

Minutes of the Park Ridge Planning Board
Meeting of Wednesday, June 27, 2012 – 8:00pm

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 Chairman, Don Schwamb, on the above date, time and place.

Chairman called for the Pledge of Allegiance to the Flag.

ROLL CALL: Present: Ms. Eisen, Messrs. Ludwig, Mesiano, Metzdorf, Mital, Schwamb, Von Bradsky, Councilman Misciagna, Mayor Maguire

Absent: Messrs. Browne, O'Donoghue

Also Present: William F. Rupp, Esq., 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 11, 2012, setting forth a schedule of regular meetings, by mailing of said schedule to the Record and The Review on January 12, 2012 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:

P.R.A.H., LLC – 38 & 40 Park Avenue NBD
Lots: 10 & 11 Block: 1601

David Rutherford, Esq., came forward stating he was representing the applicant, PRAH LLC.

RUTHERFORD: This is our second appearance before the Board and since our appearance on May 23rd, we have filed some revised plans, which Mr. Eichenlaub is putting on the Board. A site plan which is revised through June 14, 2012, revision date appearing on the second page.

We've also provided some revised architectural drawings. Last month we had mentioned the need to phase this project and in order to address concerns we expected the Board to have in response to that need, we have provided some revised architectural plans.

We tried to address the existing building, which will have the two COAH units above it and we've also tried to give you an idea of what the proposed new building will look like at the end of the first phase of our project.

So, to be very clear, what we do seek this evening is for approval for the entire project, the full two-story building that you saw originally and which is the subject of Mr. Eichenlaub's site plan. He includes all the square footage, he's done all his parking calculations, his setback calculations on the basis of the full two-story building.

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But we have also shown you what the proposed Phase 1 will be, which is potentially the one-story building and the basement, which will have the Park Ridge Animal Hospital. There is also a portion of the building in the front that will house Dr. Mandarino's office.

So we asking the Board to consider letting us phase the project to do that first and to complete the second phase at a later time.

The first part of the project, I should be clear, will also include the renovation and expansion of the existing animal hospital building with the construction of the two apartments over it.

So basically, Phase 2 would be limited to the completion of the second floor in the new building at 38 Park Avenue.

What I would like to do this evening, if the Board pleases, I would like to address the memos that Ms. Bogart and Ms. Mancuso have submitted. There has also been a memo from the County of Bergen and we also have received a copy of your Fire Prevention Bureau review.

I think in the interest of time and in order to move forward as expeditiously as we can, if the Board please, I am going to have Mr. Eichenlaub sworn or remind him that he is still under Oath.

RUPP: You were previously sworn in and you are still under Oath.

EICHENLAUB: I understand that.

RUTHERFORD: What I would like Mr. Eichenlaub to do...we will mark his revised plan as Exhibit A-10...the latest site plan and is revised through June 14, 2012.

What I would like you to do, since we had a lot of testimony about this at the last meeting...if you could just go through, in narrative form and highlight for the Board the changes that have been made to the plan since the last meeting.

EICHENLAUB: At the last meeting there were a number of comments made and requests of certain aspects of our layout, which we did either for the Board or the Board professionals...we went back and we reevaluated and made a number of changes on the plan.

This is a colored rendering of the site layout. It basically shows the two buildings, the parking layout, the driveway, the landscaped areas, the loading dock in the rear of the proposed animal hospital building and various area of landscaping.

I will just basically take it in order.

Through the changes there are a number of changes in coverage and variances that we are seeking.

The first one is the building on Lot 11. This is the existing animal hospital now and that has changed slightly in that the back of the building has been increased with an ingress/egress area staircase going from grade to second floor...that is the bump out area in the back of the building, which is shown.

We've also provided for circulation around the back of the building up the westerly side and across the front as it presently exists.

The impervious area on both lots and Lot 11 have changed. In fact, the figures have actually gone down. You will note on the bulk tables those figures have changed. We've gone from, on Lot 10...we originally had 5,390, we only dropped three sq feet of that with the building down to 5,387...and then on Lot 11, we went from 1,802 sq ft up to 2,093 sq ft. So the actual building coverage on Lot 11 has increased and basically on Lot 10 the building coverage is going to remain the same.

Where the changes are in the impervious, is we've taken away where we originally were showing the remnants of the existing parking lot

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to remain within the buffer area of the Pascack Brook, all of that has been removed. So that impervious area has been eliminated.

As you also will recall, we had a clockwise driveway circulation on the driveway down the easterly side of Lot 10...we have eliminated that. We still have the extension, the stub of that driveway to allow delivery trucks to pull in and back into their loading zone and we have also provided for...where the dumpster pad was located in the back south/west corner of the building, we've located now at the end of that driveway stub.

That was a request made by the Temple. They asked if we could please move that. Initially we couldn't but when we eliminated the driveway we were able to move it to the end of the driveway stub to the easterly side of the driveway.

What we did, is we went from a driveway and parking area of approximately 17,187 sq ft on Lot 10 down to 15,724 sq ft and on Lot 11, we went from 5,051 sq ft down to just over 2,003 sq ft. The majority of that was due to the remnants of the parking lot that we were originally going to leave but are now taking out.

So the big change and a benefit to the site is the fact that we have reduced the coverage's, we've reduced the percentage of the variance that we are seeking...originally we were seeking impervious coverage of 83.58% on Lot 10 and we are now seeking a variance of 79.32% on Lot 10. We still exceed 75% but instead of being 8 ½% over we are now only 4.32% over.

The impervious coverage for Lot 11 has been reduced from 28.95% down to 21.02%.

