

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

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

Chairman called for the Pledge of Allegiance to the Flag.

ROLL CALL: Present: Messrs. Browne, Mesiano, Mital, O'Donoghue, Oppelt,
Schwamb, Ms. Eisen
Absent: Messrs. Ludwig, Von Bradsky, Councilman Misciagna,
Councilman Maguire
Also Present: John Ten Hoeve, Jr., Board Attorney
Eve Mancuso, PE, Borough Engineer

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 12, 2011, setting forth a schedule of regular meetings, by mailing of said schedule to the Record and The Review on January 13, 2011 and by posting of said schedule on the Municipal Bulletin Board and the continuous maintenance thereof 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:

MARK PRUSHA SUBDIVISION – 82 Rivervale Road
Lot: 1 Block: 2007

Chairman announced that the hearing on Mark Prusha was being carried to the December 21, 2011 meeting.

Board Attorney advised there would be no further Notice in connection with the Prusha application.

APPROVAL OF MINUTES:

Motion made by Mr. Oppelt and seconded by Mr. O'Donoghue that the minutes of November 2, 2011 be approved as written.

AYES: Messrs. Browne, Mesiano, Mital, O'Donoghue, Oppelt, Schwamb,
Ms. Eisen

MINOR SUBDIVISION:

TEN HOEVE: For the record, we are in receipt of a Certification from John O'Donoghue, dated November 10, 2011, that he has read the transcript of the October 26, 2011 hearing on Michael and Barbara DiBella.

MICHAEL & BARBARA DI BELLA – 63 Colony Avenue

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

Lot: 1 Block: 1101

WHEREAS, MICHAEL DI BELLA, being the owner of premises known as 63 Colony Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also known as Lot 1 of Block 1101 on the Tax Assessment Map for the Borough of Park Ridge, (hereinafter referred to as the “Applicant”) has applied to the PLANNING BOARD FOR THE BOROUGH OF PARK RIDGE (hereinafter referred to as the “Board”) seeking preliminary minor subdivision approval together with resulting variances in order to subdivide the aforementioned parcel into two lots; and

WHEREAS, Applicant also requires a soil moving permit pursuant to the provisions of the Soil Movement Ordinance of the Borough of Park Ridge; and

WHEREAS, the Applicant has submitted to the BOARD a subdivision map illustrating the proposed subdivision entitled, “DiBella subdivision, Block 1101, Lots 1,2 and 3, Borough of Park Ridge, Bergen County, New Jersey, prepared by R.L. Engineering, Inc., a licensed engineering firm of the State of New Jersey, said plan dated May 24, 2011, and last revised to September 16, 2011; and

WHEREAS, a hearing was held in connection with the application before the BOARD, duly convened on October 26, 2011; and

WHEREAS, the BOARD has carefully considered the application and all evidence and testimony presented in connection with the application; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, that the BOARD hereby makes the following findings of fact:

1. Applicant has submitted a minor subdivision application in order to subdivide an existing parcel into two, separate building lots. The property currently consists of a lot area of 50,335 square feet. The property is located in the R-15 residential Zoning District. The parcel is also situated at the intersections of Fifth Street and Colony Avenue. The property is improved with an existing dwelling, a dwelling that will remain on the site.
2. The current parcel is comprised of three tax lots. The existing dwelling faces Colony Avenue and is serviced by a detached garage having a driveway that extends to Fifth Street. The parcel is significantly oversized for the R-15 Zoning District.
3. While the Applicant proposes to create two new lots, both being substantially greater in size than that required in the R-15 Zoning District, a variance is required by virtue of Applicant’s plan to maintain the existing structure. The proposed configuration of the two new lots, and the location of the existing home, place the existing home but 24.1 feet from the proposed subdivision line. Since the existing homes faces Colony Avenue, the Zoning Ordinance designates the portion of the yard behind the existing dwelling as a rear yard. Since the minimum rear yard requirement in the R-15 Zoning District is 45 feet, Applicant requires a rear yard variance in order to continue the location of the existing home.

