

Special Public Meeting of the Englewood Cliffs  
Planning Board Minutes  
June 26, 2025

The Special Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Porrino at 7:33 pm.

Roll Call:

Present:

Chairman Porrino  
Vice Chairwoman Mrs. O'Shea  
Mr. Kim  
Mr. O'Shea  
Mrs. Villari  
Ms. Rizvi- 1<sup>st</sup> Alternate  
Ms. Zamecki – 2<sup>nd</sup> Alternate  
Councilwoman Biegacz  
Mayor Park

Absent:

Ms. Correa  
Mr. Lee – Borough Representative  
Mr. You – Mayor Designee

Present:

Thomas Randall Esq., of Randall & Randall, LLP, the planning board's attorney.  
Mr. Michael Mistretta, of Harbor Engineering, the planning board's conflict planner.

Flag Salute

Public notice of this special meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, notification to The Press Journal, and posting of notice on the municipal website at [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org) and posting on the bulletin board of the borough hall building at 482 Hudson Terrace, Englewood Cliffs, NJ.

**Old Business:**

Application #343K - Minor Subdivision with Commercial Site Plan Approval  
Tag Sylvan Corp. Ctr. & Tag New Sylvan Corp. Ctr., LLC  
Englewood Cliffs JLUB  
910-940 Sylvan Ave. – Block 1201 – Lots 9.03 & 9.04  
**Resolution - Approved**

Mr. Randall gave an overview of the resolution which is attached.

Chairman Porrino made a motion to adopt the resolution which was seconded by Mr. O'Shea with a roll call vote (6) Ms. Correa, Mr. Kim, Mr. O'Shea, Ms. Rizvi, Councilwoman Biegacz and Chairman Porrino (1) Abstention Mrs. O'Shea

**New Business**

Presentation - Public Hearing for the Adoption of Borough's Fourth Round Housing Element and Fair Share Plan

Mr. Michael Mistretta of Harbor Consultants gave an overview of the 4<sup>th</sup> Round Housing Element & Fairshare Plan draft of the borough. See attached PowerPoint presentation dated June 26, 2025, prepared by Harbor Consultants.

Chairman Porrino requested a motion to open to the public for this matter. A motion was made by Mrs. O'Shea seconded by Mr. O'Shea and carried unanimously by voice vote.

Mrs. Carin Geiger, 270 Alfred St. stated this is a very important document. I have been through a lot of this process in the past. I am a little skeptical of the 4<sup>th</sup> round plan. This plan was made to the public with only 10 days prior to this meeting when others had it earlier in June to review. I am happy with the input from the conservation community in regard to this plan. There will be changes in ordinances which will change numbers etc. of this plan. I have a lot of concerns with the mixed-use zoning and the benefits to the borough. It is incentive to make more money for the developers. I am not sure what benefits this will be to the borough. This will cause more traffic and school issues for the locations. We are creating traffic and more people coming into the borough. People are concerned about the number of units which will be more like 1000 units not 300+. I have a concern with the infrastructure of the borough which starts with the Cioffi application. Maser Consulting in 2017 submitted a report mentioning the issues of our sewer and water lines that need major repair to the Mayor & Council and the planning board south of Van Nostrand in the B3 zone where the Cioffi properties are. There have been no studies that Maser Consulting was wrong. We also have a significant issue along Sylvan Ave. now. There was a smoke test completed for the 800 Sylvan Ave. and Michaels Development projects and needed to be certified. The report showed there was leakage during times of heavy waterfall. There was another report completed which has not been released by the borough which is over 6 months, and the borough attorney is holding it. When something is not released, we assume that there is something wrong and now we are being asked to approve more units in this area. We already have flooding in areas of the town to residents. How do we allow more to be built that will maybe cause more issues for the residents. Mrs. Geiger gave information on the settlement agreement and the numbers of units. I strongly urge you to not approve the mixed-use units on this proposal. We are on top of homes in these locations. These lots encourage 80% impervious coverage. Why apply commercial coverage when they are residential. Also, what is a 20' buffer for the residents. This is not the vision people came to Englewood Cliffs for. We are not Fort Lee area. I don't understand how we can let them build with these densities. Mrs. Geiger gave an overview of all issues that will arise if these are constructed toward the residents. They may want to increase the number of affordable units then your density drops and your bonus credit increase. Borough is to provide affordable housing not to give benefits to developers.

Mr. Mistretta responded to Mrs. Geiger's concerns by giving the history of the prior plan that was submitted and was not creditable by the court. The planning board of 2018 prepared a plan that was rejected because it did not provide opportunity to address our affordable housing obligation for a long list of reasons which lead to trials and a settlement. We tried to put together this plan with a group of people and that the borough has learned its lesson and we worked really hard to put the town in a good light with this plan. The 3<sup>rd</sup> round was our settlement plan with all the changes that were completed to get it approved. This 4<sup>th</sup> round plan is going to be reviewed by many people who will be making comments that we may have to address. Our responsibility now is the number that the Mayor & Council approved of 329. Mr. Mistretta gave an overview of all meetings and what and how the plan came together as well as the two draft ordinances that are attached to the draft report. This will be reviewed again till it is all finalized.

Dr. Hanauske-Abel 368 Mauro Rd had handouts that were distributed to board members and are attached to these minutes. It is about stormwater runoff by southern Sylvan Ave. overlay zone "D". Dr. Hanauske-Abel went through each page and gave information about each page.

Mr. Dan Sterling 1 S. Virginia Court I am glad to hear that the ordinances will be looked at before adopting. There are areas along Sylvan that are flooding and are affecting many people. I have spoken with many people from the "C" and "D" area. I don't think many of us know how many people are affected by this. I was surprised to find out that there is water backup onto Floyd St. to Marjorie Terr. and then to Summit St. There is just too much water piling up and backing up into many streets. There is also the area by Castle Dr. and Jenkins Dr. Possibly we can put in wetlands. It should be a property-by-property solution. We need something more aggressive to take care of this water issue. I would like to help when going over the ordinances.

Mr. Martin Geiger 270 Alfred St. although it may not be required by the HESPA report I want to make it clear that this 3<sup>rd</sup> round number of 371 is still in effect in addition to the 329 for the 4<sup>th</sup> round obligation. Those two combined numbers could lead to 3435 new units in Englewood Cliffs. Mr. Geiger gave history of public meetings in the past of the outrage that was being proposed. Where is the outrage tonight. Why didn't the residents that live near Center St., Arthur Ave., Clifton Terr., Rose Ave., Rock Rd., and Toni Dr receive personal notice of this meeting and the meeting of tomorrow night. Clearly the Mayor & Council have been working on this for some time since they approved the number of 329 on January 28, 2025. It seems like a small sub-committee of the Mayor & Council have been working with the planner. The public has not been involved. The public is not aware of the overlay zones that are being created. It would have been better to have 30 days' notice not the minimum of 10 days required notice so that the public can be aware of what is happening.

Chairman Porrino requested a motion to close the public. A motion was made by Chairman Porrino seconded by Mr. O'Shea and carried unanimously by voice vote.

Mrs. O'Shea stated to Mr. Mistretta that being a board member and having read all of this information in less than 10 days was very unfair. I am very disturbed by it. I know a lot of it is boiler plate and it is very evident on page 32 where you say there will be access to the borough's rail station. We don't have a rail station, whoever does the boiler plating needs to be more careful. When Sylvan Ave. was starting to be developed there was all woods behind it to capture all the water runoff. As time went on, the homes started to be constructed and now, we are a totally developed town with water issues. A lot of the problems we have now are because we were not prepared and it took some time. You need to reduce the impervious coverage it needs to be lower than 80%. Buffer zones need to be included and stay in place and to be carried to the new residential properties. I do not believe in the mix use properties. We are not a walking type of town. People will drive to these stores and there will be more traffic in and out onto Sylvan Ave. I would like the set aside to increase to 30% from 20%. If some areas that don't have buffers all need to change to have at least 25'. I don't want any underground garages on commercial or residential in any zone or area of Englewood Cliffs. No roof top recreation or etc. should be allowed as well.

Mrs. Villari stated her concern is about the flooding which she now is having issues in her home. I don't have a downward driveway, but I still am getting water. This is unfair to the residents. We really need to investigate this and what is happening.

Mayor Park thanked everyone for their opinions and concerns, but we have to take care of this otherwise we will lose our immunity. It must be done, and I ask you to understand.

Chairman Porrino requested a motion to adopt the 4<sup>th</sup> Round Fair Share Housing Plan. Motion was made by Mrs. O'Shea seconded by Councilwoman Biegacz with a roll call vote. (9) Mrs. O'Shea, Mr. Kim, Mr. O'Shea, Mrs. Villari, Ms. Rizvi, Mrs. Zamecki, Councilwoman Biegacz, Mayor Park and Chairman Porrino.

Chairman Porrino requested a motion to adopt the resolution for the approval of the 4<sup>th</sup> Round Fair Share Housing Plan. Motion was made by Mrs. O'Shea seconded by Mr. Kim with a roll call vote. (9) Mrs. O'Shea, Mr. Kim, Mr. O'Shea, Mrs. Villari, Ms. Rizvi, Mrs. Zamecki, Councilwoman Biegacz, Mayor Park and Chairman Porrino.

Chairman Porrino requested a motion to open to the public for any matter. A motion was made by Mrs. O'Shea seconded by Mr. O'Shea and carried unanimously by voice vote.

Carin Geiger 270 Alfred St. I was at a meeting here about two months ago about changes to the Master Plan and low-grade garages. Can you tell me the progress.

Chairman Porrino stated it was the Planning Board's Annual Report that was discussed, and information was sent to the Mayor & Council. We completed 2023 but still have to do the 2024 report.

Chairman Porrino requested a motion to close the public portion and adjourn the meeting at 10:26pm. A motion was made by Mrs. O'Shea seconded by Mr. O'Shea and carried unanimously by voice vote.

Respectfully submitted.



