

Regular Public Meeting of the
Englewood Cliffs Planning Board
Minutes
May 9, 2013

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairperson Ed Fehre at 7:30 PM.

Present at Roll Call:

Mr. Fehre
Mr. Chinman
Mr. Kilmartin
Mr. Trovato
Mr. Nikow
Councilwoman Simon
Mr. Kim, 1st Alternate

Absent:

Ms. Rosenberg
Mayor Parisi
Mr. Duffy
Mr. Dooly
Mr. Surace, 3rd Alternate

Also Present:

Bernie Mirandi, PE, of Boswell Engineering, the Borough's consulting engineer
Jessica Bland, Esq., of Kates Nussman Rapone Ellis & Farhi, the Board's attorneys.

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The record and posting of notice on the municipal building bulletin board at 482 Hudson Terrace.

Flag Salute led by: Mr. Chinman

The minutes of April 11, 2013 meeting were approved by voice vote.

Old Business:

Application #220K – Site Plan Approval w/Variations & Sign Approval
Ronmar Management, LLC
21 Sylvan Block 127 - Lot 20.01 & Block 132 - Lot 3
Adjourned to June 13, 2013 meeting

New Business:

Application #222K – Site Plan with Bulk Variance Approval
Bank of New Jersey - 744 Palisade Ave. Block 512 - Lot 4

Planning Board recommends that the Mayor & Council adopt a fee ordinance for Planning Board applications.

The Planning Board approval of New Application Forms.

Mr. Mark Sokolich Esq., 1223 Anderson Avenue, Fort Lee, NJ represented the applicant The Bank of New Jersey who holds a lease hold agreement for the property at 744 Palisade Ave. Block 512 Lot 4.

Mr. Sokolich stated that the application is to utilize the same footprint and structure that was previously used as a bank. There is no drive thru component for this application. There was a prior drive thru, but will not be with this bank. The relief that is sought is isolated to one free single story building.

Mrs. Scancarella listed all of the documents that have been submitted to deem application complete. Legal Fees, Engineering Fees, Complete Application, Application Fee, Affidavit of Service, Affidavit of Publication, White Certified Receipts, W-9 Form.

Mr. Sokolich's first witness Mr. Calisto Bertin of Bertin Engineering, 66 Glen Ave. Glen Rock, NJ. Mr. Sokolich questioned Mr. Bertin on the site plan which was marked as exhibit "A1". Mr. Bertin stated that the existing building is at the corner of Palisade Ave. and Hudson Terrace. The existing building is 5900 sq. feet and the property is 24,000 sq. ft. The property as is sits now is connected to 2 other properties. The property to the west which is the Assembly there is a small parking lot which is not part of the Assembly but can get success from the bank property. The property line cuts that little part off. There is also a multiply drive thru teller on the south side property which is not part of the bank lot. Mr. Sokolich questioned that the relief the applicant is looking for is just for the one lot with the building on it. Mr. Bertin agreed. Mr. Bertin described the lot as having a building with an entrance to the lot on Palisade Ave. and an exit onto Hudson Terrace. Mr. Sokolich questioned Mr. Bertin if this application was for any expansion of the existing building. Mr. Bertin stated no they are just going to work with the building and any improvements that will be done will be on the exiting building exterior and interior. There will be no expansion to the building. Mr. Bertin stated that the building has one existing variance for the front yard. The front yard is measured from Hudson Terrace which is the narrowest and the front yard requirement is 30', but the building setback is 24' which is an existing condition.