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 - 8:00pm

4. Applicant is also seeking to provide two curb cuts and a circular driveway for the existing home, with both curb cuts being located on Colony Avenue. Section 101-23(E)(1)(b) prohibits two curb cuts on Colony Avenue, hence, Applicant requires a second variance for the proposed driveway design.
5. Applicant presented the testimony of Richard Eichenlaub, licensed Engineer of the State of New Jersey. Mr. Eichenlaub described the significantly oversized nature of the lot. He stated that the existing home would remain on the lot, and that the detached garage would be moved and connected to the existing dwelling, with the driveway servicing the garage entering and existing on Colony Avenue. He further described the circular driveway and the two curb cuts required to construct the circular driveway.
6. Mr. Eichenlaub indicated that while there were no current plans available for the construction of the new dwelling on the proposed newly subdivided lot, the dwelling would front on Fifth Street, with the driveway servicing the home also entering and existing on Fifth Street. He also described the possible footprint for the dwelling, as shown on the Subdivision Plan, stating that any new dwelling would not exceed the size of the footprint shown on the plan and that any proposed new dwelling would not require any variances pursuant to the Zoning Ordinance of the Borough, including, but not limited to, setback, height, floor area ratio or any other bulk requirements.
7. Mr. Eichenlaub further stated that the Applicant would comply with all requests set forth in professional and agency reports submitted to the BOARD, including the Water Department's request for an upgraded fire hydrant. He specifically stated that the Applicant would comply with all of the sixteen comments set forth in the Borough Engineer's report with the exception of the need to maintain the proposed aerial utility connection from Fifth Street to the new dwelling.
8. Mr. Eichenlaub specifically agreed to modify the proposed sewer connections for the newly created lot by constructing a sewer main extension on Fifth Street to provide for the sewer lateral connection from the new dwelling to be gravity fed rather than be pumped to the Colony Avenue sewer. Mr. Eichenlaub acknowledged that it would be necessary to secure approval from the State of New Jersey to extend the sewer line, but that the Applicant would agree to secure said approval in order to avoid the need for ejector pumps.
9. Mr. Eichenlaub also described the seepage pits to be constructed on both lots and the drainage benefits that would result. He specifically testified that the project would not result in an increase in surface water flow from the lots since the proposed seepage pits would reduce water flow from the site.
10. Applicant also presented the testimony of Richard Preiss, licensed Planner of the State of New Jersey. Mr. Preiss stated that the requested rear yard variance was justified in light of the unique conditions that existed on the site. He noted the oversized nature of even the proposed two new lots. He opined that the lots might even be subdivided into three new lots thus requiring additional variances. He further stated that there

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

were benefits to retaining the existing dwelling, and that a decision to demolish the dwelling would have a significantly greater negative impact. Most significantly, he observed that under the prior Ordinances of the Borough, which would have considered the proposed rear yard of Lot 1 to be a side yard, no variance would have been required. As stated by Mr. Preiss, only the home's existing orientation created the need for a variance. Finally, Mr. Preiss indicated that there would be no

Detriment resulting from a decision to grant the requested rear yard variance since there would be no visual impact from the proposal.

11. Mr. Preiss also stated that the proposed circular driveway, with two curb cuts, was also justified by virtue of the fact that the property was a corner lot, that the property had a significant frontage on Colony Avenue, that Colony Avenue was a very narrow roadway, and that the circular drive would provide a safer means of ingress and egress for the occupants of the home, thus providing a public benefit. Mr. Preiss believed that the requested curb cut and circular drive variances could be justified under either C(1) or C(2) standards and that there would be no negative impact flowing from a decision to grant said variance.
12. The BOARD finds that the requested rear yard variance is justified pursuant to either C(1) or C(2) standards. The lots are substantially oversized. The need for a rear yard variance results from a technical change in the Zoning Ordinance defining rear yards and side yards in relation to the orientation of dwellings. The property is situated on a corner lot, thereby creating added limitations notwithstanding the oversized nature of the existing and resulting lots. The BOARD further finds that there will be no negative impact whatsoever flowing from a grant of the rear yard variance for the reasons stated by Mr. Preiss in his testimony.
13. The BOARD has considered the requested curb cut and circular driveway variance and finds that if the location of the proposed driveway is modified to relocate the existing curb cut, to alter the width of the driveway and to eliminate the proposed turn around then, and subject to such modifications, the variance can be granted, again for the reasons stated hereinabove as testified to Mr. Preiss. The BOARD'S specific requests with regard to the new location are to be included in a revised Subdivision Plan, a Plan to be prepared by the Applicant's Engineer upon consultation with the Borough Engineer.
14. The BOARD'S grant of the requested variances is also conditioned upon the Applicant's agreement to move the location of the proposed dwelling to the rear of the proposed new lot. Specifically, the BOARD requires that the new dwelling be situated so that it is no nearer to the Fifth Street front lot line than the home currently located on the lot immediately to the south of the newly created lot. Applicant shall be required to modify the Subdivision Plan again to show the revised location of the lot.
15. As noted in the Borough Engineer's report, the Applicant seeks a soil moving permit to permit a new export of 476 cubic

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 - 8:00pm

yards of soil. The BOARD also grants the Applicant's request for a soil moving permit subject to the provisions and conditions set forth hereinbelow.