Caterina Scancarella  
Planning Board Administrative Secretary

**ENGLEWOOD CLIFFS PLANNING BOARD**  
**SPECIAL MEETING – June 26, 2025 7:30 PM**

10 Kahn Terrace, Englewood Cliffs, NJ

**CALL TO ORDER**

The meeting of the Englewood Cliffs Planning Board will come to order this (date). The time is (time).

**FLAG SALUTE:**

**"OPEN PUBLIC MEETINGS ACT" STATEMENT**

This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regularly scheduled Planning Board meeting by advertisement in The Record, notification to the Northern Valley Press Journal, the Suburbanite, posting of notice on the municipal website at [www.EnglewoodCliffsNJ.org](http://www.EnglewoodCliffsNJ.org), and at Borough Hall, 482 Hudson Terrace, Englewood Cliffs, NJ.

**ROLL CALL**

**OLD BUSINESS:**

Application #343K -                      Minor Subdivision with Commercial Site Plan Approval  
Tag Sylvan Corp. Ctr. & Tag New Sylvan Corp. Ctr, LLC  
Englewood Cliffs JLUB  
910-940 Sylvan Ave. - Block 1201 – Lots 9.03 & 9.04  
**Resolution - Approved**

**NEW BUSINESS:**

Public Hearing of the Adoption of Borough's Fourth Round Housing Element and Fair Share Plan

**PUBLIC COMMENTS OTHER THAN HEARING ON THIS AGENDA**

**ADJOURNMENT**

# ORIGINAL

## PLANNING BOARD BOROUGH OF ENGLEWOOD CLIFFS

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**IN THE MATTER OF THE APPLICATION : MEMORIALIZATION RESOLUTION  
OF TAG SYLVAN CORPORATE CENTER, :  
LLC & TAG NEW SYLVAN CORPORATE :  
CENTER, LLC MINOR SUBDIVISION AND : APPLICATION NO. 343  
FINAL SITE PLAN APPROVAL RELATING :  
TO LOTS 9.03 & 9.04 BLOCK 1201 :  
910-940 SYLVAN :**

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**WHEREAS, Applicant, Tag Sylvan Corporate Center, LLC applied on or about March 6, 2025 to the Planning Board of the Borough of Englewood Cliffs, for subdivision and site plan approval with variances relief to construct a two-story medical building with parking; and**

**WHEREAS, the public hearings were conducted on April 10 and May 8, 2025, upon proper notice certified by Applicant's proof of service to property owners within a 200-foot radius of the subject property and proof of publication in an official newspaper of the Borough; and**

**WHEREAS, on May 8, 2025 a vote of the Board was taken to approve the application; and**

**WHEREAS, during the course of said hearing, Applicant presented expert testimony from several professionals outlining the site plan application and short summary; and**

**WHEREAS, all application materials, including all plans and reports submitted by**

or on behalf of Applicant, are a part of the official record of the public hearings on the application; and

**WHEREAS**, Applicant was represented by Matthew Capizzi, Esq; and

**WHEREAS**, the Planning Board considered documentary evidence submitted in connection with the application and heard testimony of the Applicant, witnesses, and considered the argument of Applicant's attorney; and

**WHEREAS**, the Planning Board was represented by Thomas W. Randall, Esq. and Timothy Wiss, Esq., at the hearings on this Application; and

**WHEREAS**, Applicant submission, interdepartmental communications and advisory reports of municipal departments and agencies were received and considered as follows:

**Documents reviewed:**

- Capizzi Law Office letter with Borough of Englewood Cliffs Planning Board Application with the Application Checklist attached dated March 6, 2025.
- Capizzi Law Office letter dated March 31, 2025 and response to David Hoder, PE, dated March 27, 2025 with Stormwater Management Report dated November 22, 2024, revised March 25, 2025.
- Completeness response memorandum from Collazuol Engineering & Surveying Assoc., dated March 27, 2024.
- Preliminary Engineering Plan prepared by Collazuol Engineering & Surveying Assoc., dated May 8, 2024 and last revised as of February 28, 2025 consisting of eleven (11) sheets inclusive of a Boundary & Topographic Survey prepared by Collazuol

Engineering & Surveying Assoc., dated February 2, 2023 and last revised as of November 19, 2024 (Sheet 9).

- Architectural Plan prepared by FX Collaborative dated March 5, 2025 consisting of six (6) sheets.
  - Landscape Plan, undated, no title block.
  - Site Plan, DBC Associates, one sheet, dated October 31, 1988.
  - As-Built Phase One, John E. Collazuol & Associates, one sheet, dated 1/15/1989 (unclear of date).
  - Traffic Impact Study prepared by Stonefield Engineering & Design, LLC dated February 28, 2025.
  - Borough of Englewood Cliffs Certified List of Property Owners within 200'.  
Borough of Englewood Cliffs certification from Tax Collector that property taxes are paid to date.
  - Completeness Review and Engineering (Site) Technical Review Report was prepared by David Hoder dated April 7, 2025.
  - Site Plan Review Letter from Lieutenant Colin Ford of the Englewood Cliffs Police Department, dated March 28, 2025.
  - Site Plan Review Letter from Andrew D. Nikow, Chief of the Englewood Cliffs Fire Department, dated March 27, 2025.
  - Affidavit of Publication dated March 31, 2025.
  - Affidavit of Service, prepared by Matthew G. Capizzi, inclusive of Notice, Property Owners Notified within 200%, and Certified Mail Receipts dated by March 27, 2025.

- Engineering Completeness Review of Site Plan and Subdivision (consolidation) Plan, prepared by David Hoder dated March 14, 2025.
- Letter from Thomas W. Randall of Randall & Randall, LLC on behalf of The Englewood Cliffs Planning, dated by March 25, 2025.
- Planning Board Resolution approved March 09, 2025.
- Planning Board Resolution approved September 14, 2006 with Reciprocal Easement Agreement.
- Planning Board Resolution approved September 12, 2002.
- Zoning Board of Adjustment Resolution Case No. 1218, undated.
- Site Plan Rendering (Exhibit A-1) prepared by Steven Collazuol, P.E. dated May 8, 2024.
- Building Elevation View from North West prepared by fx collaborative (Exhibit A-2), dated November 27, 2024.
- Rendered Building Elevation View from CNBC Road/9W prepared by fx collaborative (Exhibit A-3) dated November 27, 2024.
- Aerial Exhibit prepared by Stonefield Engineering and Design, dated April 9, 2025 (Exhibit A-4).
- Landscape Plan Exhibit prepared by Stonefield Engineering and Design, last revised, April 10, 2025. (Exhibit A-5).
- Map dated May 8, 2025 (Exhibit A-6)
- Landscape Plan Rendering (Exhibit A-7)
- Report of Michael Mistretta dated May 1, 2025

**WHEREAS**, testimony in support of the application was given by:

- a. Steven Collazuol, P.E.
- b. Nicholas Kennedy, P.E.
- c. Paul DeVitto, L.A.
- d. Daniel Kaplan, RA, AIA

and

**WHEREAS**, the following Board consultants were present,

- a. David Hoder, P.E. – Board Conflict Engineer
- b. Thomas W. Randall, Randall & Randall, LLC – Board Attorney
- c. David H. Horner, P.E. – Board Traffic Engineer
- d. Michael Mistretta, P.P.

**WHEREAS**, the Board did consider the testimony and evidence presented,

**NOW, THEREFORE**, on this 12<sup>th</sup> day of June, be it resolved that the Englewood Cliffs Planning Board makes the following findings of fact:

**APPLICATION PROPOSAL**

The Applicant is proposing to subdivide the property and redevelop the southernmost portion of the property consisting of surface parking, which is located on the opposite side of the primary driveway accessing the property via Sylvan Avenue. This portion of the property is proposed to be developed with a two-story medical office building, consisting of 137,544 square feet and associated surface and underground parking. The project will also expand parking on the northern portion of the property by 178 spaces to partially compensate for the surface parking spaces to be removed for the construction of the medical office building. The total proposed parking for the property is 1,270, which includes the existing parking spaces for the four office

buildings unimpacted by the proposed office development. CNBC has a lease agreement to use 69 parking spaces.

## HEARINGS

### Testimony

#### The following persons testified on April 10, 2025

Steven Collazuol, P.E., was sworn and qualified.

1. He testified as to the colorized rendering of sheet number two from the site plan submitted is Exhibit A-1.
2. The proposed building will be a few feet above existing grade.
3. An underground parking facility below the building is proposed with an entrance coming off the north side.
4. There are three (3) loading docks at the south side of the building.
5. He described the main part of the building, the north side, as well as the parking.
6. New parking was proposed near Sage Road.
7. Lot dimensions were described
8. Grading in utilities were described.
9. The parking proposed near Sage Road will have 178 cars parking and include a new drainage system.
10. Approximately 28 spaces will be added along Sylvan Avenue.
11. The detention element in the drainage plan will ultimately discharge into the town storm sewer.
12. The proposed building has a cantilever.

13. The lighting plan was introduced and lighting level controls were discussed.
14. Mr. Collazuol then reviewed the Engineer's report of Planning Board conflict Engineer David Hoder.
15. Lighting will be will be LEDs dimming light at night can be accomplished in regard to the adjacent residential area.
16. Sanitary sewer line was described as well.
17. The garage bottom floor will have floor drains which will be directed through filters for contaminants.
18. The garage has an overflow drain into the storm sewer of Sage Road, and the water will be pumped from the garage.
19. The Sage Road guard rails will be changed from metal to wood.

**Daniel Kaplan, Architect, Duffield St., Brooklyn, NY** was sworn and qualified.

20. He described his plans of March 5, 2025 consisting of eight pages.
21. Building and garage area were described.
22. The garage will be sized appropriately to permit emergency access in and around the building.
23. The building has a north and south suite
24. The main lobby is in the middle of the two sections.
25. There is also a north lobby.
26. There is an overhang covering the loading docks.
27. Mechanicals will be located on the roof and they will be screened.
28. It will be less than 25% the footprint of the building.