Mr. Sokolich questioned Mr. Bertin in regard to exhibit "A2" which is a color rendition of the building and landscaping of the property. Mr. Bertin stated that the beige color building will be totally occupied by Bank of New Jersey even though they had originally shown an area that would be rented out. They have since decided to use the entire building for the bank. One tenant one user for the building which will be the bank. Mr. Bertin explained that the green colored area is the lawn of the property. The landscaping will be redone but the trees will not be removed. Mr. Sokolich questioned Mr. Bertin in regards to the two entrances to the property as being existing. Mr. Bertin stated yes, but is planning on modifying the Hudson Terrace driveway to except two way traffic. The proposal is for ingress off of Palisade Avenue only and ingress and egress off of Hudson Terrace. Mr. Bertin stated the one thing that had to be done was to increase the number of parking spaces on the lot. The driveway off of Palisade Avenue was just a driveway entrance which had 16 spaces in the extra lot which is by the Assembly. We are proposing to keep the driveway entrance and put angled parking spaces on the west side. On the back we moved the parking along the building and are proposing to put them on the south property line. Also adding 2 parking spaces on the northside of the building. They are required to have 30 parking spaces, and we are coming in at 30 parking spaces. They increased the impervious average by 2400 sq. ft. which they have compensated by adding drywells on the property. There will be a curb line on the property line by the parking. Mr. Bertin mentioned the trash enclosure location on the property that was needed for the unknown tenant that would be in the building at the time of design. Most banks do not need trash enclosures and since the bank will occupy the entire building they will not need the trash enclosure. The trash enclosure will be removed and will address Mr. Mirandi's question of circulation of vehicles if someone is to enter from Hudson Terrace. Since they cannot go out onto Palisade Avenue it will be a one way entrance. The trash enclosed area will be removed and will give someone the opportunity to turn around to exit onto Hudson Terrace. Signage will be placed in the lot.

Mr. Bertin reviewed the zoning requirements for the B-4 zone and what is preexisting to this lot. Mr. Bertin stated that the bank is a permitted use. The front yard is an existing variance. Rear yard, side yards and building coverage all meet the requirements. Mr. Bertin stated that except for the front yard it is a conforming lot. In respect to parking when standing alone it only has 16 spaces since there was a shared parking agreement, but since it will be alone it is required to have 30 spaces and it has been designed and are proposing the 30

spaces. There are a couple of variances being requested in regard to parking. The ordinance requires that parking be 9'x19' and we are proposing 9'x18' so that will be one variance. The parking set back is to be 10' from a property lines but the proposal for this property will be 1' off the property line on the side and rear. That will be a second variance. The minimum aisle width from angle parking is to be 25' we will be 24' this will be a third variance.

Mr. Sokolich then questioned Mr. Bertin in regard to Mr. Mirandi's letter. Mr. Sokolich questioned Mr. Bertin on the number of employees that will be at the bank. Mr. Bertin stated they estimate 15 employees. Mr. Bertin responded in regard to the inlet question on ownership and who will maintain it. He stated that the applicant has agreed to maintain it. Mr. Sokolich questioned Mr. Bertin on the stormwater management section of Mr. Mirandi's letter. Mr. Bertin stated that they will comply with any suggestions on the letter. Mr. Bertin stated that items 18-28 they will comply with all items. Mr. Bertin stated that item #25 in regard to lighting they are working with the existing building. There are some lights along the south lot and to the west they belong to that adjacent property. Since there is no room for are lights they have elected to add wall pack units all around the building. Mr. Bertin stated that since the trash enclosure has been removed they can put a light pole in that area.

Mr. Trovato questioned Mr. Bertin if there is any new asphalt plans for the parking lot area. Mr. Bertin stated it will be resurfaced and restriped. Mr. Chinman questioned the lighting that was on the other lots how are they controlled. Mr. Bertin stated that he feels they were controlled from the bank lot and that the wires will be pulled and disconnected. Mr. Kilmartin questioned if a vehicle comes in from Hudson Terrace and all of the spaces are filled how can one turn around. Mr. Bertin stated that the trash enclosure will be a space that you can pull into and then turn around to go back out on Hudson Terrace. Mr. Kilmartin questioned what is the buffer for the building to the beginning of the parking. Mr. Bertin stated there will be an approx. 2-3' striped area along the building. Chairman Fehre wanted more detail on the lighting. Mr. Bertin stated they will be adding wall pack lighting that will light the parking area. They will be adding wall pack lighting which will light up the parking lot. There will also be some wall pack lighting on the front of the building. Mr. Nikow questioned where handicap parking will be. Mr. Bertin stated that there will be 2 handicap spaces on the south side of the building. Mr. Chinman questioned the drainage that will be between the two lots will there be an easement. Mr. Bertin replied that there can be. They can prove a 10' easement on their side.