Parking changes...we have provided for a handicapped stall along what is now 8 spaces behind the building on Lot 11. Where we had originally 9 spaces, we now have 8 the reason being the handicapped space is wider and we have the access aisle off of that handicapped stall. We have provided for a dropped curb for access to the building on the lot directly off that handicapped stall.

In eliminating the driveway down the east side of Lot 10, we've provided for a striped-out turnaround area. Since this now becomes a dead-end parking area, we've provided for a striped off area, where should a patron or a resident pull in and go all the way to the end of this parking area behind the animal hospital and find there are no parking stalls they have the ability to turn around...they can pull into this area, back out and pull straight out instead of backing out of this area. So we've provided for that.

In essence, there is a net loss of one parking stall over what we were originally proposing, due to the elimination of two parking spaces behind Lot 11 and a net gain of one parking space behind the animal hospital.

Additional changes...we did away with the driveway down the east side of Lot 10, we moved the dumpster and where the dumpster was originally situated, a month ago, we've now provided for plantings, as requested by the Temple. We were able to realize that request by the fact that we eliminated the driveway.

We changed the landscaping...we've provided for much more landscaping that what we originally had. One of the requests at the last meeting was to provide for sidewalk improvements along Park Avenue from the east side of the existing animal hospital building. We have provided for that.

We have also provided for a sitting area, a bench along that sidewalk. We have a strip of pavers between our sidewalk and the curb line and we have provided for a 5' wide concrete sidewalk.

We have also provided for a bicycle rack t the northeast of the building on Lot 11, as requested.

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We also provided now and we've indicated a sign for the animal hospital located off the north/east corner of the building at the entrance. The sign is compliant with regard to height above grade and square footage. The sign will be 24 sq ft on either side, facing east and west.

We have provided for additional landscaping in that area of the sign. We've provided for additional landscaping along the improvements on Park Avenue to the east of the building on Lot 11.

We've also taken our lighting...there was a request that we provide for additional lighting or increase the intensity of the lighting at the entrance to the site. We did that and provided for additional lighting where we have now illuminated the entrance and exit...we shifted the lighting on Lot 11 to the north and we have also provided for additional lanterns along Park Avenue. We now have 4, one existing in front of the existing animal hospital and 3 additional lanterns along Park Avenue.

We have also provided for shade trees, two in front of Lot 11 and two in front of Lot 10.

The variances are listed on our Site Plan but I will go through them very quick.

We're seeking a variance, where we've got a wall...I originally called this a retaining curb but at one point it gets a little too tall to be called a retaining curb so it is actually going to be a concrete retaining wall with a footing and concrete stem. For that reason, we have now indicated we need a variance because a retaining wall is required to be 8' off the property line, this wall will be 5' off the property line so we've asked for that variance.

At the bottom of Sheet 3 of 6, Notes 32 and 33 – front yard setback variance is required for the existing building on Lot 11. We are not extending the building north towards Park Avenue anymore but it is presently in a variance position. We've got a setback of 6.9' where 10' is required. So we are seeking that variance although it is an existing non-conformity.

With regard to the coverage, we already covered that. We are allowed 75% and we are seeking a variance on Lot 10 only, for a 79.32%. As I indicated earlier, we've actually brought that variance down 4.26% based on the elimination of a portion of our driveway.

RUPP: Do you remember what the total coverage is on both lots combined?

EICHENLAUB: I didn't do that calculation but I can figure it out real quick. That comes out to 58.18%. Summarizing that, you would combine the two lots and we are below the 75%.

RUTHERFORD: You have gotten through the first two variances, if you would continue. You went through the setback variance and coverage variance and also the variance for the accessory structures within the distance less than permitted.

EICHENLAUB: Right, which was the retaining wall.

Landscaping...the ordinance within the NBD zone requires a landscaped strip between the curb and sidewalk. We do not provide for that because of the tightness within that area along that stretch. We do provide for significant landscaping to the south of the sidewalk, which will be the owners responsibility but because we don't have that 5' strip between curb and sidewalk, we are seeking that variance.

Shade trees along Park Avenue...I indicated we have four...the ordinance requires that shade trees along the roadway be provided at 40' spacing. We actually have two shade trees in front of the building on Lot 10 and two, not directly in front of the building but east of the building

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along the frontage of Lot 11. Those two trees on both of those lots are spaced at 35'. We were trying to keep the trees as far away from the driveway as possible and because of the tightness and existing location of the building on Lot 11, if we started putting trees in front of that building, they would probably begin growing into the building. So the two trees are located to the east of that and because they are not spaced at 40' and we are probably minus one tree along that frontage, we are seeking a variance with respect to that.

Outdoor fixtures...the planner commented on this in her report but we have Park Ridge lanterns along Park Avenue...the fixtures we have located within the parking lot itself are the shoe-box style fixtures, downcast to illuminate the parking lot only and I believe your planner has indicated that would be acceptable, given the fact that we have provided for the decorative lanterns along Park Avenue.

The last two variances we are seeking are for parking...parking within 5' of the lot line within the side yard setback and side yard parking. So those are our last two variances we are seeking. Because we are combining the two lots and are sharing a common driveway, it just so happens that the parking crosses over the common property line into Lot 11 and that is why we are close to the lot line.

That is really it with regard to the changes we made.

RUTHERFORD: Just a couple of questions. The free-standing sign requires a setback variance, right?

EICHENLAUB: Correct.

RUTHERFORD: Could you comment on the relationship of the setback of the building and the proposed free-standing sign setback and comment on why the sign has been placed where it has been placed?