29. The mechanicals will also be recessed towards the middle of the building and screened to lessen the visual impact.
30. The garage will be mechanically ventilated.
31. He showed renderings of the building and were marked as Exhibit A-3.
32. The parking structure will be able to support the weight of emergency vehicles.
33. The height of rooftop screening appears to be about 13 feet high.
34. It may be reduced depending on the mechanicals.
35. The camouflage screening of the mechanical elements was discussed.
36. The potential for having EV charging area for EV vehicles was discussed.

Nicholas Kennedy Jr., P.E., was sworn and qualified as Traffic Engineer.

37. The present requirement for the existing buildings is four parking stalls per thousand square feet.
38. There is a 6.6 per thousand requirement for medical offices.
39. He believes the current rate per thousand uses is 1.63 parking spaces per thousand square feet, well below the Borough ordinance.
40. Presently there were only 435 spaces utilized over 1,000 spaces provided.
41. The parking counts taken lead him to opine there was a requirement of 2,541 parking spaces were needed and 1,201 are proposed.
42. He concluded there was more than an ample parking area.
43. He found the parking width of aisles of 24 feet was adequate for 12 foot lanes in either direction.
44. This is sufficient space for emergency vehicles to negotiate its way through the site.

45. The 9 x 18 lot parking stall size is typical and adequate.

**Paul Devitto III, L.A. Stonefield Engineering and Design**, was sworn and qualified.

46. He is a licensed landscape architect.

47. He described Exhibit A-4, an aerial image of the site.

48. He also walked the site and observed the species of plants in the area and described the site.

49. He described Exhibit A-5, a colorized rendering of the proposed landscaping plan.

50. Johnson Avenue is forested and will be undisturbed going along Sage Road where an evergreen buffer is proposed to complement some of the existing buffer trees.

51. Sylvan Avenue landscaping remains mostly undisturbed.

52. Applicant proposes to supplement existing deciduous and evergreen trees to the west.

53. They are looking to supplement mature trees with staggered rows of evergreen trees.

54. The purpose of the landscape buffers is to shield headlight glare toward offsite neighbors.

**Testimony May 8, 2025**

**Steve Collazuol, Professional Engineer**, continued:

55. He discussed the three lot subdivision and the variances.

56. Lot 9.04 will have no side yard setback and has a substandard rear yard of 36.08 feet as the only two subdivision bulk variances.

57. He introduced Exhibit A-6 subdivision map.

58. A timer on the lights were also discussed as well as photo metrics.

59. It was further proposed to move the underground stormwater detention system further away from Sage Road.

**Daniel Kaplan, Architect** continued:

60. He addressed the mechanical screening on a rooftop top plan and the ability to have noise attenuation for the mechanicals.

61. A continuous 13-foot screen will shield the mechanical equipment.

62. He noted the ground floor exterior will be an aluminum color and glass and solid in-fill panels of stone or terra-cotta.

63. The second floor exterior will be a lighter but not white color.

64. The bulkhead will be painted vertical textured screen which will allow air to circulate near mechanicals.

**Paul Devitto, Landscape Architect**, continued:

65. Described Exhibit A-7 dated 5/6/2025.

66. Landscaping plan was enhanced throughout the project, particularly along Sage Road to Johnson Avenue with an additional 28 trees.

67. An additional 37 trees are proposed along the wooded area and buffer.

**Nicholas Kennedy, Traffic Engineer, testimony continued:**

68. Al is proposing 1,195 parking spaces with the loss of six spaces recommended for buffering.

69. Templates for 48-foot fire truck were prepared by the Engineer to show the truck can be accommodated.

70. He indicated that he and Board Traffic Consultant Horner agree on the results of the traffic impact study.
71. Mr. Horner, as Board Traffic Engineer, endorsed the circulation plan and the associated waivers.
72. It was suggested that the Applicant consider banking 178 spaces rather than building them presently
73. The parking, including parking stall size and aisle with traffic access into the garage and pedestrian crossings with ADA compliant ramps were reviewed.
74. Counsel indicated the Applicant will comply with showing additional crosswalks and will submit a separate truck circulation plan to show the movements in the loading zone can be demonstrated.
75. It was suggested there be a six-month look back for addressing whether any signal modification and controlling access of the traffic needs to be addressed for more “green” time to access the site.
76. A site distance analysis was also suggested.

**Spach Trahan, Professional Planner**, was sworn and qualified.

77. She indicated she had reviewed the transcripts, the Master Plan and ordinances, and the site in question in preparation for rendering an opinion.
78. She described the existing site.
79. The properties were currently subdivided along building lines.
80. She noted that the B2 Limited Business Zone includes medical clinics, laboratory, research facilities.

81. With the creation of a third lot there is an increase in setback variances.
82. The new subdivision creates a rear setback of 36.08 feet on lot 9.04.
83. The parking variance of the parking setback, for building setback and waivers, were reviewed.
84. She indicated that there was a deed restriction along Johnson Avenue of 100 feet which is less than the Borough ordinance of 120 feet regarding buffer requirements.
85. They have taken the position that the deed restriction supersedes the 120-foot requirement of the ordinance.
86. In the alternative they request a variance from the buffer ordinance.
87. Under the criteria of the MLUL she felt the application presented satisfies the C(2) criteria.
88. One of the new variances identified for lot 9.05 is for setback on Johnson Avenue for front yard due to the lot configuration.
89. Given the building orientation, 20% of the lot depth would require 135.38 feet setback where 61.2 is proposed.
90. This setback is due to the irregular shape of the lots.
91. There is no way to avoid a 0 foot setback where it presently exists for the structures.
92. The new building proposal has sizable setbacks in the middle of the panhandle section of the lot.
93. She proceeded to review the justification under the MLUL for C(2) variances and concluded that the standard for approval under the case law has been met.

### **STATUTORY CRITERIA**

a. An Applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

b. Public Benefits Test. An Applicant may be granted c(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

c. Negative criteria. In addition to the above, the Applicant must address the Negative Criteria of the statute. To meet the negative criteria, an Applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.

### **ANALYSIS AND CONCLUSION OF LAW**

The Board, considering all of the testimony regarding the above matter, finds the application is appropriate for approval. In reviewing the variance associated with the project, there are some pre-existing variances due to the existing lot lines, and others created with the subdivision of a third lot required additional bulk variances. These bulk variances are created due to the orientation of the lots and their corresponding front yard side yard. The Board is also of mindful of concerns for buffering of the commercial property located adjacent to the residential zone. This proposal

takes that into consideration, and provides very significant mitigation to prevent any negative impacts in the R2 zone with the final revision of the application including lighting, buffering, drainage, building design and noise attenuation.

The following bulk clearances have been requested:

- **Lot 9.03 – Rear Yard Setback** (opposite Sylvan-previous approvals identified it as the front yard)
  - 53.67 feet is required, whereas 0 feet is proposed.
- **Lot 9.04 - Side Yard Setback** (east property lines)
  - 30 feet is required, whereas 0 feet is proposed.
- **Lot 9.04 – Rear Yard Setback** (opposite Sage Rd)
  - 163.37 feet is required, whereas 36.08 feet is proposed.
- **Lot 9.05 – Rear Yard Setback** (opposite Johnson, far end near Lot 9.01 office property)
  - 135.38 feet is required, whereas 61.2 feet is proposed.
- **Minimum Off Street Parking** - 2,541 spaces required, whereas 1,195 spaces are proposed.
- **Minimum Parking Stall Size** - 9' x 19' dimensions are required, whereas 9' x 18' dimensions were previously approved and proposed.
- **Minimum Loading Spaces** – 7 spaces are required, whereas 3 spaces are proposed.
- **Minimum Drive Aisle Width** (§ 30-11.2b): 25' minimum width is required, whereas 24' width is previously approved and proposed.
- **Minimum Parking Setback** (§30-5.12.3.h.1) – 5 feet is required, whereas 0 feet is proposed along Lot 9.01, and 0 feet is proposed at internal property lines between the three lots.
- **Structured Parking** – prohibited, whereas it is existing and proposed in new building.
- **Location of Parking in Front Yard** – prohibited, whereas parking is located in Sylvan front yard (on Lot 9.03, existing and proposed parking) and in Sage Road front yard (on Lot 9.04, proposed parking).
- **Maximum Coverage of Rooftop Appurtenances** that exceed the height requirement – 25% is permitted, whereas 37% is proposed.

- **(TBD) Buffer Width** (§30-7.10.b) – 120 feet is required adjoining residential zone (along Johnson Ave), whereas 100 ft. is existing and proposed.
- **(TBD) Buffer Restriction** (§30-7.10.f.&h.) – prohibits vehicular access to a residential streets and parking in a required buffer, whereas 7 new parking spaces are proposed.

### **Findings**

Board finds that with the engineering of the site and the architectural design of the new building the site will operate efficiently in conjunction with the other properties and the building proposed does not present any visual detriment to the surrounding neighborhood.

The use is permitted in the zone as noted. Lot 9.03 opposite Sylvan Avenue has a 0 foot setback which is an existing condition. The 36.08 foot variants that rear yard is occasioned by the new line being drawn in the subdivision to create the new lot. As to the parking setback variance, it appears based on the analysis received that even though six spaces are being removed the final count of 1,195 spaces is more than adequate for the actual needs of the site. The waivers for parking stall size and drive aisle have been determined to be adequate for navigating the site and waivers appropriate. The hundred foot buffer is adequate to protect and buffer the residential zone along Johnson Avenue.

The Board further concurs that this is a C(2) variance being sought and in employing the analysis for approval there are purposes of the land use act which are promoted with this proposal. While there are variances caused by the subdivision, they are caused due to the irregular shape of the lots which are designed more to address the overall lot area compliance rather than setback require requirement. In any event these setbacks are substantial.

The parking garage being partially constructed below grade constitutes an efficient use of the land and serves to keep the overall height of the mass of the structure minimized. The removal

of six parking spaces along Sage Road, and replacing it with landscaping certainly provides a benefit and is aesthetically attractive.