16. Provided that the above plan modifications are submitted to the BOARD, the BOARD finds that there will be no negative impact resulting from a decision to grant the variances or minor subdivision approval and that there will be no adverse impact to the Master Plan, Zoning Ordinance nor neighborhood.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by virtue of the foregoing that the BOARD hereby grants Applicant's request for preliminary minor subdivision approval, a rear yard variance for proposed Lot 2 and a curb cut/circular driveway variance to permit the subdivision of the parcels as set forth in the submitted plans subject to the following conditions;

- A. That the Applicant provide the Borough Engineer with a satisfactory metes and bounds description for both lots and that no subdivision deed or plat be signed by the Board until such time as the Applicant provides said descriptions. In said subdivision deeds, Applicant shall provide for a dedication of land to the Borough providing a distance of 25 feet from the centerline of Colony Avenue in order to create a 50' right-of-way.
- B. That the Applicant furnish to the BOARD either proof of subdivision approval by the Bergen County Planning Board or a jurisdictional waiver from the County Board confirming that approval is not required.
- C. Applicant shall be required to prepare and file the required Subdivision Plat and/or required Deeds and related documents to complete subdivision Approval after said Plat and/or Deeds are reviewed and approved by the BOARD Engineer and Attorney.
- D. If required by the BOARD and Borough Engineer, the Applicant shall be required to execute a Developer's Agreement in a form acceptable to the Planning Board and the Mayor and Council of the Borough of Park Ridge, said Agreement to be prepared by the Board's Attorney at Applicant's cost and expense.
- E. The Applicant shall be required to furnish performance bonds, maintenance guarantees and cash deposits in accordance with the Subdivision and Site Plan Review Ordinance of the Borough of Park Ridge in amounts to be determined in accordance therewith and upon consultation with the Board Engineer.
- F. All improvements to be completed in connection herewith shall be in accordance with all development application proceedings and evidence submitted to the Planning Board and in compliance with the requirements of all Borough Ordinances and other requirements as may be imposed by the Borough Engineer.
- G. Applicant shall be required to pay all professional fees, escrows and bonds in a timely manner.
- H. The Applicant shall submit a revised plan subject to the review and approval of the Borough Engineer showing the relocation of the proposed new dwelling for Lot 2, moving said dwelling to the rear so as to be no nearer to Fifth Street than the dwelling immediately to the south of the new lot.
- I. No new dwelling shall be constructed on Lot 2 that exceeds the footprint set forth on the approved subdivision plan. Specifically, no new dwelling shall require any bulk variances as set forth hereinabove.