EICHENLAUB: We are required in the zone to have a setback of 10' for the sign. We are seeking a variance to allow us to set it back 8' from the property line. The building itself, is located 10' from the property line, which is allowed in the zone, front yard setback must be at least 10' and no greater than 20' so to push that sign any further back, the sign would be blocked by both buildings. Motorists traveling in a westerly direction would have the sign blocked by the existing animal hospital building and traffic traveling in an easterly direction would have their view blocked by the proposed animal hospital building.

We felt if we were just able to push this up in line with the sidewalk, motorists and pedestrians would be able to see the sign a lot sooner prior to reaching the site if they are traveling in either of the two directions.

RUTHERFORD: And if you would just briefly... and when we were here last month there was some discussion about the drive aisle circled around the southerly end of the property and no conclusion reached but certainly some discussion of that. I would like you to just share with the board, very briefly, what the thinking of the client/applicant was as well as you, in coming to eliminate that and what ancillary effect that may have had on the plan.

EICHENLAUB: If the Board will recall, we did have a driveway that came down down the easterly side of Lot 10 and tied into this parking area at the southerly end. This was discussed at the last meeting and discussed with the professionals that it was felt we were lacking sufficient green area and one way to establish additional green area was to possibly get rid of that driveway since it was a one-way circulation clockwise tying into

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the parking area. I indicated we wouldn't have a problem doing that. We were concerned with a dead-end parking area but we have provided for a 13' wide by 18' deep turn around area at the south end of that parking stall.

So, it wasn't a problem in my eyes to eliminating that driveway to provide for additional green area.

RUTHERFORD: Do you think that the circulation pattern that is shown on the present plan is as good as what was shown on the plan a month ago?

EICHENLAUB: It still provides for an even flow of traffic. As I indicated, by providing for a turnaround at the south end of the row of parking stalls, there is no reason, should the parking lot be full, for a car to have to back out of this parking arrangement, they can simply pull into that area and make a U turn and pull out head-first.

RUTHERFORD: And that also allowed us to relocate the dumpster from the westerly lot line to the southerly end of the driveway shown.

EICHENLAUB: And the big reason for that is the Temple had requested, if at all possible, could we please move the dumpster. I told them at the start of the last meeting that I really had nowhere on site to put that. Well, it turns out that by eliminating that driveway, we now have an area we can put it at the end of the driveway stub.

RUTHERFORD: The coverage calculations that you've done and the parking calculations you've done are based upon the full scope of the project, correct? In other words, that is with a full two-story building with the apartments over it as well as the expansion of the existing building with the two COAH units above.

EICHENLAUB: Yes, the total site.

RUTHERFORD: So all of the coverage calculations, the parking calculations have been done on the full scope of the project.

EICHENLAUB: That is correct.

RUTHERFORD: Now, quickly, we did receive a memo from the Bergen County Planning Board, dated June 18, 2012, which I am sure the Board also has. You told me earlier that was actually prepared by them prior to the revision of this plan on June 14 and prior to their review of that plan.

EICHENLAUB: Right. It just so happens that letter went out the same day the revised plans went down to them. The comments were made on the plan the Board saw last month. In fact, the majority of those comments and without having that letter in hand, were addressed in the plans that were submitted to them. The big issue is the sidewalk handicapped ramp and the opening on Park Avenue. We are going to have to do some modifications to that.

RUTHERFORD: Is there anything there that would materially impact or require substantial changes to the plan that you have and you are satisfied that the applicant can comply with all of those.

EICHENLAUB: There is no reason why we can't.

RUTHERFORD: Then we don't need to go through those.

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The second memo we received is from the Park Ridge Fire Prevention Bureau, dated June 27, 2012. I don't know if you have had enough time to review that but is there anything there that you cannot comply with?

EICHENLAUB: No, they just would like to have the Knox boxes for both buildings...no problem, that's typical. They want some fire zone striping in front of the dumpster, again no problem. We have it along both curb lines as we approach the dumpster, we can provide for that striping in front of the dumpster as well.

The majority of the comments are in regard to the interior concerns of the building and I am sure they will be addressed by the architect as he advances the plans. Right now the Fire Department has not had a chance to review the plans that have been in front of the board since they are simply elevations and a general layout of the floors. They didn't go into great detail of access points to the roof and so forth, those will all be provided in the architectural plans.

RUTHERFORD: Next memo we received is from Brooker Engineering, dated June 27, 2012. I think we had a chance to review this just a bit earlier. I don't intend to go through each and every one of them unless Ms. Mancuso believes some require further attention...but based upon your quick review of that memo, is there anything here that is an issue as far as the client is concerned?

EICHENLAUB: I think the majority, and I just had a chance to look at that this evening...the majority of the comments look as if the address previous comments that we've complied with. There are a couple of issue and I apologize, but off the top of my head I don't remember what they are but there is nothing we can't address, change, correct or come to an agreement with regard to the engineering issues.

RUTHERFORD: I'll leave it to Ms. Mancuso if she needs further clarification on any of those issues. I'll leave that to her.

The last memo we have is from Ms. Bogart. This memo is dated June 20, 2012 and we will go through these as well. Again, trying to pass by those that have already been addressed.\

#2A talks about the contract of sale...we have somewhat addressed that in your plans and do show the entire scope of the project.

The shared parking you can confirm that this is, essentially, intended to be a totally shared parking arrangement between Lots 10 and 11, with the understand, that while this has not yet been done, there will likely be designated spaces for the various uses on the lot. Is that correct?

EICHENLAUB: Correct.

RUTHERFORD: There will be designated spaces, for example, for the residents living in the apartments and designates spaces, perhaps, for employees and for visitors. Right?

