master Plan. The first criteria of that is identifying sites. There are obviously people who have raised concerns here with respect to whether there particular parcel should have been included in this district and for various reasons they think it should not. The suggestion I was going to make is that if anybody does take that position, they may wish to contact the planner and this hearing isn't going to be concluded tonight and they could contact the planner and have some dialogue with the planner to determine whether or not some mistake was made or whether there was an actual reason for including the parcel.

I just asked if she had any objection to that, she doesn't and I think she is willing to provide an Email address that anybody could contact her at....bb@burgis.com.

BURGIS: My only suggestion is that you put Park Ridge Historic Preservation as the title so I know and also say not only "get me out of this thing" but also recommendations so this can be a better document because I would hate to abandon all these efforts because if we make a couple of tweaks, we could work this out.

Michael Ortega, 130 Pascack Road came forward again.

ORTEGA: Given again that Tammy was nice enough to send out the letter informing us, when I came there weren't enough packets, information is really what helps us get over our fears in terms of understanding as you progress with the standards and guidelines and what you are suggesting, so possible putting this information on the borough web site so that anybody could just go out and look at it and if it's updated keep it updated on the web site. I don't know if you can or if it is allowed or whatever the case may be.

BOGART: This is a large document with many pictures and I don't think it can actually go on the web site. I put it on our web site and apparently it takes so long to download people have given up. What if I just put the introduction and the conclusions or recommendations on there just so you can see.

BEER: I could offer to burn a CD. I downloaded from Ms. Bogart's FTP and it took a good 35 minutes...most of the board members said they did not want to do it that way, it takes too long, so I just made a couple of copies. I just received the revisions today which is why there wasn't enough time to make them for the table but I can make some CDs.

BOGART: My only suggestion is I will make a new CD for you, Mrs. Beer because it would include the new page.

MITAL: Are there any more questions or concerns, comments?

(to a question asked from the audience)

BOGART: October 5th is the draft we were talking about tonight.

MITAL: Ok, if that's it, this hearing will continue at our next public meeting on November 19th. Thank you very much, thank you, Brigette.

TEN HOEVE: If you are going to have any discussions, if you would please step outside because the meeting is not over and we have other business that we have to attend to. You are welcome to stay but if you are just going to be chatting, please do it outside.

APPROVAL OF MINUTES:

Motion made by Mr. Brown, with second by Councilman Wells to approve the minutes of August 13, 2008.

AYES: Mr. Viola, Mr. Browne, Councilman Wells, Mr. Maguire, Mr. Mital
ABSTAIN: Mr. O'Donoghue

Motion made by Mr. Browne with second by Mr. Viola to approve the minutes of August 27, 2008.

AYES: Mr. Viola, Mr. O'Donoghue, Mr. Browne, Mr. Maguire, Mr. Mital
ABSTAIN: Councilman Wells

Motion made by Mr. O'Donnell with second by Mr. Browne to approve the minutes of September 24, 2008.

AYES: Mr. Viola, Mr. O'Donoghue, Mr. Browne, Mr. Maguire, Mr. Mital
ABSTAIN: Councilman Wells

NEW BUSINESS:

BEARS NEST DEVELOPERS, LLC – Spring Valley Road

TEN HOEVE: Apparently as I understand it, there are both performance bonds that are still outstanding and cash escrows that have been posted for a variety of different types of improvements that have come before the board. The problem I had is that when I asked the planner and engineer whether all the improvements, for which these deposits and bonds had been posted, had been completed, I was told that either some had not been or it is impossible to tell because it was so long ago and I'm reluctant to just have the board adopt a resolution giving everything back when no one knows whether or not major things that should have been done have been done. So I really wanted the board as a body to make a determination as to what they were going to do and one possible suggestion, I guess, since we do have cash escrow, maybe you could use that money to commission...

BEER: The cash escrow is for specific things. You talk about the major things to be done, the roads have been done, the curbing has been done, the underground sewers have been done, the electric and water has been done. Everything you bond for, the public utilities have been in there and have been used for years. I know they are not happy with their roads right now because their roads need repair but the original roads have all been done. The guardhouse is up, the last of the tennis courts have been done.

TEN HOEVE: There is a big issue with the retention area.