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

- J. Applicant shall submit a revised plan subject to the review and approval of the Borough Engineer showing the relocation of the curb cuts and driveway as set forth in hereinabove.
- K. Applicant shall comply with all of the requirements set forth in the sixteen paragraphs of the Borough Engineer's report dated October 21, 2011.
- L. Applicant shall comply with all requirements set forth in the Borough Water Department report dated October 24, 2011, including, but not limited to the upgrading of the existing fire hydrant.
- M. Applicant shall modify the proposed sewer connections for the newly created lot by constructing a sewer main extension on Fifth Street to provide for the sewer lateral connection from the new dwelling to be gravity fed rather than be pumped to the Colony Avenue sewer. Applicant shall secure all necessary approvals from the State of New Jersey to extend the sewer line.
- N. Applicant shall secure approval from the Bergen County Soil Conservation District.
- O. Applicant shall modify the proposed shade tree plantings to eliminate the proposed planting of locust trees and replace same with two Red Maple (Autumn Blaze). Applicant shall also provide additional shade trees planted forty feet on center for both of the newly created lots.
- P. Applicant shall pay the required \$100.00 fee per lot to the Borough of Park Ridge to satisfy fees required for changes to the Borough Tax Map.
- Q. Applicant's receipt of a Soil Movement Permit is specifically subject to the following conditions:
 - 1. The Applicant shall not move any soil from the site without first submitting to the Borough Engineer and to the Borough Police Chief a written plan detailing the manner in which soil will be moved to the site, the dates of soil movement, and the routes to be taken by vehicles removing the soil. No soil shall be removed from the site unless and until the Applicant receives approval from the Borough engineer and the Police Chief for the borough of Park Ridge with respect to said plans.
 - 2. Applicant shall also comply with any and all conditions or requirements imposed by the Borough Engineer with respect to erosion control, truck cleaning or any other soil movement requirement he may deem necessary. These requirements may include specific conditions with regard to the maintenance of the tracking pad on the site and with respect to the cleaning of Borough Streets, if required by the Borough Engineer.
 - 3. Applicant shall also move soil from the site in trucks filled to such weight as is deemed appropriate after consultation with the Borough Engineer. If the Borough Engineer determines that vehicles should not be filled to capacity so as to minimize the possibility of damage to Borough streets, Applicant shall comply with said requests. In the event Applicant causes any damage to the street, Applicant shall provide repairs to same or compensate the Borough for the costs of any repairs.
 - 4. Applicant shall not move more soil from the site than as described during soil movement hearings and as set forth in reports issued to the borough Engineer. In the event Applicant requires the movement of additional soil,

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

Applicant shall return to the BOARD for subsequent hearings.

5. Applicant shall specifically comply with all soil movement and soil control requirements set forth on the plans reviewed by the Borough Engineer and described at the aforementioned hearing.
6. Applicant shall pay all required soil moving fees and post any required bonds.

Offered by Robert Oppelt and seconded by John O'Donoghue.

AYES: Messrs. Mital, O'Donoghue, Oppelt, Schwamb, Ms. Eisen

ABSTAIN: Messrs. Browne, Mesiano

RIDGE MANOR APARTMENTS – 71-91 Hawthorne Avenue
Lot: 3 Block: 1402

WHEREAS, RIDGE MANOR APARTMENTS, LLC, a Limited Liability Company of the State of New Jersey, (hereinafter referred to as “Applicant”), being the owner of premises known as 71-91 Hawthorne Avenue in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 3 in Block 1402 on the Tax Assessment Map for the borough of Park Ridge, has applied to the PLANNING BOARD of the BOROUGH OF PARK RIDGE (hereinafter the “BOARD”, seeking Preliminary Site Plan Approval and a variance in order to permit the construction of an additional multi-family dwelling on the site; and

WHEREAS, the subject parcel is located in the Garden Apartment Residential Zoning District (GA-1) as defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, Applicant is seeking a variance from the Zoning Ordinance of the Borough of Park Ridge, specifically a variance to allow a minimum front to front distance between buildings of 23.3 feet as opposed to the 60 feet required in the GA-1 Zoning District; and

WHEREAS, Applicant also requires a soil moving permit and has submitted an application for said permit to the BOARD; and

WHEREAS, Applicant has submitted various sketches, reports and renderings all of which were marked into evidence at the hearings held in connection with the Application, including the following:

- a) A Site Plan entitled, “Preliminary and Final Site Plans for Ridge Manor, Block 1402, Lot 3, borough of Park Ridge, Bergen County, New Jersey” prepared by Omland Engineering Associates, Licensed engineers of the State of New Jersey, dated August 15, 2011, but last revised on October 31, 2011;
- b) Drainage Calculations also prepared by Omland engineering Associates dated August 1, 2011 and revised to October 11, 2011; and
- c) Architectural plans prepared by Raymond DeGheri, Licensed Architect of the State of New Jersey including a colorized version of the façade of the new structure; and

WHEREAS, the BOARD received reports from its professionals and Borough Agencies including the following:

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

- a) A report from the Borough Planner, Brigitte Bogart, set forth in a letter to the Board, dated September 11, 2011
- b) Reports from the Borough Engineer, Eve Mancuso, set forth in letters dated September 17, 2011, October 24, 2011 and November 2, 2011;
- c) Reports from the Borough Fire Prevention Bureau dated September 2, 2011 and October 4, 2011;
- d) Reports from the Borough Water and Sewer Department dated September 6, 2011, and October 4, 2011; and