EICHENLAUB: As we indicated at the last meeting, the residents would have parking spaces in the easterly strip of parking spaces...the employees would be designated to park to the back of the parking that so that the patrons and office visitors would have access close to the buildings.

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RUTHERFORD: Other than that, except for those limitations, the parking is intended to be used in common between the applicants and occupants of both lots.

EICHENLAUB: Right, that is correct. There will be cross easements allowing the tenants and occupants of the building on Lot 11 to utilize the parking spaces, if necessary, on Lot 10.

RUTHERFORD: Architecture we will pass by for the moment.

Circulations design, Item D on page 3...I think you have already addressed that.

Item E...streetscape requirements you have discussed that as well with regard to the spacing of street trees.

Item F...Ms. Bogart can comment further.

Items G and I...actually relate to green space, the dog walking area as well as the green link to address the Park Ridge Open Space element of the Master Plan. I know we had discussion on this at the last meeting and no firm conclusion was reached but can you comment, at least, on what could be done here with respect to the desired greenway.

EICHENLAUB: Let me just start with the dog area. There is an actual designated area behind the dumpster, we're calling it a gravel area...probably more of a pea gravel type area for the dogs to be walked. That is located to the back side of the dumpster area on Lot 10.

With regard to the greenbelt and access walk...it was talked about providing that along the Pascack Brook on Lot 11. We haven't shown anything and I know that our client has said they are not opposed to that that it is something that is going to have to be worked out. There are obviously concerns about insurance issues, maintenance issues and as I indicated at the last meeting, in order to continue with that walkway...this would be a dead-end...there is a retaining wall at the south end of the two properties where the athletic field for the high school is set at a higher elevation than our property along the south sides of Lots 10 and 11. That will either have to be ramped up, there would have to be some sort of a conduit or piping provided for underneath that ramping to allow our site, as well as the Temple site, as you recall at the last meeting the Temple did have concerns about their parking lot draining and we indicated to them, as we indicated to the Board, that we would allow and maintain the flow from their parking lot, through this swale at the south end of our parking lot as it presently exists...we will maintain that flow so their parking lot will continue to flow out in an easterly direction.

Right now, they get a lot of ponding in that parking lot because of the overgrown and debris that is located in this back south area. So we will maintain that and we will not restrict those flows.

RUTHERFORD: Parking you have previously addressed, affordable housing we will deal with in a moment, stone drainage swale...Item L on page 5...

EICHENLAUB: This is the stone drainage swale. As I indicated at the last meeting and I will go over again, all of our drainage from the parking lot drains in a southerly direction. From the driveway entrance everything drains in a southerly direction. We have provided for three catch basins, one at the end of the 8 parking stalls. One just prior to the dumpster and one at the southwest corner of the parking lot on Lot 10.

The two northerly basins feed the southerly basin, which has an opening in the back of the basin and discharges into this stone swale.

The planner's comments were that we should look at and possibly provide for some additional green plantings in the swale. Very tight and

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my concern with putting any type of significant plantings within the swale itself, is blocking the flow and creating a damming effect, especially in the fall and winter months, where we could possibly create a situation where the flows from our as well as the Temple could not flow through there.

We have provided for significant amount of plantings, which we did not have previously. We have additional shade trees, deciduous trees, some large grasses planted along the south tail end of the site along the back on Lot 11 and we have provided for additional plantings along the back of the parking lot.

What we haven't provided for is any additional plantings in the swale itself. There was discussion about possibly creating a rain garden but due to the limited area we've got back here, we felt this would be the best solution and provide for the necessary reduction in flow from both lots as it eventually flows toward Pascack Brook.

RUTHERFORD: Signage, you've addressed. The variances you've addressed. Mr. Chairman, I think this is all I would have for Mr. Eichenlaub. Thank you. We are happy to respond to any questions from the Board and the Board's professionals.

MANCUSO: Just to touch upon a few of the points I made in my letter and I do apologize that it was a little bit late. I do recall we did discuss the on-site circulation in an attempt to reduce the pavement area and increase the green space but I don't think we really came to the conclusion that we should have dead-end aisles.

EICHENLAUB: I know they are not desirable but we have provided for that turnaround area. There will be no parking in that area. It is restricted to turnaround only. We can sign that.

MANCUSO: I can appreciate that but I still wouldn't recommend it. I still prefer...

EICHENLAUB: If that's the case then we are back to our circulation with the driveway.

MANCUSO: But perhaps with reduced pavement. I thought we were leaning towards one-way circulation and narrowing the pavement width and introducing some green. I believe that aisle was 24', if we can bring it to 22' and then the other aisle that was two-way at 24' bring that down to 18' and pick up 8' and put in a nice row of trees or something that was lacking from the internal parking layout.

I thought that was where we were leading so I was a little surprised to see this. In addition, when you drive into the site, I can appreciate your trying to address the needs of the Temple next door regarding the dumpster but in my view, you have a very lovely site and you sort of ruin the aesthetics of it now, when you come into the aisle and the first thing everyone is going to see is a dumpster.

EICHENLAUB: It's in an enclosure.

MANCUSO: We all know what they look like all the time.

EICHENLAUB: And I also know my client.

MANCUSO: I am not in favor of that at all. I think to be sensitive to the needs of the neighbor, going back to what we said originally, two smaller enclosures would be more appropriate rather than one large one and then they would be in closer proximity to both of the building.

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The grading was changed as I had suggested...Item 4 of my letter. There was a lot of discussion about maintaining the existing drainage pattern along the west property line but it is really not evident on the plan. I don't see that there are any real grades along the neighbor's property that defines that flow.

EICHENLAUB: We are not changing the grades in that area.