Additionally, while the rooftop mechanicals are 12% greater than permitted, the screening is more aesthetically attractive, and shields mechanicals from view. The Board finds the purposes a), c), i) and g) are promoted with this proposal.

Turning to the negative criteria, there is no substantial detriment to the public good. Also there is no detriment to the zone plan and we find it is consistent with the goals of the Master Plan. These are findings with which the board planner also concurs, and accordingly the Applicant has satisfied the positive and negative criteria to merit approval.

The Board does not see any significant negative impact created by this development as Applicant has mitigated any impact and has made sure to address concerns of drainage being addressed on site. The proposal will not negatively impact the neighborhood with the development. There is no detriment to the neighborhood or impairment of the zone plan or zone intent.

The benefits outweigh any detriment, as there is adequate mitigation of any impact. The relief can be granted without detriment to the Master Plan or Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board of the Borough of Englewood Cliffs recommends the approval of the Subdivision and Final Site Plan with variances as set forth enumerated above.

#### **General Conditions**

1. The Applicant shall obtain the approval (or waiver thereof) of any and all other governmental agencies having jurisdiction over the proposed development, including but not limited to State of New Jersey DOT, Bergen County Sewer Authority, Bergen County Soil

Conservation District, the New Jersey Department of Environmental Protection and the Bergen County Department of Planning and Economic Development.

2. The Applicant shall reimburse the Borough for all costs and fees of the Borough of Englewood Cliffs, Planner, Engineer and Borough of Englewood Cliffs Planning Board Attorney associated with this application, and release of escrows posted authorized upon receipt of sign off letters from all Borough professionals prior to the issuance of building permits.

3. All representations made by Applicants or their agents shall be deemed conditions of this approval and any misrepresentations by Applicants or their agents contrary to the representations made before the Board shall be deemed a violation of this approval.

4. The action of the Planning Board in approving this application shall not relieve the Applicant of responsibility for any damages caused by this project, nor does the Planning Board of the Borough of Englewood Cliffs, or its reviewing professionals or agencies, accept any responsibility for design of the proposed improvement or for any damages that may be caused by this development.

5. Execution of a Developer's Agreement by the Applicant. Applicant shall enter into a Developer's Agreement with the Borough and post appropriate performance guarantees.

6. Building permits as needed must be obtained before any work begins at the site and in accordance with the approval(s) conferred herein.

#### **Specific Conditions**

- 1) Applicant will comply with all representations made at the hearings.
- 2) The rooftop will be used only for mechanical equipment and there will be no public access.
- 3) Cross easements for parking and utilities will be provided for review and approved by

Board Professionals.

- 4) The data for light pollution reduction, and dark sky will be provided for review and approval by the Board Engineer.
- 5) The lighting for parking will face the building so to avoid light spillage onto Sage Road and is subject to approval by the Board Engineer.
- 6) Applicant will move the lighting as far as practical without adding new poles.
- 7) The fire lane will remain in its present unpaved condition except for adjacent proposed parking where it may be paved.
- 8) The existing gate for the fire lane will be left as is, and will be utilized only in the event of an emergency that precludes traffic from going out to Sylvan Avenue.
- 9) The fire lane specifically is not to be used for ingress or egress for emergency vehicles or ambulances as part of normal business operations or transport of patients.
- 10) A truck circulation plan for the site will be provided.
- 11) An acoustical liner will be installed as needed to be compliant with sound regulations under Borough ordinances.
- 12) The existing plantings between the Borough property adjacent to Witte field and existing parking will be maintained as is, with new plantings installed to the west of existing plantings, so as not to harm the existing mature landscaping.
- 13) Pedestrian crossings with ADA ramps and crosswalks are to be added, with the proposed locations to be determined in consultation with the Board Traffic Expert.
- 14) There will be a six-month review of the signalized intersection of Sylvan Avenue and the site access to determine if traffic signal timing/phasing modifications are warranted.

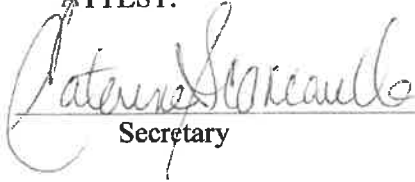
- 15) The lighting in the parking areas will be reduced at night after business hours.
- 16) There will be a six-month review of the lighting to determine whether the levels need to be adjusted.
- 17) The dead trees in the Johnson Avenue buffer area will be removed.
- 18) Applicant will comply with the sewer ordinance of the Borough, and provide downstream calculations for capacity to the satisfaction of the Board Engineer.
- 19) Trees and plantings installed by the Applicant will be maintained in perpetuity.
- 20) Any replacement of trees in the buffer will be governed by Borough Ordinance.
- 21) An additional fire hydrant will be installed to the west of the building (front yard).
- 22) The proposed storm water retention system will be moved further away from Sage Road as far as practical.
- 23) Applicant will plant 10'-12' Norway Spruce trees in staggered rows commencing at the intersection of Sage Road and Johnson Avenue and continuing 100 feet along both streets to create an evergreen screen for the benefit of the nearby residential properties.
- 24) The trees planted along Johnson and Sage Road will be planted on the residential side of the buffer, however, the location will be subject to complying with site distance requirements for the roadways.
- 25) The area adjacent to the intersection of Sage Road and Johnson Avenue where six (6) proposed parking spaces were removed will be augmented with evergreen and other plantings to provide additional screening for the residents nearby.
- 26) Along Sage Road, starting from a 100' distance from Johnson Avenue and continuing toward 9W, the Applicant will double the number of Norway Spruce trees depicted on the

toward 9W, the Applicant will double the number of Norway Spruce trees depicted on the plans.

- 27) The parking area lighting will have timers and dimming controls.
- 28) Sign application is deferred at this time and Applicant will return to the Board if any variances or other relief is required.
- 29) No building permits shall issue until escrows are posted by Applicant to satisfy all Board professional and legal invoices including reimbursement of escrows and fees paid by the Borough on behalf of the Applicant.
- 30) A revised landscape plan that includes all additional plantings will be submitted to the Planning Board Professionals for approval before issuance of building permits.
- 31) All trees that are proposed to be removed will be depicted and reviewed by Planning Board Professionals before issuance of building permits.
- 32) The Board notes that multiple previous plans for this property depict a 90' wide buffer zone potentially encumbering the property along Sage Road. For instance, a final subdivision plan by John Collazuol and Associates dated October 12, 2006 depicts a "90' Wide Buffer Zone" along with a metes and bounds description (see attached exhibit). Plans filed as part of this application and by the same engineer, John Collazuol & Associates, no longer depict the 90' wide buffer zone.
- 33) The Board has credible concerns as to the possible existence of a buffer zone along Sage Road, how it was created, and how/if it was removed. The Board raised the issue multiple times during the hearings and requested additional information about the Sage Road buffer but no clarity has been provided by the Applicant. The Board is concerned that there may

34) Therefore, the Board requires as a condition of approval that the Applicant provide appropriate information clarifying the buffer zone origin and removal subject to approval of the Board Attorney before the issuance of any construction permits.

ATTEST:

  
Secretary

ENGLEWOOD CLIFFS PLANNING BOARD

  
Chairperson

Roll Call:

Motioned by: Chairman Perrino

Seconded by: Mr. Timothy O'Shea

Ayes: Mr. Kim, Mr. O'Shea, Mrs. Rizvi, Conalwoman Biegacz, Chairman Perrino

Nays: None

Abstention: none



**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF ENGLEWOOD CLIFFS ADOPTING A HOUSING ELEMENT AND FAIR SHARE PLAN FOR ROUND FOUR**

**WHEREAS**, the Borough of Englewood Cliffs (hereinafter the “Borough” or “Englewood Cliffs”) has previously received Final Judgment of Compliance and a Judgment of Repose, dated December 22, 2020, approving the Borough’s Housing Element and Fair Share Plan for the Third Round; and

**WHEREAS**, in March of 2024, Governor Murphy signed an amendment to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. into law making radical changes to the legislation (hereinafter “FHA II”) and

**WHEREAS**, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan; and

**WHEREAS**, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then adopting a Housing Element and Fair Share Plan (hereinafter “HEFSP” or “Plan”) by June 30, 2025 and filing the adopted Plan within 48 hours of adoption with the Affordable Housing Dispute Resolution Program (the “Program”); and

**WHEREAS**, the Borough adopted a resolution by January 31, 2025, committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution; and

**WHEREAS**, the Borough had its affordable housing planning consultant, Michael Mistretta, P.P. of Harbor Consultants, Inc. prepare a HEFSP to address the Borough’s affordable housing obligations under FHA II; and

**WHEREAS**, the Borough now wishes for the Englewood Cliffs Planning Board to consider adopting the HEFSP that its affordable housing planner prepared;

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40:55D-13 of the MLUL, the Planning Board scheduled a public hearing on the HEFSP for June 25, 2025; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40:55D-13 of the MLUL, the Planning Board published a notice of this public hearing in the Borough’s official newspaper at least ten days before the scheduled date for the public hearing and served a copy of this notice upon the clerks of all municipalities adjoining the Borough, upon the clerk of the County Planning Board, and upon the New Jersey Office of Planning Advocacy; and

**WHEREAS**, a copy of the HEFSP was placed on file with the Planning Board Secretary and was available for public review at least ten days before the scheduled date for the public hearing; and

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the Housing Element and Fair Share Plan on June 26, 2025; and

**WHEREAS**, at the public hearing, , Michael Mistretta P.P. provided professional planning testimony regarding the HEFSP and the Board provided members of the public with the opportunity to provide their comments about the plan.

**WHEREAS**, the Planning Board determined that the attached Housing Element and Fair Share Plan is consistent with the goals and objectives of the current Master Plan of Englewood Cliffs, and that adoption and implementation of the plan is in the public interest and protects public health and safety and promotes the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of Englewood Cliffs, County of Bergen, State of New Jersey, that the Planning Board hereby adopts the Housing Element and Fair Share Plan attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board hereby directs the affordable housing attorney for Englewood Cliffs to file the duly adopted Housing Element and Fair Share Plan with the Program, an entity created by the Amended FHA, within 48 hours of adoption and present the duly adopted Housing Element and Fair Share Plan to Englewood Cliffs for endorsement.