WHEREAS, hearings were held before the PARK RIDGE PLANNING BOARD duly convened on September 21, 2011 and October 26, 2011 upon due Notice as required by law; and

WHEREAS, the BOARD has carefully considered the application and all testimony and evidence presented to the BOARD by the Applicant and by residents appearing in connection with the application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact and conclusions of law:

1. Applicant is the owner of premises located at 71-91 Hawthorne Avenue in the Borough of Park Ridge. The site is currently developed with existing two-story garden apartment buildings and is located in the GA-1 Residential Zoning District, a zone permitting the garden apartment use. The area of the site is nearly twice that required for the zone. There are currently 44 dwelling units on the site located in four existing buildings.
2. Applicant seeks to construct an additional, twelve unit garden apartment building in an interior portion of the site as specifically shown on the aforementioned Site Plan. The new building will also be two stories in height and will conform in style and appearance to the other buildings on the site. The proposal also calls for the addition of 24 new surface parking spaces. Most importantly, the applicant intends to convert one of the existing units into an Affordable Housing unit.
3. The proposed development complies with all applicable provisions of the Zoning Ordinance, including density regulations, with one exception., Applicant requires a variance from the building setback requirements of the GA-1 Zoning District since the front of the proposed new building will be but 23.3 feet from the front of an existing building on the site rather than the minimum 60 foot setback distance required by the Zoning Ordinance. The proposal complies with all other Zoning and Subdivision Site Plan Requirements.
4. Applicant presented the testimony of Wayne Corsey, a licensed Engineer of the State of New Jersey. Mr. Corsey described all the site modifications including the following:
 - a) The construction of 12 garages and 12 new surface parking spaces
 - b) The Conversion of an end unit in the right front existing building to an Affordable Housing unit.
 - c) The location of two enclosed dumpster areas as shown on the plans, with the Applicant subsequently agreeing to

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

enclose the dumpsters with board on board fencing.

5. Mr. Corsey also agreed to install no parking signs in front of garage areas, to keep all fire lanes open during construction, and the construction of new surface parking areas at the initial construction stages so as to create no problems with existing parking.
6. Mr. Corsey specifically described proposed drainage improvements for the project. He indicated that an existing storm drain would be rerouted around the new building. He indicated that seepage pits would be provided to handle runoff from the new building. He stated that the drainage improvements on the site would actually reduce the amount of runoff from the site and would create no new drainage problems for adjacent properties.
7. In response to a request by the Borough Planner, the Applicant agreed to provide bench seating in recreation and yard areas. The Applicant also agreed to provide supplemental lighting as requested by the Borough Engineer, submitting a revised lighting plan.
8. Applicant also agreed to comply with all requests set forth in reports from the Borough Water and Sewer Department and the Borough Fire Prevention Bureau. Applicant specifically agreed to provide new fire hydrants at the locations requested by the Borough Fire Prevention Bureau. Applicant also agreed to provide additional handicapped parking spaces and to provide additional sidewalk ramps as requested by the borough Planner and Borough Engineer, modifying the Site Plan to reflect these additional improvements.
9. Applicant also presented the testimony of William Hamilton, Licensed Planner of the State of New Jersey. Mr. Hamilton indicated that the requested variance was justified pursuant to the C-2 provisions of the Municipal Land Use Law. He noted that the proposal would provide a new, affordable housing unit where none existed. He opined that the project would create a desirable and attractive visual environment and promote the efficient use of the site, a site that was larger than that required by the Zoning Ordinance. He further stated that there would be no negative impact whatsoever resulting from the proposal, since the changes were made to the interior of the site and would not be visible from surrounding properties.
10. The BOARD also heard testimony from a resident who was concerned with the potential for additional water runoff from the site. The Applicant's Engineer responded by noting that there was virtually no increase in impervious surface coverage for the site; that the proposal would provide additional seepage pits; and that the site improvements would not increase water runoff from the site. Mr. Corsey specifically testified that the proposal mitigated any increase in impervious surface by recharging water into the ground as opposed to creating additional surface runoff.
11. Applicant also agreed to provide a sprinkler system in the newly constructed building, whether required by applicable building codes or not. Applicant further agreed to various other

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

site modifications as noted in the final report provided by the Borough Engineer dated November 2, 2011.