MANCUSO: They are not shown though. I know that there is a low spot in the back.

EICHENLAUB: On our neighbor's property?

MANCUSO: Correct. How the water would travel along that proposed retaining wall and get to the swale in the back.

EICHENLAUB: The low point would be along the edge of pavement here and flow down in this area here and this area here is going to be cleaned up. On our property, at this point at the south/west point of the property will be lower than the property to the west of us.

MANCUSO: So you will have positive flow through the swale...it appears there property is lower that is why I am looking for grades there. But you are saying that when that is cleared out in the back and the swale established...

EICHENLAUB: You can't look at that right now. We are talking about years of compost back there and it all has to be cleaned out.

MANCUSO: Ok. So all of that material is going to be removed and the grade lowered substantially so the flow will occur.

EICHENLAUB: Over what comes onto our property.

MANCUSO: Light plan, you mentioned and soil movement remains the same. My basic question regards that on-site circulation and those are my concerns.

MAGUIRE: I'm glad you brought that up because I recall the discussion about it and I think it was brought out that what is being proposed tonight was a potential option. I tend to like the full drive thru..I don't know how anyone else feels but I think I like to have the drive-thru type scenario...what are the other options for the dumpster?

If you can't put it on the side by the Temple and they don't like it there, where else are we going to put it, Eve?

MANCUSO: It would have to be at the end of an aisle so the trucks can physically get to it, so actually we were just discussing it...we're thinking that is would still be along the common property line with the Temple but not right adjacent to their building maybe towards the end of the aisle so that as you are coming around the bend, you have an east/west aisle.

EICHENLAUB: Here?

MANCUSO: Yes.

EICHENLAUB: The south end of the property.

MANCUSO: Correct. Well, the south/west corner.

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EICHENLAUB: The driveway comes down and we have one-way circulation on this driveway in a southerly direction...you are talking about putting it back here?

MANCUSO: Yes, something like that.

EICHENLAUB: The comments at the last meeting were that we were so far away from the building when it was here...

MANCUSO: I didn't realize the Temple was objecting. So I think it was admirable of you to address their concerns but I don't want to go back to that spot.

EICHENLAUB: They weren't opposed to the point where they were going to challenge us on it. They said, if we could and the opportunity presented itself...and we told them we certainly would if we had the opportunity

MANCUSO: It seems logical to me to have two smaller containers that potentially would be less offensive and in closer proximity to each of the buildings. That is my first choice. If you are trying to be sensitive to your neighbor then we can be creative and try and find other locations but it doesn't make sense to have a dumpster so far away.

EICHENLAUB: And I would agree with you if we had the ability...to create a path for the refuse trucks to come in here, whether it be front loaded or rear loaded, to maneuver in this area to get to a dumpster in here is difficult.

MANCUSO: It is very tight.

EICHENLAUB: If we were able to provide for something back here but...

MANCUSO: Even if it is angled to fit there? So when you pull in you are not looking straight at the doors?

EICHENLAUB: This would have to be a small one, possibly a rollout. This one would still be stationery and there would be no reason to have this as a rollout. This would be a much larger dumpster. We will take a look at that.

The other concern here, there are some decent, mature trees in this area here that we are looking to save and incorporate in with our new plantings. The area I am talking about is at the top end of the parking stall on Lot 11 and if we were to put it at that south end, we would end up losing those trees.

MANCUSO: It's a balancing act.

EICHENLAUB: We're trying to save the green and at the same time, by doing that, we would be eliminating the green.

MANCUSO: Right. You want the dumpsters in close proximity but at the same time you don't want them to be too visible. So it is a contradiction in a way.

MAGUIRE: So let me go back because the two factors are the dumpster and keeping the trees. Mr. Eichenlaub, what is your opinion in terms of

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the drive? Is the circular drive with a narrower drive width a better option than what we have here today?

EICHENLAUB: To be honest with you, we could probably get that down to a 12' to 14' wide drive. One-way, there is no parking along the drive and if the Board wanted that driveway and I am certainly not opposed to it...we originally were proposing it.

MAGUIRE: Does your client have a preference?

EICHENLAUB: They would like to have the driveway.

MANCUSO: Everyone likes the first one better.

MAGUIRE: Is that just me or...

Board members and professionals echoed the same...one-way circulation with narrowing the pavement width.

EICHENLAUB: Yes, we can narrow that down. We've made it a little wider up in the area here in the north end of where that driveway will be to allow for a little more of a backing in turning radius for any delivery trucks. We've indicated these are not going to be large trucks, they are not going to be tractor-trailer trucks but box trucks, tandem trucks. If we provide for a 12' here that will make it a little difficult to back in. So we keep it wider at this north end and we can provide for a simple 12' driveway to this back area. We narrow down what we originally had.

MANCUSO: Is it safe to assume that deliveries are made while the office is closed? Is that what happens? No? Then it needs to be fully accessible while the business is open? Because I was going to say that you could potentially shift the parking to allow the parking to be part of the backup area but if the spaces are going to be occupied that would not work. Ok.

MAGUIRE: So we will go back to where we were with the drive and try and find a nice spot for the dumpster.

MANCUSO: Why don't we take our planner's comments and try and merge them together?

BOGART: Going back to 2A of my memo on page 2...dealing with the contract of sale...and I know it is not this Board's jurisdiction but I'm trying to understand. You are proposing the 3-unit two-story building on Lot 10...and the parking counts go with that proposal.

EICHENLAUB: That's correct.

BOGART: So the architectural drawings you submitted last week are Phase I of the proposals?

RUTHERFORD: That's correct.

BOGART: So all the site planning proponents to this will happen in Phase I.