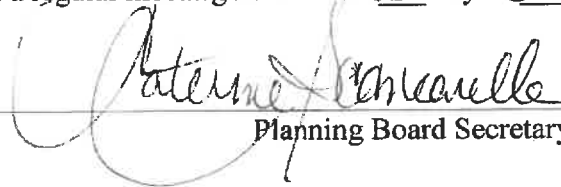
**BE IT FURTHER RESOLVED** that Affordable Housing Counsel is authorized to pursue approval of the Housing Element and Fair Share Plan and submit such additional documents as may be necessary or desirable in an effort to secure such approval.



Chairman of the Planning Board

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Planning Board of the Borough of Englewood Cliffs at a regular meeting held on the 26<sup>th</sup> day of June 2025.



Planning Board Secretary

# HOUSING ELEMENT AND FAIR SHARE HOUSING PLAN

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## BOROUGH OF ENGELWOOD CLIFFS



June 26, 2025

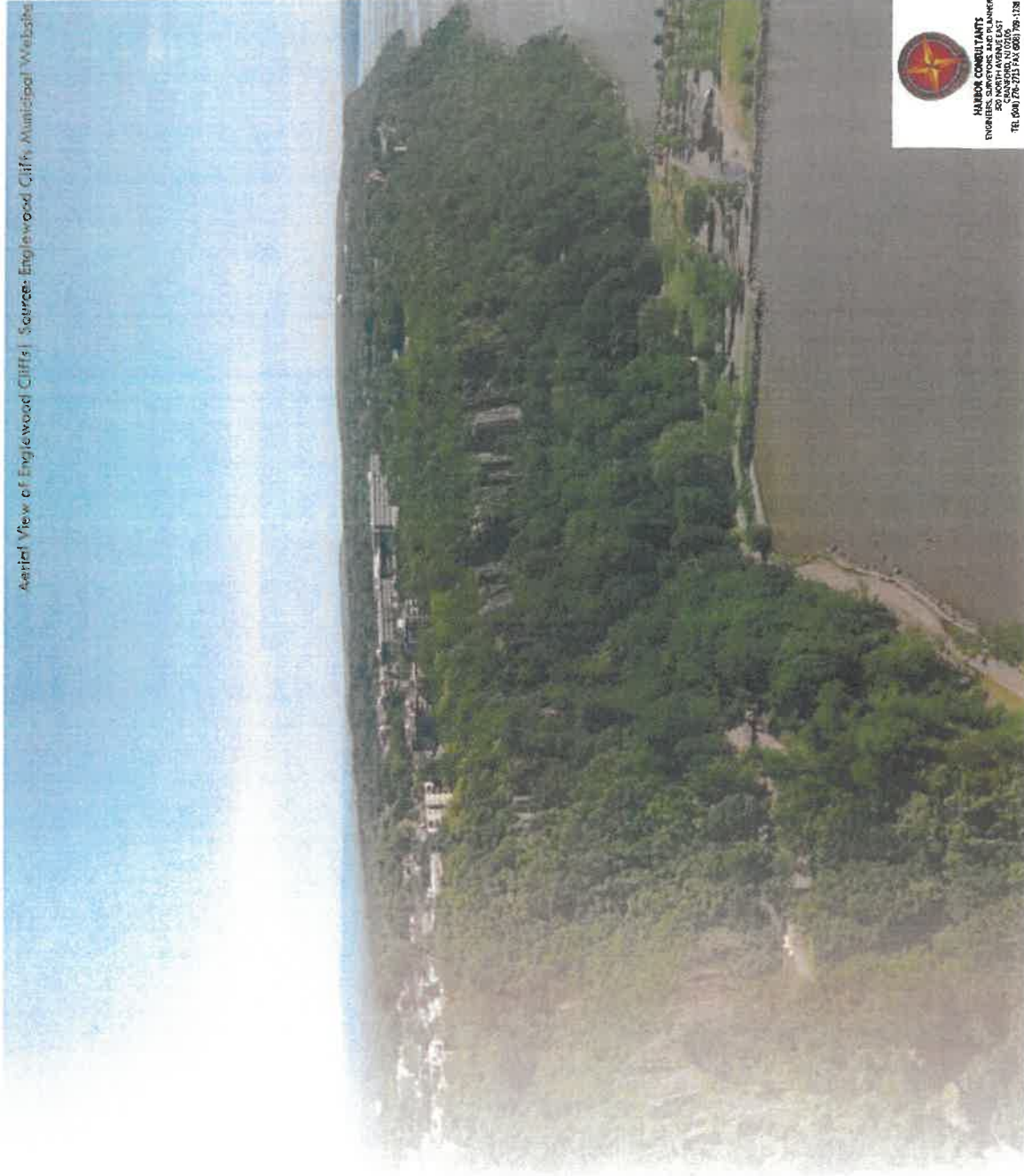
Prepared by



**HARBOR CONSULTANTS**  
ENGINEERS, SURVEYORS, AND PLANNERS  
320 NORTH AVENUE EAST  
CRANFORD, NJ 07016

- 1. Why? History of Affordable Housing Legislation in NJ and Borough**
- 2. How? Fourth Round Affordable Housing Obligation Calculation**
- 3. Where? Overview of Prior Round and Third Round Obligations**
- 4. What Now? Proposed 4<sup>th</sup> Round Compliance**
- 5. Question and Answer**

Aerial View of Englewood Cliffs | Source: Englewood Cliffs Municipal Website



**HARBOR CONSULTANTS**  
ENGINEERS, SURVEYORS AND PLANNERS  
500 NORTH AVENUE EAST  
SUITE 200  
TELEPHONE: 201.371.3400 FAX: 201.376.1128

# History of Affordable Housing Legislation in NJ and Borough of Englewood Cliffs

(Pages 3 through 10)



HARBOR CONSULTANTS  
INCORPORATED  
325 NORTH AVENUE EAST  
NEWARK, NEW JERSEY  
TEL: 908-735-1111 FAX: 908-735-1128

# Affordable Housing History in NJ

- New Jersey Supreme Court decision Mount Laurel (1975)
- New Jersey State Legislature passed the Fair Housing Act (FHA) in 1985
- Council on Affordable Housing (COAH) under FHA adopted a series of regulations
  - Prior Round: 1987-1999
  - Third Round: 1999-June 30, 2025
- On March 20, 2024, Gov. Murphy signed amendments to FHA establishing requirements for the Fourth Round (July 1, 2025 – June 30, 2035)



# Affordable Housing History in Borough

- **Second Round Rules**
  - March 2, 1995: Borough filed HE&FSP with COAH and petitioned COAH for substantive certification. Borough was not granted substantive certification due to failure to adopt overlay zoning on the Prentice Hall site.
- **Third Round Rules**
  - April 2, 2009: Borough's HE&FSP deemed complete by COAH.
  - April 7, 2011: Borough's Spending Plan approved by COAH.
- **2015 Supreme Court decision turns review of Third Round compliance from COAH to the Court**
  - January 24, 2019: HE&FSP prepared and endorsed by Borough Council.
  - January 17, 2020: Court found HE&FSP to be insufficient.
  - October 8, 2020: Borough entered Settlement Agreement with FSHC.
  - November 13, 2020: Borough prepared an Amended HE&FSP, which was adopted by the Planning Board and endorsed by Borough Council.
  - December 22, 2020: Borough granted a Final JOR approving its Amended HE&FSP.



# Fourth Round Affordable Housing Obligation Calculations

(Pages 10 through 14)



MARSDEN CONSULTANTS  
ENGINEERS SURVEYORS ARCHITECTS  
50 NORTH AVENUE EAST  
SUVA, FIJI  
TEL: 900 226 0214 FAX: 900 226 0218

# 3 factors averaged to calculate Englewood Cliffs' Fourth Round Average Allocation Factor

- Borough of Englewood Cliffs is in Housing Region 1 (Bergen, Hudson, Passaic, and Sussex Counties)

## 1. Equalized Nonresidential Valuation Factor

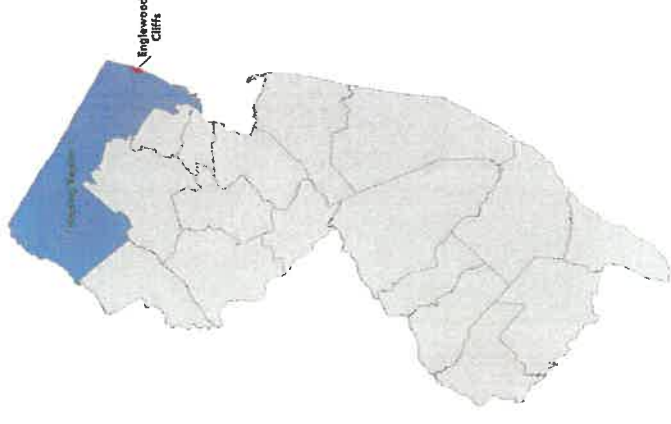
- Municipality's share of the change in nonresidential property value within its housing region

## 2. Income Capacity Factor

- Measures the degree to which a municipality's median household income differs from an income floor of \$100 below the lowest median household income in its Housing Region