WELLS: I think that Lyn makes a fair point, is that the intent of the escrow is to make sure that the work has been done. They are up to a point of maintenance now and replacement so it clearly has all been done and put in place and for us to open the possibility of re-inspecting, you're going to bring us into a whole discussion about replacement so that it would be more prudent on our part, to just declare it complete and to recognize that they didn't ask it until now and just give them the money.

TEN HOEVE: That's Ok with me as long as...I'm not recommending against that...and there is a resolution that I prepared and circulated...the only problem is there is a paragraph that I usually put in, that the

borough engineer has recommended the release, which I don't think is the case.

MANCUSO: Typically I would take the paperwork from Lyn, see what the money was posted for, go out and inspect it and then be able to comment upon it but since so many years have passed, I thought, again, in fairness to them, how can I go out 15 years later...it just didn't seem relevant but on the other hand I am not in a position to write that letter of recommendation on something that I have no knowledge of.

WELLS: And how do you make an inspection of something complete that now is in the need of repair.

MITAL: Or the landscaping died.

WELLS: And the other point I would make, is that even 15 years ago, as each one of these units took occupancy, there was some type of inspection made at that time.

BEER: Yes, because their bonds were released, we just held some of their cash.

WELLS: Exactly. So, in some ways it is defendable that the inspection was made in a timely manner and that the only thing that is now being asked for is the release of the escrow. So the paragraph, in some ways, has been superseded.

TEN HOEVE: And that's fine, I am just suggesting that if somebody is going to move that, just delete in the motion the last paragraph that says the engineer inspected and vote.

WHEREAS, BEARS NEST DEVELOPERS, LLC, a limited Liability Corporation of the State of New Jersey (hereinafter "Applicant"), being the owner/developer of premises known as 223 and 225 Spring Valley Road, in the Borough of Park Ridge, County of Bergen, and State of New Jersey, said premises also known as Lots 4 and 5 of Block 202 on the Tax Assessment Map for the Borough of Park Ridge, had previously received various approvals from the PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, (hereinafter referred to as "BOARD") for projects undertaken during the past several years; and

WHEREAS, Applicant had posted al cash amounts and performance bonds with the BOROUGH OF PAWRK RIDGE, (hereinafter referred to as the "BOROUGH") as required by the various Resolutions of the BOAQRD granting approval for said projects; and

WHEREAS, the amount of said bonds and cash deposits has been reduced over the years in response to requests by the Applicant and approvals granted by the Borough Engineer; and

WHEREAS, Applicant has completed all bonded improvements; and

WHEREAS, Applicant has requested that the BOARD authorize the release of said bonds and any remaining cash deposits previously posted with the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, that the BOARD hereby grants the Applicant's request for the release of the previously posted performance bonds and the return of remaining cash deposits subject to the payment of any outstanding vouchers to be paid in connection with the application.

Offered by Councilman Wells
Seconded by Mr. Maguire

AYES: Mr. Viola, Mr. O'Donoghue, Mr. Browne, Councilman Wells, Mr. Maguire, Mr. Mital.

APPROVAL OF VOUCHERS:

Brooker Engineers, PE	
JAMM Realty, Inc.	$165.00
LC Developers, LLC	495.00
Montalbano Soil	330.00
Montalbano Soil	330.00
Montalbano Soil	330.00
Agron Dema	82.50 *
Ridge Diner	165.00
Montalbano Soil	82.50
Burgis Associates PP	
Hespe Subdivision (Peterson)	262.50
JAMM Realty, Inc.	145.00
Hespe Subdivision (Peterson)	616.25

(* indicates *insufficient funds* – letters written to all *)

Mr. O'Donoghue reviewed the vouchers and said they were ready for payment.

Motion made by Councilman Wells with second by Mr. Browne that the vouchers be paid subject to receipt of funds.

AYES: Mr. Viola, Mr. O'Donoghue, Mr. Browne, Councilman Wells, Mr. Maguire, Mr. Mital

ADJOURN:

There being no further business to come before the board a motion was made by Mr. that the meeting be adjourned.

Second by

Carried unanimously.

Respectfully Submitted,

Helyn N. Beer
Secretary

(10:00pm)