RUTHERFORD: Yes.

BOGART: So we will have more parking than needed during Phase I.

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EICHENLAUB: Correct.

BOGART: If Phase 2 doesn't get built we have an excessive amount of parking spaces on site.

EICHENLAUB: Yes, we would have more than we need.

BOGART: And is there any time frame that this is going to occur when we would have Phase I and then Phase 2...or are just assuming that we are ... the Board gets put in a difficult position because if you are actually proposing a one-story animal hospital building and you've exceeded the parking requirements, we would say, *let's not put all that parking there, we want some green area and you are exceeding your impervious coverage requirements...*and even to the point where we would say *this is for future parking and green up some additional portions of the site...*because it doesn't make sense for us to have this amount of parking spaces when they are not needed with a one-story building particularly if we don't have a trigger or time-frame where the additional development is going to occur. These are all questions that should be answered prior to the Board making any decision on this application because they need to understand what they are approving and what variances they are approving and why. Part of your justification for your variances would be that we need the parking because we are proposing these units, however, technically you're not.

So those are issues that need to be addressed. And that sort of ties into 2C of my letter on page 2...which pertains to the architecture. You submitted a one-story building, which clearly doesn't comply with the architectural standards of the ordinance. I'm not sure if the two-story building does because I didn't get a chance to review it, I was still waiting for the revised architectural plans.

So there are variances that would have to be granted with the one-story building, which may not have to be granted with a two-story building just because of the way the roof lines were done and the walls were done, so I think the Board needs a better understanding of what variances are being granted and what architectural they are actually reviewing because, given the fact that this Board has spent a lot of time doing these architectural standards for this zone and a zone that was just passed, it may be difficult for this Board to grant those variances that are detailed in Section C.

I'm not sure you can address these comments tonight but I think it is a lot of information that this Board needs to review this application.

Skipping back up to 2B, which deals with the shared parking...you had prior testimony that there would be shared parking between the two lots and that you are going to have designated spaces. I think that one of the items that should be reviewed or identified is where are the designated spaces ... they should be put on the site plan and we should identify what compliance they are going to have, where they are located and is Lot 11 going to be limited to the number of spaces they can utilize or can they go anywhere...I think a note on the plan needs to be shown and maybe even illustrated.

Page 3, Item D...back to the Board engineer's comments and I know that we led you in the direction of reducing this to one aisle but the concept of providing one-way circulation with a reduction of aisle width, is more appropriate for the site particularly with all the issues our engineer has raised.

Item E...streetscape requirements, I think you have addressed and I am Ok with that. You may need a variance from Section 101-58.2, which is the Shade Tree spacing but that portion of the ordinance also

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permits a variation of the spacing based upon extenuating circumstances. I'm fine with that.

Item F...the landscape plan, I had just indicated that maybe we could break up that continuous line of euonymus trees along the western property line...the entire western property line is filled but if we could break it up with some evergreens and maybe so...

EICHENLAUB: One of the reasons I did that on that side of the building was because it was the low side of our parking lot...that's their parking area, snow removal and one of the heartiest trees within a parking lot is the euonymus (Burning Bush)...those branches break off, they are back the next year.

BOGART: I don't believe you have any Burning Bushes on the western side. You can even intermingle them, most of the Burning Bushes are on the eastern side. I have already recommended putting some perennials just to mix it up a little bit so it's not bare during the winter, so you have some additional space for snow removal. It seems like it is very regimented this way.

EICHENLAUB: Ok.

BOGART: The green space, Item G...this is my big one. I feel like there is a great opportunity here to really design that eastern part of the site so you have room for a trail system. I think there is a real opportunity to tie in the dog walking area, the bike rack, the nice design you did for the bench and the streetscape design that you for Park Avenue and tie it all together...maybe not as an easement but maybe as a full-fledge walkway.

I know of the issues of insurance and liability and what not but all those things can get worked out and if not worked out now, I don't think it ever will be. Now is the opportunity for the Borough to actually step forward and suggest that maybe we would like to see something here and let's design it and work together and work out all these liability issues.

There is grant money out there to actually implement this such as we did with the Krell building. I would hate to see this site plan approved without looking at the design opportunities for that whole...

MAGUIRE: Maybe you could clarify what we would need the applicant to do here...is it a six foot easement from the top of the bank, and eight-foot, ten-foot...?

BOGART: I would have to sit down with the applicant's engineer and go through this because it varies. Right now they have the right to provide for the asphalt pavement where it currently exists on Lot 11 and once they take that asphalt up they no longer have the rights to that.

So if we could work this in within the pavement limits currently in place and create a nice landscape design...it depends, some areas may be 15', maybe 10'

MAGUIRE: And if the applicant gave us that easement the Borough could then use Grant monies to build whatever trail enhancement needed to go there?

BOGART: And the Grant money could actually assist the applicant by providing the dog-walking area and a bench area and as you are aware the Bergen County Grant applications are due in August and we could apply for something of this nature to get money to go towards this project.

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RUPP: And the insurance issue could be addressed in an easement agreement.

BOGART: And we have done that before.

MAGUIRE: So really what the Borough is asking here is for an easement agreement along the top of the stream.

EICHENLAUB: Well, we have to be careful with that. At this point, seeing as we are just about at the 12th hour with DEP and we are hoping to get some sort of a letter of approval from them, those modifications are something that are going to be requested sooner rather than later.

BOGART: I understand that.

EICHENLAUB: You would have to stay off the top of that bank.

BOGART: I understand that but the DEP actually has exceptions to public trail ways within this area so I think if they were to see the asphalt being removed and some public trail ways, I think...