## 3. Land Capacity Factor

- Share of developable land in Housing Region

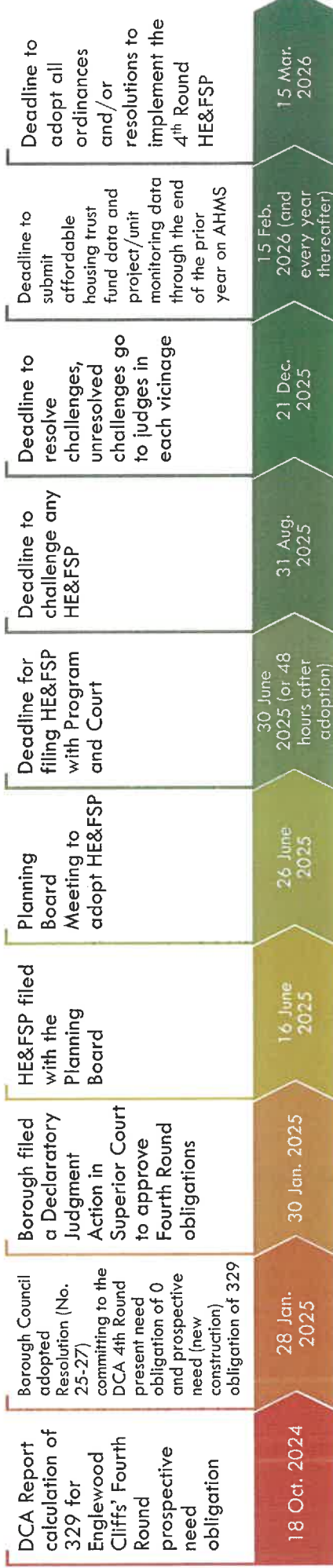


# Fourth Round Obligation Calculations

- A municipality's Fourth Round prospective need is calculated by multiplying its Average Allocation Factor to the total prospective need of its corresponding Housing Region
- Average Allocation Factor for Englewood Cliffs: 1.185%
- Housing Region 1 Regional Prospective Need: 27,743
- Englewood Cliffs 4<sup>th</sup> Round Present Need: 0
- Englewood Cliffs 4<sup>th</sup> Round Prospective Need: 329
- Borough reviewed DCA calculations, and Borough Council adopted Resolution No. 25-27 on January 28, 2025 committing to the DCA Round 4 Present Need Obligation of 0 (zero) units and the Round 4 Prospective Need Obligation of 329 units
- Borough received no challenges to its adopted numbers prior to February 28, 2025 statutory deadline, thereby establishing its adopted numbers as its Fourth Round affordable housing obligations



# 2025 Borough of Englewood Cliffs HE&FSP Timeline



MUNICIPALITY OF ENGLEWOOD CLIFFS  
 MUNICIPALITY OF ENGLEWOOD CLIFFS  
 330 NORTH AVENUE EAST  
 ENGLEWOOD CLIFFS, NEW JERSEY 07039  
 TEL: 908.232.2337 FAX: 908.232.1338

# Overview of Prior Round and Third Round Obligations

(Pages 34 through 43)



HARRIS CONSULTANTS  
ENGINEERS ARCHITECTS AND INTERIORS  
330 NORTH AVENUE EAST  
SUITE 2000  
TEL: (904) 276-2113 FAX: (904) 766-1194

# Prior Round and Third Round Obligations

Fair Share Housing Obligations Borough of Englewood Cliffs, Bergen County, NJ	
Prior Round Obligation (1987-1999)	219
Third Round Obligation (1999-2025)	365
Third Round RDP	187 (213)*
Third Round Unmet Need	371**

\*Number in parentheses signifies the number of units and credits used to satisfy the Borough's 187-unit RDP

\*\*Third Round Unmet Need is calculated by subtracting the units and credits used to satisfy the Borough's Third Round RDP (213) from the combined new construction obligation of the Prior Round and Third Round (584)



HANCOCK COUNTY TAXPAYER  
 UNIFORMS, REPORTS AND PLANNERS  
 320 NORTH AVENUE EAST  
 TEL: (904) 772-2337 FAX: (904) 779-3758

# Proposed Fourth Round Compliance

(Pages 43 through 53)



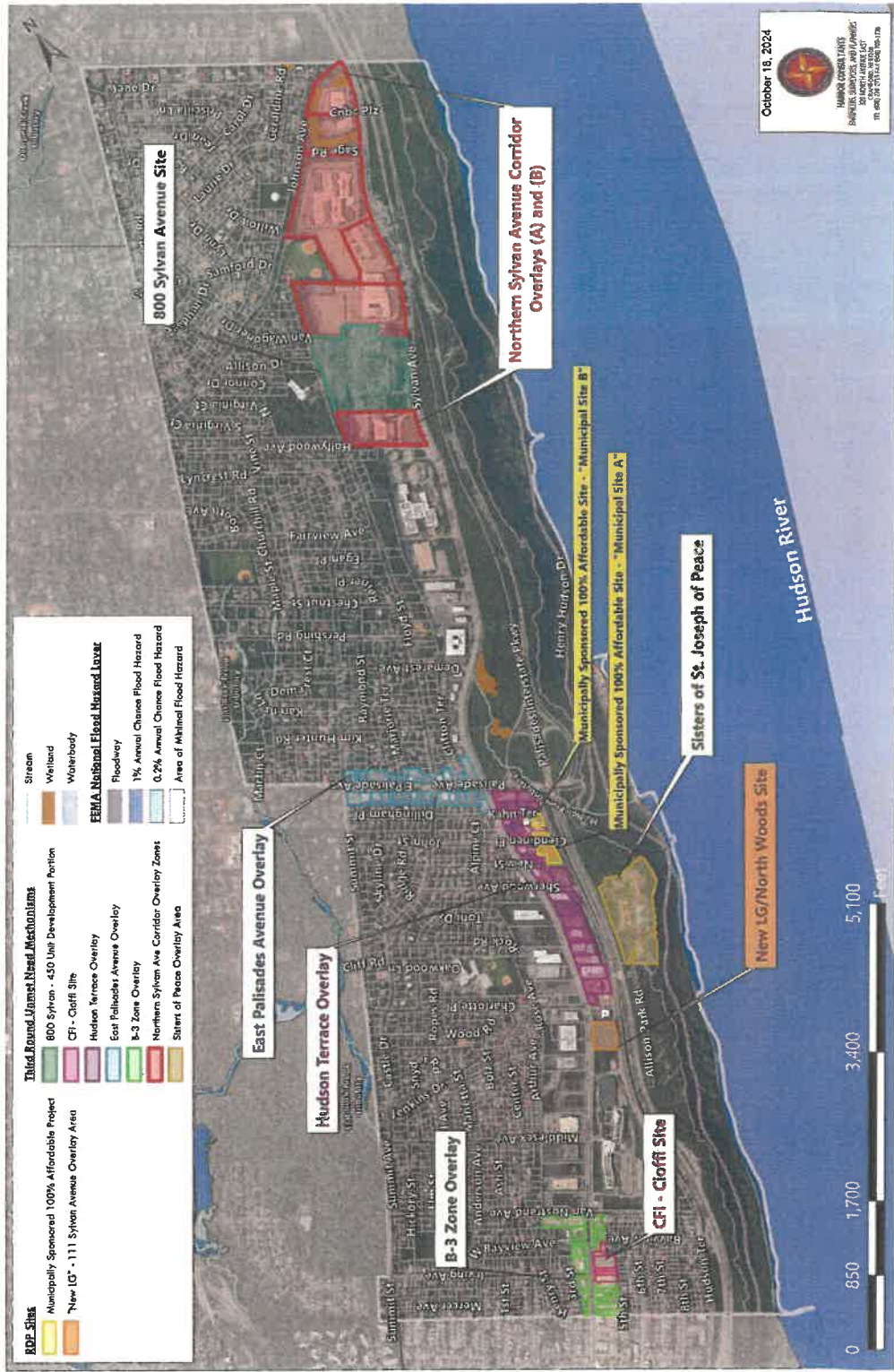
HANSON ENGINEERING & SURVEYING  
ENGINEERS, SURVEYORS, AND PLANNERS  
123 NORTH AVENUE EAST  
SUITE 200  
TULSA, OKLAHOMA 74103  
TEL: (918) 771-7117 FAX: (918) 796-1178

# Fourth Round Obligations

Fourth Round Affordable Housing Obligations Borough of Englewood Cliffs, Bergen County, NJ	
Fourth Round Prospective Need (July 1, 2025- June 30, 2035)	329
Fourth Round RDP	10 (12.5)*
Fourth Round Unmet Need	316.5
*Number in parentheses signifies the number of units and credits used to satisfy the Borough's 187-unit RDP	