12. Applicant also submitted an application for a soil moving permit. Applicant's proposal will involve a total soil movement of 1,430 cubic yards of soil, with a total export of soil from the site of 1,130 cubic yards.
13. The BOARD finds and concludes that the Applicant has presented sufficient proofs to justify the grant of the requested variance necessary to permit the proposed development. The project will achieve several goals and objectives of the Municipal Land Use law as noted in the credible testimony provided by the Applicant's Planner. There will be a substantial public benefit resulting from the creation of a new affordable housing unit. The new building also will be aesthetically pleasing. The proposal will also result in drainage improvements. The Applicant will also be providing new fire hydrants, a benefit to the site and the neighborhood in general.
14. The BOARD further finds that a decision to grant the requested variance will have no negative impact whatsoever on the neighborhood, the Master Plan or the Zoning Ordinance, and that the grant of the variances will result in no detrimental impact on the public good. To the contrary, the proposal complies with the goals and objectives of the Master Plan and the Zoning Ordinance by providing a new affordable housing unit. The new building is being located in the center of the site, and will not negatively impact any surrounding properties.
15. The BOARD thus finds that the benefits resulting from the grant of the requested variance far outweigh any negative impact since the BOARD finds that there is no negative impact resulting from the grant of the requested variance.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70, that the BOARD hereby grants the Applicant's requested Preliminary Site Plan approval together with requested variance as set forth hereinabove and as described during all Site Plan review proceedings, together with a soil moving permit, all subject to the following express conditions:

- A. The Applicant shall be required to execute a Developer's Agreement in a form acceptable to the Planning Board and the Mayor and Council of the Borough of Park Ridge, said Agreement to be prepared by the Board's Attorney at Applicant's cost and expense.
- B. Applicant shall be required to furnish performance bonds, maintenance guarantees and cash deposits in accordance with the Subdivision and Site Plan Review Ordinance of the Borough of Park Ridge in amounts to be determined in accordance therewith and upon consultation with the Board engineer.
- C. All improvements to be completed in connection herewith shall be in accordance with all development application proceedings and evidence submitted to the Planning Board in compliance with the requirements of all Borough Ordinances and other requirements as may be imposed by the Borough Engineer.

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 – 8:00pm

- D. Applicant shall be required to pay all professional fees, escrows and bonds in a timely manner.
- E. Applicant shall complete all improvements in accordance with the aforementioned development application proceedings as well as in compliance with all other applicable Borough Ordinances.
- F. All lighting shall be provided as set forth on the Site Plan. If so requested, Applicant shall be required to submit additional specifications to the Borough Engineer to confirm that the upgrades to existing lighting are adequate and do not result in offensive spillage of light onto neighboring properties. The within approval is specifically subject to a subsequent review by the Borough Engineer upon the completion of the project to make certain that the aforementioned lighting does not spill onto adjacent properties.
- G. Applicant shall comply with all requirements set forth in the reports by the Park Ridge Water and Sewer Department.
- H. The newly constructed building shall be constructed with a sprinkler system as agreed upon by the Applicant.
- I. That the Applicant secure all necessary approvals, if not previously secured, including but not limited to the County of Bergen, the Bergen County Planning Board Approval, the Bergen County Soil Conservation Board Approval and any other required governmental approvals. In the event any agency requires modifications to the Site Plan approved herein, Applicant shall be required to return to the BOARD for the approval of such modifications.
- J. The Applicant shall be required to comply with all legal requirements necessary to render the described unit in the existing building as an affordable housing unit pursuant to all COAH (or now Department of Community Affairs – DCA) regulations. The unit shall be a rental unit only, and may not be sold as an individually owned housing unit. The Applicant shall be required to take all actions necessary to insure that the unit is deemed to be an affordable housing unit acceptable to COAH-DCA and in compliance with the requirements of the Fair Housing Act. The unit shall be affirmatively marketed to attract renters of all majority and minority groups who are low and moderate income qualified, to the unit by the administrative agency of the Borough of Park Ridge through the Borough Housing Liaison or such other individual as is designated by the Borough. The unit will also be deed restricted in accordance with COAH-DCA regulations and only be rented to an income qualified individual. The Applicant shall prepare a Deed creating the required Deed restriction, with said Deed provided to the Borough Attorney for review and approval prior to recording same. Once approval is provided, the Applicant shall record the Deed and provide the Borough Attorney with a copy of the recorded Deed. The developer and the owner of the unit will be required to assist in the marketing of the affordable housing unit. The marketing program will commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy for the newly constructed building and will continue until the unit is initially occupied and for as long as the affordable unit is deed restricted and the

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 - 8:00pm

occupancy or re-occupancy of the unit becomes necessary. No Certificate of Occupancy for the newly constructed building shall issue until such time as the affordable housing unit is vacant and ready for occupancy by a qualified affordable housing tenant.