EICHENLAUB: At this point, I am not sure how far back you want to go but isn't the Borough concerned about this becoming a hang-out area?

MAGUIRE: That's what we have police for.

EICHENLAUB: Well, Ok.

BOGART: I would envision it to go all the way through the property. One of the big concepts...

EICHENLAUB: But not the trail.

BOGART: The trail too.

EICHENLAUB: At this present time?

BOGART: If we can get the Grant money to do it and construct it.

EICHENLAUB: That is something you would have to work out with our drainage. Now we are talking about some sort of concentrate flow underneath that...

MAGUIRE: We would have to design the trail but are we doing that now? But right now for this application all we are talking about is an easement agreement and then the trail would have to be designed.

BOGART: The application for Grant would be the easement agreement just like we did...

MAGUIRE: And the DEP work that would have to be done to get the trail built.

BOGART: We would have to coordinate with the DEP permit and then we could submit a concept plan to Bergen County with the application for approval and then see if we can get the money for it and then move forward from there. We won't see if we have the funding until springtime.

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RUPP: But the easement itself would not necessarily require all that...the easement would go to the Borough and the Borough would undertake the Grant application.

RUTHERFORD: We would just need to know the parameters of the easement and then get some idea of what the nature of the improvements were going to be and what impact it might have...I can't speak definitely on this, but I don't think we are necessarily opposed to that at all and if the details can be worked out, I think my clients will certainly be willing to accommodate the Borough in that regard.

I think the planner's suggestion to sit down with our engineer is a good one. My client has some concerns about fencing because of the proximity to the brook.

BOGART: That whole concept and that idea basically addresses my comments on page 3.

Affordable housing you said you would deal with and I don't think I heard any testimony regarding that.

RUTHERFORD: The only thing we can really offer at this point is the plans do show floor plans for the existing building, so those are indeed the affordable units that we are proposing. That gives us the bedroom count, etc. We have not dealt with the issues of income distribution or anything else.

The two affordable units are indeed proposed for the existing building on Lot 11.

BOGART: As I had mentioned to you, we can deal with the income distribution at a later date, we don't know if the regulations are going to change and we usually deal with that in the Developer's Agreement as long as we can identify that we have the two deed restricted units on Lot 11, I'm Ok. That addresses the requirements for the 20% set-aside.

My last minor comment deals with the stone drainage swale. I understand your comments and I agree with them and our engineer told me *no* as well. What I was looking at is keeping it as a stone swale and just adding some perennials along the edge and in certain areas, some hostas....

EICHENLAUB: I did read that. What edge are we talking about? Actually both edges are retaining walls. On our side this is the retaining wall for a parking lot that is higher than theirs and on the south property line, we have the retaining wall on the high school property. Out in this edge here we can provide for some additional grasses but they wouldn't be right along the edge of the swale.

BOGART: There might be some room once you do the one-way circulation.

EICHENLAUB: Well, this is all going to change now and we do have some extensive landscaping and some of that will be pulled out...what I can suggest is once I get that laid out maybe we can talk...

BOGART: We can talk about that in conjunction with the trail...

EICHENLAUB: My client has indicated to me their willingness to be very cooperative with respect to the plantings...we are going to lose a lot of what we are proposing now with the driveway going back there so we can certainly entertain and provide for additional plantings along that west

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side of the driveway and maybe get some additional plantings along the outer edges of the swale as it discharges into the brook.

MAGUIRE: (to the planner) Item 2A, with the phased approach...we are going to have to take that back to the Mayor and Council and look at what that does in terms of the contract...but I think the application we have to look at in terms of the full build, 14,000 sq ft and from a parking perspective I think that is what we need to see.

I did have one question in terms of that phased approach...are these a.c. units roof top units?

RUTHERFORD: Yes.

MAGUIRE: So if we are talking a phased approach here, they will be on the one-story and when the second story is built, they all have to get moved?

EICHENLAUB: Yes, they are still going to be on the two-story building.

MAGUIRE: Again, and it is the timing issue as to the completion of Phase I and Phase II...you are going to build Phase I and put the roof on and put the a.c. units on and then start construction on Phase II and have to rip it all down...

When will we get to the architectural design question? Is that something you will address tonight or is that something...

RUTHERFORD: I'm certainly happy to hear comments. We do not have our architect here this evening to address those comments.

BOGART: I did not receive a scaled version, all I received was a reduced version so it was very hard to understand how many variances were required for the Phase I building but I do know that there are variances required and I do have to mention that the front façade of the existing building and the western façade of the new building, as it pertains to the ordinance requirements...

MAGUIRE: Yes, the western façade is what triggered my question and I guess I found out that is a firewall requirement, which is why there are no windows proposed on that side of the building but I will have to learn more about the construction code that requires a firewall when there is nothing next to it.

Are there other things we could be doing along those lines? Maybe you are not able to address them tonight but my concern is that western wall.

What is the concern with the existing building?

BOGART: For the existing building, and correct me if I am wrong, the elevation to the right is the one facing Park Avenue?

EICHENLAUB: It is.

BOGART: And our ordinance requires changes in rooflines and some additional architectural details...I don't believe the window size meets the regulations and some vertical articulation....for the new building, it looks to me that the two-story building met the architectural requirements because it had the patios and broke up the façade. The one-story building does not and my concern is if the second story is never built, we wind up with a façade that doesn't meet the ordinance standards and I'm not sure the Board should approve something that needs six or seven

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variances from a brand new zoning district that specifically requires architectural detailing.

If that is going to be the building that is proposed that we are going to be looking at and there are variances required, they need to be identified or the architectural design needs to be modified.