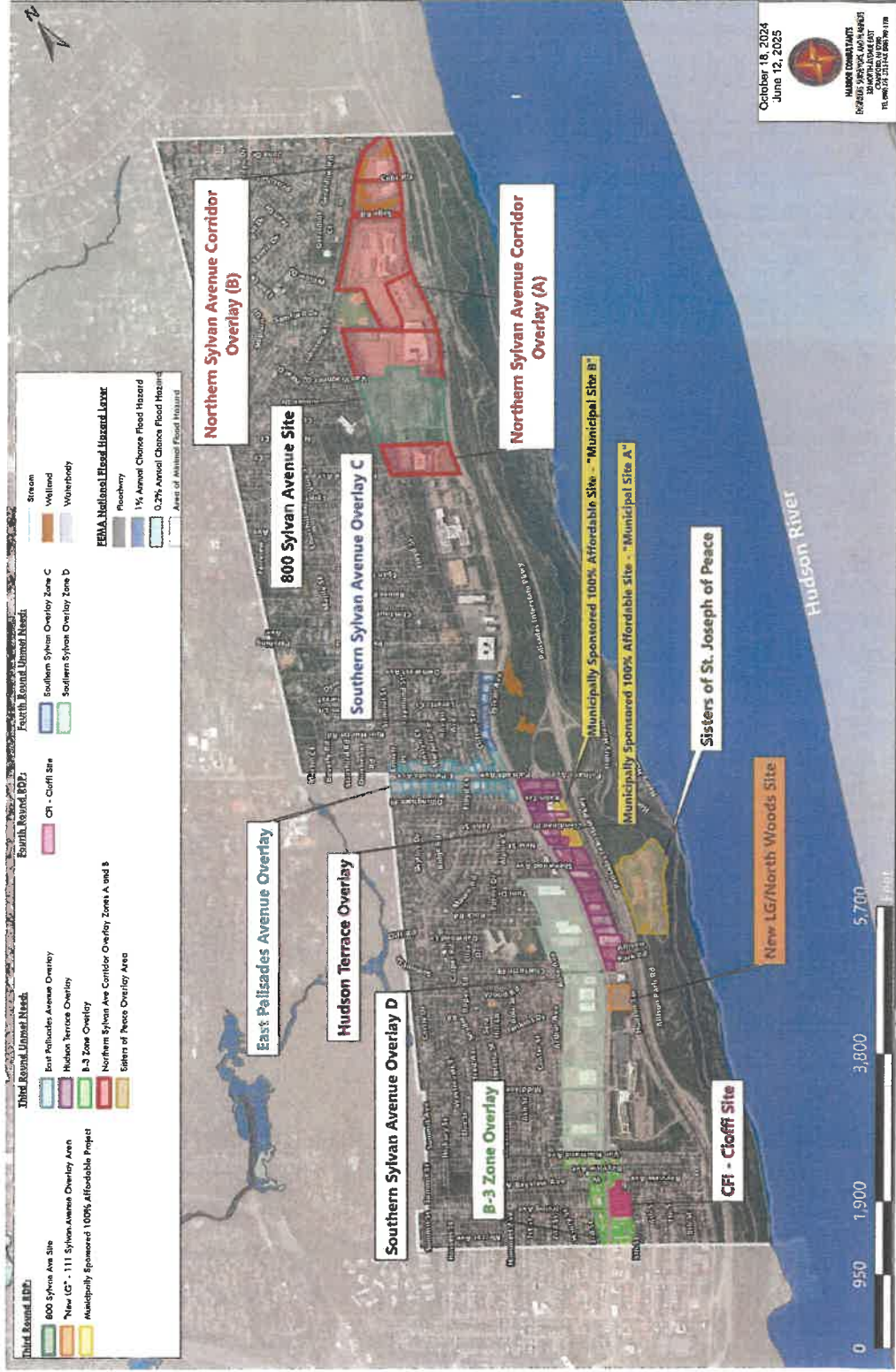
# Third Round Summary of Plan Map



October 18, 2024

**HANCO COUNTY PLANNING & ZONING DEPARTMENT**  
 100 W. Main St., Suite 200  
 Hanover, NH 03755  
 Tel: 603.271.4400

# Fourth Round Summary of Plan Map



# Proposed Projects Addressing the Fourth Round RDP

(Page 45)



HANSON ENGINEERS  
ENGINEERS, SURVEYORS, AND PLANNERS  
320 NORTH AVENUE EAST  
SUITE 200  
DENVER, COLORADO 80202  
TEL: (303) 733-5115 FAX: (303) 733-4138

# Satisfaction of Fourth Round RDP

Existing and Proposed Projects Addressing the Fourth Round RDP Borough of Englewood Cliffs, Bergen County, NJ						
BOROUGH RDP						10
Cioffi Site	Completed Units	Proposed Units	L	M	VL	Total
(20-32 Sylvan Avenue and 4 Bayview Avenue; Block 201, Lots 10-14, Block 205, Lots 1, 2, & 4)	-	10 (F)(R)	-	-	-	10
<b>TOTAL UNITS</b>						10
<b>Bonus Credits (2.5 maximum based on 25% of 10-unit RDP)</b>						2.5
<b>TOTAL CREDITS AND UNITS</b>						12.5
(R) = Rental						
(F) = Family						
(BC) = Bonus Credit						



HUNTER ENGINEERS  
 121 NORTH AVENUE EAST  
 CHARLES, BERGEN COUNTY, NJ 07630  
 TEL: (201) 279-2317 FAX: (201) 786-1318

**I. Cioffi Site  
 (20-32 Sylvan Avenue and 4  
 Bayview Avenue; Block 201, Lots  
 10-14, Block 205, Lots 1, 2, & 4)**



<b>Existing Use</b>	Commercial
<b>Zone</b>	Downtown Tiers (Hudson Terrace, East Palisades, and B-3 Zone) Inclusionary Housing Overlay-2 (HO-2) Zone
<b>Environmental Constraints</b>	None
<b>Acreage</b>	1.985 acres
<b>Proposed Units</b>	48 units/10 affordable family rental units Density: 24.2 du/acre

# Proposed Projects Addressing the Fourth Round Unmet Need

(Pages 46 through 48)



HARBOR CONSULTANTS  
INCORPORATED  
300 NORTH AVENUE, SUITE 200  
CHERRY HILL, NJ 08002  
TEL: 856-775-1133 FAX: 856-775-1139

# Satisfaction of Fourth Round Unmet Need

Existing and Proposed Projects Addressing the Fourth Round Unmet Need Borough of Englewood Cliffs, Bergen County, NJ						
UNMET NEED		316.5				
	Completed Units	Proposed Units	L	M	VL	Total
New Overlay Zones	-	177 (213) <sup>(1)</sup>	-	-	-	177 (213) <sup>(1)</sup>
New Southern Sylvan Ave Corridor Overlay Zone C	-	11 (14) <sup>(1)</sup>	-	-	-	11 (14) <sup>(1)</sup>
New Southern Sylvan Ave Corridor Overlay Zone D	-	166 (199) <sup>(1)</sup>	-	-	-	166 (199) <sup>(1)</sup>
Other Mechanisms	-	60	-	-	-	60
Mandatory Set-Aside Ordinance (MSO)	-	60	-	-	-	60
Remaining Bonus Credits to Reach 25% Cap						79.5
<b>TOTAL CREDITS AND UNITS</b>			<b>316.5</b>			
<sup>(1)</sup> Projects with residential or mixed-use options (mixed-use unit numbers in parentheses)						



<b>1. Southern Sylvan Ave Corridor Overlay Zone C (Sylvan Avenue; Block 617, Lots 6 and 13-17)</b>	
<b>Existing Use</b>	Commercial
<b>Environmental Constraints</b>	None
<b>Unconstrained Acreage</b>	+/- 2.7935 acres
<b>Proposed Units</b>	11 (14) <sup>1</sup> affordable units

(1) Projects with residential or mix-use options (mixed-use numbers in parentheses)



**2. Southern Sylvan Ave Corridor  
Overlay Zone D (Sylvan Avenue; Block  
130, Lots 22-25, Block 213, Lots 1-3,  
Block 314, Lots 10-15, and Block 411,  
Lots 16-23)**

<b>Existing Use</b>	Commercial
<b>Environmental Constraints</b>	None
<b>Unconstrained Acreage</b>	41.38 acres
<b>Proposed Units</b>	166 (199) <sup>1</sup> affordable units

(<sup>1</sup>)Projects with residential or mix-use options (mixed-use numbers in parentheses)



# Implementation of Draft Ordinances

- The draft ordinances for the new proposed overlay zones (Southern Sylvan Ave Corridor Overlay Zone C and Southern Sylvan Ave Corridor Overlay Zone D), which are attached to the appendix of the HE&FSP, will be reviewed by the Planning Board
- The draft ordinances must be finalized and adopted by resolution by the Planning Board and Borough Council prior to March 15, 2026



# Summary of Plan

Fourth Round Credit Total Englewood Cliffs, Bergen County, NJ		329
FOURTH ROUND PROSPECTIVE NEED		
RDP		10
Cioffi Site		10
Bonus Credits		2.5
UNITS/CREDITS SATISFYING RDP		12.5
UNMET NEED		316.5
New Overlay Zones		177 (213) <sup>1</sup>
Southern Sylvan Ave Corridor Overlay Zone C		11 (14) <sup>1</sup>
Southern Sylvan Ave Corridor Overlay Zone D		166 (199) <sup>1</sup>
Other Mechanisms		60
Mandatory Set Aside Ordinance (MSO)		60
Remaining Bonus Credits to Reach 25% Cap		79.5

<sup>(1)</sup>Projects with residential or mix-use options (mixed-use numbers in parentheses)



**Thank you! Any Questions?**



## Part A

*The stormwater runoff  
produced by the water-impermeable properties of  
**Southern Sylvan Avenue Overlay Zone D**  
is severely impacting  
downhill residential neighborhoods,  
exemplified by Mauro Road & Castle Drive sectors*

Documentation of flood effects,  
cited from the original files of the  
**Englewood Cliffs Planning Board**

*Regular Public Meeting Minutes, March 12, 2015;  
Word protocol page 83-92; Exhibit 1 and Exhibit 2*

## Word protocol, Regular Public Meeting Minutes, March 12, 2015

### **Witness 1, sworn statement by owner of property 368 Mauro Road, stormwater drainage target of the uphill Southern Sylvan Ave Overlay Zone D:**

There's a significant water problem in Englewood Cliffs ... *(it)* has not been corrected on Mauro Road ... we calculated the amount of water that was coming down *(from Southern Sylvan Ave Overlay Zone D)* and we brought it to the mayor's attention that the *(stormwater)* pipe is not big enough. So what we have now is that several times a year the manhole covers get blown up and pushed aside *(by the force of the stormwater)*... And most recently that happened, a *(school)* bus came by, the bus ran into the *(open stormwater)* sewer hole, 20 children had to be evacuated off of the bus ... this is also photo-documented and we have a disc for your review.

### **Witnesses 2 and 3, father and son, sworn statement by owner of property 366 Mauro Road, stormwater drainage target of the uphill Southern Sylvan Ave Overlay Zone D:**

**Father:** Around 3:00 p.m. we got a sudden rainstorm and *(in)* less than 30 minutes ... time it *(was)* almost 1 feet high. Only 30 minutes of rainfall. ... And all the garbage can(s) from the Mauro home(s) is flush down ...

**Son:** Our main concern ... is the flooding. Over the last several years we've had preventative measures in our house where we put up dams. And not only are we concerned with the flooding of our neighborhood, I'm personally concerned with the safety of my family, because I actually bought the property so that it would give my family a little more flexibility in taking care of my 90-year-old grandmother who is currently undergoing chemotherapy and my older sister who is disabled, handicapped and requires 24-hour care. So if there is, God forbid, damage flooding to our house, there are designated areas where my sister and grandmother are taken care of.