- K. Applicant specifically complete all landscape improvements set forth on the Site Plan. Applicant shall provided protective fencing at the drip line for all trees with said fencing to remain in place throughout the course of construction. Tree wells shall be constructed if so required by the Borough Engineer.
- L. Applicant shall provide for all drainage as specified in the Site Plan Approval process, as set forth in detail on the Site Plan and as may be reasonably modified by the borough Engineer at the time of construction. Applicant shall also be required to provide the Borough Engineer with the results of soil testing at the time of construction with said results subject to the review and approval of the Borough Engineer.
- M. Applicant shall replace the aforementioned fire hydrants as shown on the site Plan with new fire hydrants as described in the borough Fire Official reports.
- N. Applicant shall construct the proposed buildings in compliance with the Site Plan and Architectural Plans submitted to the BOARD. No changes to said structures shall be permitted without reapplication to the BOARD.
- O. Applicant shall pay any and all development fees that may be required pursuant to the Development Fee Ordinance of the Borough.
- P. Applicants receipt of a Soil Movement permit is specifically subject to the following conditions:
 - 1. The Applicant shall not move any soil from the site without first submitted to the Borough Engineer and to the Borough Police Chief a written plan detailing the manner in which soil will be moved to the site, the dates of soil movement, and the routes to be taken by vehicles removing the soil. No soil shall be removed from the site unless and until the Applicant receives approval from the borough Engineer and the Police Chief for the Borough of Park Ridge with respect to said plan.
 - 2. Applicant shall also comply with any and all conditions or requirements imposed by the Borough Engineer with respect to erosion control, truck cleaning, or any other soil movement requirement she may deem necessary. These requirements may include specific conditions with regard to the maintenance of the tracking pad on the site and with respect to the cleaning of Borough Streets, if required by the Borough Engineer.
 - 3. Applicant shall also move soil from the site in trucks filled to such weight as is deemed appropriate after consultation with the Borough Engineer. If the Borough Engineer determines that vehicles should not be filled to capacity so as to minimize the possibility of damage to

Minutes of the Park Ridge Planning Board
Meeting of November 16, 2011 - 8:00pm

- Borough Streets, Applicant shall comply with said requests. In the event Applicant causes any damage to the street, Applicant shall provide repairs to same or compensate the borough for the costs of any repairs.
4. Applicant shall not move more soil from the site than as described during soil movement hearings and as set forth in reports issued to the Borough Engineer. In the event Applicant requires the movement of additional soil, Applicant shall return to the BOARD for subsequent hearings.
 5. Applicant shall specifically comply with all soil movement and soil control requirements set forth on the plans reviewed by the Borough Engineer and described at the aforementioned hearing.
 6. Applicant shall pay all required soil moving fees and post any required bonds.

Offered by Mr. Schwamb.
Second by Mr. O'Donoghue

AYES: Messrs. Mital, O'Donoghue, Oppelt, Schwamb, Ms. Eisen
ABSTAIN: Messrs. Browne, Mesiano

APPROVAL OF VOUCHERS:

Brooker Eng. PE

Ridge Manor Apartments	\$640.00
P.R.A.H. Assoc.	320.00

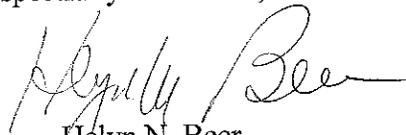
Motion made by Mr. Mesiano to authorize the vouchers for payment.
Second by Mr. Schwamb.

AYES: Messrs. Browne, Mesiano, Mital, O'Donoghue, Oppelt, Schwamb,
Ms. Eisen

ADJOURN:

There being no further business to come before the board a motion was made by Mr. O'Donoghue that the meeting be adjourned.
Second by Mr. Browne.
Carried unanimously.

Respectfully Submitted,


Helyn N. Beer
Secretary

(8:13pm)