Mr. Mirandi stated that the Borough's amenable to any porous concrete that would be used for the parking lot which can be an option. Mr. Sokolich stated that he would stipulate to that. Mr. Bertin stated that it would be for the parking spaces not in the drive aisles of the parking lot.

Mr. Sokolich brought up his next witness Mr. Conrad Roncoti of Architectura, 2 Executive Drive, Fort Lee, NJ. Mr. Roncoti displayed exhibit "A3" a color rendition of the building along with signage. Mr. Roncoti started with the floor plan marked as "A4". The building footprint will not change. The entrance to the east side of the building is to remain. The main entrance which has been added will be on the south side of the building. This is where the customers will enter the bank from the parking lot. They will be reusing the vaults inside. The interior will be removed and reconfigured. The entrance on the east side will most likely be an employee entrance. They are planning on having the employees use the parking spaces near that entrance. The building is staying the same as far as height, roof, etc. The building exterior will just be updated. Windows are to remain in same location. One sign will be on the building (Palisade Avenue side), which will be 2'8"high x 11'1" wide (29.85 sq. ft.). The back of the building which will be on the parking lot side will have the new entry. A sign will be located above the main entrance doors. The sign will be same as the one on the Palisade Avenue side. The monument sign on the corner of Palisade Avenue & Hudson Terrace will be reused with new inserts. All signs will be the same they will all be low impact back lit lighting. No lights will be shining outward.

Councilwoman Simon questioned the location of the air condition units. Mr. Roncoti stated they are on the roof and not screened now. It is a flat roof and would screen the units. They will be redoing the units and relocate them to the center of the roof and screen them in. Mr. Roncoti proposed that if they were to raise the entrance wall where a sign is to be several feet higher they can then place the air condition units behind it to hide them. Mr. Mirandi was in agreement with that and suggested it would be appropriate to the members. If an additional unit is needed it can be placed in center of roof and screened.

Chairman Fehre wanted to see more details on the signs. He questioned that the ordinance requires no more than 32 sq. ft and one sign per building. Mr. Roncoti stated the signs that are being proposed as is the one on the north side total 29.58 sq. ft. The sign on the south side is 16 sq. ft. and the monument sign. There was a question on the ordinance if it is one 32 sq. ft. sign per property. The signage will have lettering made out of stainless steel which will be set off 1 ½" off the building or backing of the monument sign with lighting behind. There will be a halo lighting effect. There will not be any neon or light shining outward. Monument sign will be the same back lit. Mr. Kilmartin questioned the number of signs and why they need the monument sign. Mr. Roncoti stated that it is existing and feel more people will see that first before looking up at the building. Mr. Kilmartin questioned the placement of the air condition units on the roof and to ensure they won't be seen. Mr. Roncoti stated that the extension of the entrance wall from 12' to 15' can then be used to hide the air condition units and then other units will be screened. They can also raise the signage wall on the north side to hide air condition units. Mr. Chinman questioned if a generator will be installed. Mr. Sokolich stated yes and it would be on the roof. Councilwoman Simon questioned how many employees will be on site and did you set up additional parking for them. Mr. Roncoti stated that the 30 spaces include ones for the employees. Mr. Sokolich stated that the 15 employees is maximum, but that they are figuring on less to be in the building. They are planning on dedicating the parking on the west side for employees.