RUTHERFORD: Mr. Chairman and Mr. Mayor, if it is acceptable to the Board, we will have our architect reach out to Ms. Bogart and discuss those issues so we understand exactly where we don't comply and what we can do to make it comply. If that is Ok.

MAGUIRE: I think that is appropriate.

SCHWAMB: There is no time frame for the completion of the second floor? Is it a year, is it three months, is it two years, is it never?

RUTHERFORD: Well, it is our intent to do it but there is no time frame.

SCHWAMB: No time frame, completely open?

RUTHERFORD: That is correct.

RUPP: I believe the engineer and the planner have actually addressed the issues I had. It seems clear there will need to be some revisions one way or the other so after comment from the rest of the Board and any members of the public, we are going to have to talk about the process.

MESIANO: I have a question regarding the new driveway. The original plan was to have one-way in and it was revised for the two-way that we have now...I think I heard someone say *one-way circulation*...so are we now proposing or discussing one-way circulation?

SCHWAMB: It would seem so.

EICHENLAUB: My understanding is that this will still remain two-way.

MANCUSO: I was considering one-way in so we can really make that entry aisle narrow and then continue and maintain it at about 22' so you could back up and still have it one-way.

EICHENLAUB: You just want one-way there?

MANCUSO: Yes, otherwise there will be too much confusion. If you don't have it one-way then how will the person get out? If they are pulling out of a stall and it is two-way and they opt to go against the entry flow they will be stuck. It is going to be an entrance drive *in*.

EICHENLAUB: Well, there will be signs out here saying *do not enter*...so if they come down this way...

MANCUSO: Why give them the opportunity to do that? And then you can reduce the pavement width a little, which is really what we are trying to accomplish. You might even angle it a little if you don't lose too many stalls although you tend to lose stalls when you angle.

EICHENLAUB: Yes, but we will look at that.

MANCUSO: But I would agree with you, the entry aisle could be reduced considerably.

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SCHWAMB: So just to confirm, we are talking about a one-way...

MANCUSO: One-way.

EICHENLAUB: It will be clockwise flow.

RUTHERFORD: Through the entire site including the parking field.\

EICHENLAUB: So what we will have in this area here is *do not enter- one way* signs...directional signs.

MANCUSO: Right and the loading zone will be isolated...they will be allowed to pull into the loading zone because they have to.

MESIANO: Wouldn't it make more sense to circulate the other way because you won't cross traffic leaving?

MANCUSO: Then you can get into the loading zone.

MESIANO: And you would be passing the closest spaces first when you are actually going there.

EICHENLAUB: Then we are going to have the same thing we discussed before, there is going to be a portion of this that trucks will be allowed to go down...what you have now is a counterclockwise circulation...in other words the trucks are going to have to go a certain portion...you are going to have to allow room for them.

It's a good point but...

MANCUSO: In any situation if a vehicle is backing up in front of you, you are going to have to stop.

(engineer and planner discussed which direction they preferred but not picked up clearly on tape)

Counterclockwise because then you do approach the nearest stall first.

SCHWAMB: Counterclockwise one-way.

Any other comments, Mr. Mesiano?

Any comments from other Board members? No? So we will have to table this to the next meeting on July 25th.

RUPP: I think there is a need to have some communication with the Mayor and Council...there is a need to have some communication between the engineer and the planner and the planner and the architect. So I am sure how quickly these answers can be prepared so I don't think we should assume a date too quickly.

EICHENLAUB: For the meeting on the 11th we would have to have them in...

RUTHERFORD: The 11th is not feasible. What is the next meeting? July 25th?

RUPP: I am just trying to make sure it is workable.

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RUTHERFORD: I would like to carry it to that day with the understanding that it may not be ready. Hopefully it will be but if it isn't, at least we can preserve the Notice, if that's acceptable.

RUPP: That's July 25th.

RUTHERFORD: I don't know where we stand on time but the Board certainly has an extension through the 26th.

RUPP: To members in the audience, the hearing will be carried to July 25th and there will be no further Notices required or sent.

RUTHERFORD: Thank you very much and thank you for your time.

APPROVAL OF MINUTES:

Motion made by Mr. Metzdorf to approve the minutes of June 13, 2012 as written. Second by Ms. Eisen.

AYES: Ms. Eisen, Messrs. Ludwig, Mesiano, Metzdorf, Mital, Schwamb, Von Bradsky, Councilman Misciagna, Mayor Maguire

APPROVAL OF VOUCHERS:

Brooker Engineering, PE

Mark Prusha Subdivision	\$ 82.50 *
Ridgmont Shopping Center	82.50
Ridgmont Shopping Center	165.00
Mark Prusha Subdivision	577.50

Brigette Bogart, LLC, PP

P.R.A.H. LLC	580.00
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(*denotes *insufficient funds* – letter written to *)

Motion made by Councilman Misciagna to approve the vouchers subject to receipt of funds.

Second by Mr. Metzdorf.

AYES: Ms. Eisen, Messrs. Ludwig, Mesiano, Metzdorf, Mital, Schwamb, Von Bradsky, Councilman Misciagna, Mayor Maguire

ADJOURN:

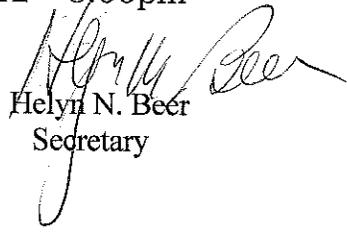
There being no further business to come before the board a motion was made by Mr. Mesiano that the meeting be adjourned.

Second by Mr. Metzdorf.

Carried unanimously.

Respectfully Submitted,

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Helyn N. Beer
Secretary

(9:25pm)