Mr. Sokolich called his next witness Mr. Louis Luglio of L2 Group, 160 Hillcrest Avenue, Leonia NJ. Mr. Luglio stated he looked over the site and the roadways that will access this site. He feels that the majority of the traffic will be through Hudson Terrace since the main parking will be there as well. Mr. Luglio also stated that the parking spaces being 1' less will not jeopardize any vehicles in the lot. The handicap spots are close to the main entrance and stripped out. Mr. Luglio mentioned about the circulation of a vehicle if they enter on Hudson Terrace and want to exit through Hudson Terrace the removal of the trash enclosure will be the area for a vehicle to turn around with the proper signage. Mr. Luglio stated that being more people are doing online banking it has changed the number of people coming into and out of a bank. Mr. Luglio stated that when entering into the lot from Palisade Avenue he suggested that a stop bar and sign be placed at the end of the building so that someone will see if any other vehicle in the lot and heading in that direction. Mr. Luglio stated that the 30 spaces that are required in Englewood Cliffs and are met will also include parking for employees. In regard to the number of vehicles that travel Hudson Terrace and Palisade Avenue Mr. Luglio stated that during peak hours of the am approx. 1300 vehicles travel on Hudson Terrace and that approx. 1800-1900 on Palisade Avenue. In the pm hours there were approx. 200 vehicles for both roads. In the am hours traffic into the bank will be 10-15 trips coming in and out and in the pm peak hours (5-6pm) it will be 40 in and out over the course of the entire hour. Mr. Luglio felt that there will be no impact in the area of the traffic. Mr. Luglio stated that for emergency vehicle access he feels that the fire trucks will be on the road not on site; however there is enough room for access onto the site. Councilwoman Simon questioned the hours of operation for this bank. Mr. Sokolich stated 7am - 7pm Monday through Friday and on Saturday 8am - 1 pm. Councilwoman Simon questioned when exiting from Hudson Terrace are you allowing people to turn left? Mr. Luglio stated yes. Councilwoman Simon then questioned what is the distance from the corner of Palisade Avenue to the exit on Hudson Terrace. Mr. Luglio stated approx. 130 feet. Mr. Mirandi stated

Hudson Terrace and Palisade Avenue are county roads and will require county approval and wanted to know what he feels the approval from the county might be. Mr. Luglio stated that he feels that the county will approve the left turn out onto Hudson Terrace. Mr. Luglio stated that no left turn from Palisade Avenue into the lot would be able and that signage of that should be posted. Mr. Chinman questioned possibly changing the entrance on Palisade Avenue so that no one can make a left turn into the driveway. Mr. Luglio stated that he would have to check if possible since the concern is for emergency access. Mr. Mirandi stated that he felt signage in regard to a no left turn on Palisade Avenue entrance is appropriate and not to change the configuration of the driveway for emergency vehicles. Mr. Nikow questioned if a one way entrance and exit onto the property would be better. Mr. Luglio stated he felt for a corner property it would not be efficient. Mr. Kilmartin questioned how will the stop bar work in order to protect vehicles in the parking lot coming from the Palisade entrance into the parking lot on the south side. Mr. Luglio stated that the vehicle would drive to the end of the building where there will be a stop bar and stop sign if necessary so that they can see down passed the building into the lot before proceeding. Mr. Kilmartin also questioned how will the vehicles coming into Hudson Terrace know that at the end of the building it will now be a one way. Mr. Luglio stated that they can also post a one way sign along with the stop bar.

Mr. Sokolich introduced his next witness Mr. Ken Ochab, K. Ochab Associates, 1216 Fairlawn Avenue, Fairlawn, NJ. Mr. Ochab set up and explained his exhibit marked "A7" which where photos of the site. Mr. Ochab described the current building and sign on the property. This is a B-4 zone and banks are permitted. This building meets all the major requirements the only variances they are requesting are for parking size 9 x 18, and aisle width for angle parking to be 24'. Mr. Ochab feels this hardship or "C1" variance case due to the location of the building which cannot be moved. The other variance is for the set back of the property from parking of 1' instead of 10'. This too is due to the location of the building. He feels the impact will be very minimal since it is a commercial property with other commercial properties around. The other variance would be parking on the front of the lot. These would be 2 spaces on Palisade Avenue and 2 spaces on Hudson Terrace. These are to meet the parking requirements. In regard to the signage they are requesting the 2 signs on the building. If the building was 200 linear feet on one side they would be able to have one additional sign on the building, but the building is 20 linear feet short to allow for the additional sign.

Mr. Chinman questioned the lighting that was going to be in the parking lot area and front on how bright they will be. Mr. Roncoti answered that he had spoken with Mr. Bertin during the break and felt that the wall pack lights on the front of the building should be removed and ground lighting should be used instead. The lights will be removed off the north and leave the others to light up the parking.

A motion was made by Councilwoman Simon, seconded by Mr. Chinman to open to public for this application and carried unanimously by voice vote.

Mr. Joe Cioffi, 30 Sylvan Avenue, was in agreement with this application and felt the building would look better than it does now.

Mrs. Mary O'Shea, 12 Irving Avenue, stated that she worked at that building prior to it being Bank of America and that with all the additional parking from the other lots they were never all used. As time passed foot traffic into the bank got less and less.

A motion was made by Mr. Nikow, seconded by Councilwoman Simon to close the public for this application and carried unanimously by voice vote.

Councilwoman Simon questioned how long the lease was for the applicant. Mr. Sokolich stated 20 years with options.

A motion was made by Mr. Trovato, seconded by Councilwoman Simon that the application be approved subject to the conditions that were mentioned. This motion was approved by roll-call vote. 6 Ayes (Mr. Trovato, Mr. Kilmartin, Mr. Kim, Councilwoman Simon, Mr. Nikow, and Mr. Fehre), No Nays, No Abstentions.

Chairman Fehre announced the Planning Board recommendation that the Mayor & Council adopt a fee ordinance for Planning Board applications. Mr. Chinman stated he felt the fees were low. Sign permit fee in Englewood is \$600.00 where as in Englewood Cliffs it is \$100.00. Chairman Fehre felt the fees were too high. Mr. Chinman stated for subdivisions they were high but for signs it was low. Chairman Fehre stated that large commercial properties may be able to pay the higher fees, but felt for residents and small business it is too high. Mr. Trovato stated he feels they are high also.

A motion was made by Mr. Kilmartin, seconded by Mr. Fehre to recommend the Fee Ordinance to the Mayor and Council for adoption. This motion was approved by roll-call vote. 4 Ayes (Mr. Chinman, Mr. Kilmartin, Mr. Kim, Mr. Fehre), 3 Nays (Mr. Trovato, Mr. Nikow, Councilwoman Simon), No Abstentions.

Chairman Fehre introduced the Planning Board new application form. Chairman Fehre suggested that in the old application form the applicant was to write in their own words a synopsis description of the application and reasons for hardship. Chairman Fehre would like that to be included in the application form since he found it very useful. Chairman Fehre also questioned Mr. Mirandi on if the subdivision checklist is useful. Mr. Mirandi feels that it is helpful so that the applicant's engineer knows what need to be done. Ms. Bland stated that the new application does have checklists in each section but not as detailed. Chairman Fehre stated how many copies we need and that everything has to be digital and 6 paper copies, plus 2 additional formats as pdf or disk.

A motion to table was made by Councilwoman Simon, seconded by Mr. Kilmartin for the approval of the new application form adding the application description page and site plan subdivision checklist. This motion was approved by roll-call vote. 7 Ayes (Mr. Chinman, Mr. Trovato, Mr. Kilmartin, Mr. Nikow, Mr. Kim, Councilwoman Simon, Mr. Fehre)

A motion to close and adjourn the meeting at 10:02 pm by Councilwoman Simon, seconded by Mr. Nikow was carried unanimously by voice vote.

Respectfully submitted

Caterina Scancarella
Administrative Secretary