### **Witness 4, sworn statement by owner of property 377 Castle Drive, stormwater drainage target of the uphill Southern Sylvan Ave Overlay Zone D:**

My house is the one with the *(retention)* wall that's falling down ... when the *(storm)*water flows it ends up on Castle. It goes along the side of *(our)* house, and twice knocked down our *(retention)* wall. It's so strong that one time, when the wall fell, it's huge blocks .. were actually carried *(from the back)* all the way to the front of my house. If anyone had been there, they'd be dead because it was an entire wall of huge blocks ... That's how strong the water is. I really think you guys should visit the site, look at the CD of the *(storm)* water.

### **Witness 5, sworn statement by owner of property 364 Mauro Road, stormwater drainage target of the uphill Southern Sylvan Ave Overlay Zone D:**

*I am also very concerned about the safety of my family.*

## Exhibit 1, Regular Public Meeting Minutes, March 12, 2015

### Letter to The Honorable Major of Englewood Cliffs, Mr. Joseph C. Parisi, dated July 10, 2007

...  
On 6-12-07, Rodney R. Bialko, the superintendent of the (*Borough*)'s Department of Public Works, was himself an eyewitness when storm run-off once again turned Mauro Road into a rushing river that once again inundated homes and yards, causing significant property damage. We deplore that the (*Borough*)'s actual on-site efforts, despite our past petitions for relief and protection, have until now resulted only in the mere presence of Mr. Bialko as an observer to the destruction. We have photodocumented the latest destruction.

Our 9-14-2006 memorandum on the 8-25-06 inundation of our properties on Mauro Road, which was hand-delivered to you, contains the following passage :

The issue of deficient run-off handling in the Toni Drive/ Mauro Road corridor is not unknown to the (*Borough*). For years property owners along Mauro Road have repeatedly informed (*Borough*) authorities that the drains do not handle even brief episodes of rain. As a direct result, this deficiency has regularly, i.e. several times per calendar year, caused basements to be flooded, garages to be inundated, and the backyard of 368 Mauro Road to be turned into a pond, dammed in by the wall towards 377 Castle Drive.

The response of the (*Borough*) to the notifications-of-fact by individual property owners has been deficient. Property owners therefore implemented private efforts, such as building flood retaining dams across internal doors or installing multiple drainage systems inside and outside their homes. These back-end corrections cannot compensate for a proper front-end resolution, however. As evidenced by the recent destruction, this is no longer an issue of merely damage to private property. The collapse of the concrete wall shows that the (*Borough*) now fails to provide the engineering groundwork for public safety. The event of the wall collapse, which occurred long after the end of the actual rainfall, highlights a danger to human lives, and in particular to the well-being of the children who grow up and play on the affected properties.

**Signed by three property owners along Mauro Road-**

Exhibit 2, Regular Public Meeting Minutes, March 12, 2015

Letter to (*Borough Engineer B.M. Mirandi of*) Boswell McClave Engineering,  
and to The Honorable Major of Englewood Cliffs,  
Mr. Joseph C. Parisi, dated March 17, 2008

...  
We agree with your analysis that **the severity of the inundation along the affected segment of Mauro Road, and the destruction it brought repeatedly to these properties, are caused by the tie-in of the storm runoff that originates from three commercial properties uphill along 9W , i.e. 440, 400, and 374 Sylvan Avenue** (*i.e. the Northern part of Sylvan Avenue Overlay Zone D* ). Using satellite data and topographical maps, we calculate this runoff-generating area, located with its lowest point (40°52'38.60" N and 73°57'13.27" W) at least 50 feet directly above the level of 372 and 368 Mauro Road and then sloping up an additional 34 feet over a distance of about 860 feet to the South, to have an approximate (*water-impermeable*) catchment surface of 369,888 square feet, or 34,355.54 m<sup>2</sup>

We wish to repeat our concern, first expressed in writing in our 12-12-07 memorandum to Mayor Parisi :

*" We respectfully submit for your and the (Borough)'s consideration that, whatever the planned improvement in run-off handling at Mauro Road, the residents will not be served if destructive and dangerous property flooding is decreased from three or four deluges per year to one deluge per year."*

**Signed by four property owners along Mauro Road and Rock Road.**

# Part B

## Compilation for Councilman Tim Koutroubas, Englewood Cliffs

*Advance excerpt of forthcoming memorandum to Mayor M. Park and Council on the Mauro Road floodings from 2004 to 2024; delivered 2-25-2025*



Englewood Cliffs  
August 6, 2024 at 5:49:34 PM - 69,918 of 73,168

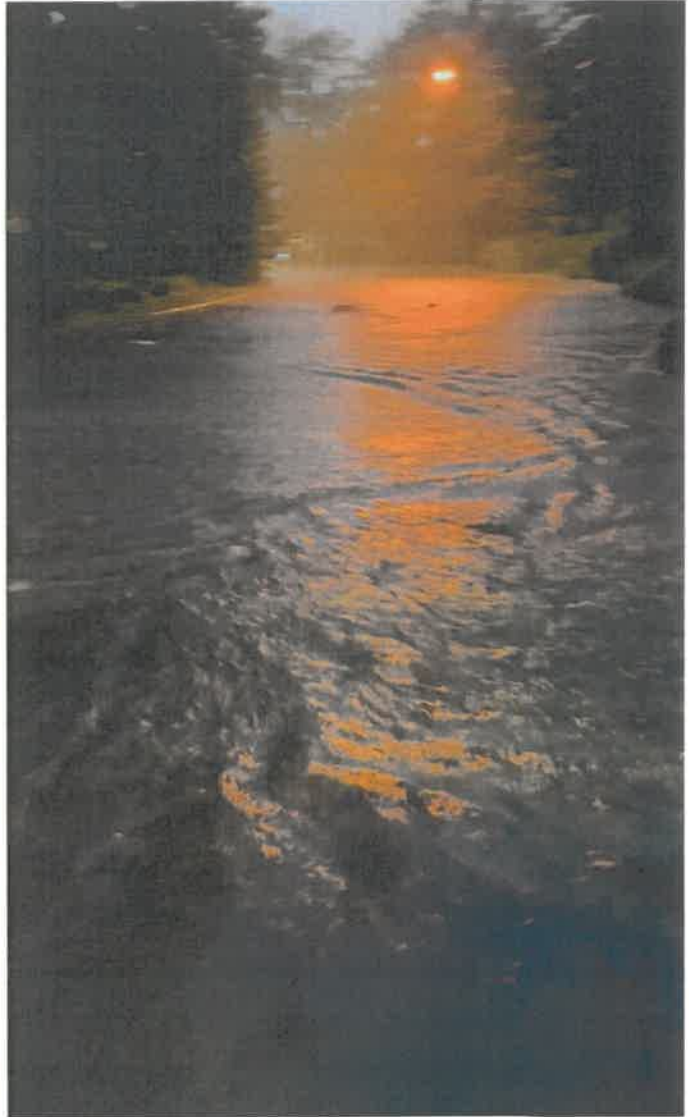
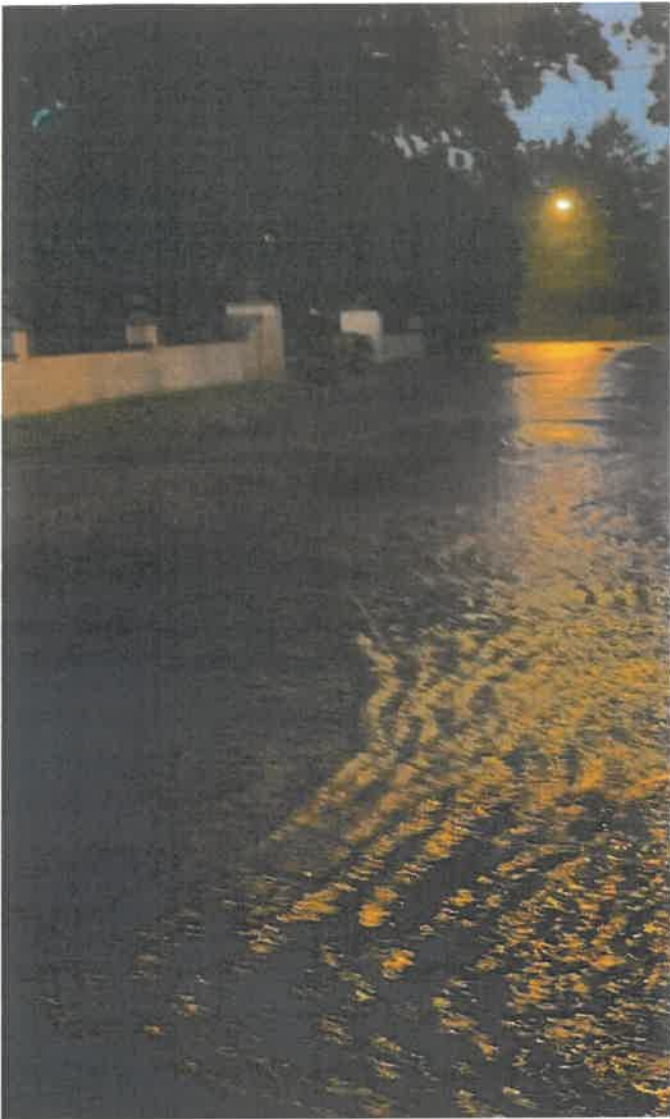


Englewood Cliffs  
August 6, 2024 at 6:09:38 PM - 70,088 of 73,168

### Lower Mauro Road in Englewood Cliffs, NJ

*'The Mauro River runs in its road'*

August 6, 2024, around 6 pm



**Lower Mauro Road in Englewood Cliffs, NJ**

*'The Mauro River runs in its road'*

August 18, 2024, around 8 pm

# Lower Mauro Road in Englewood Cliffs, NJ

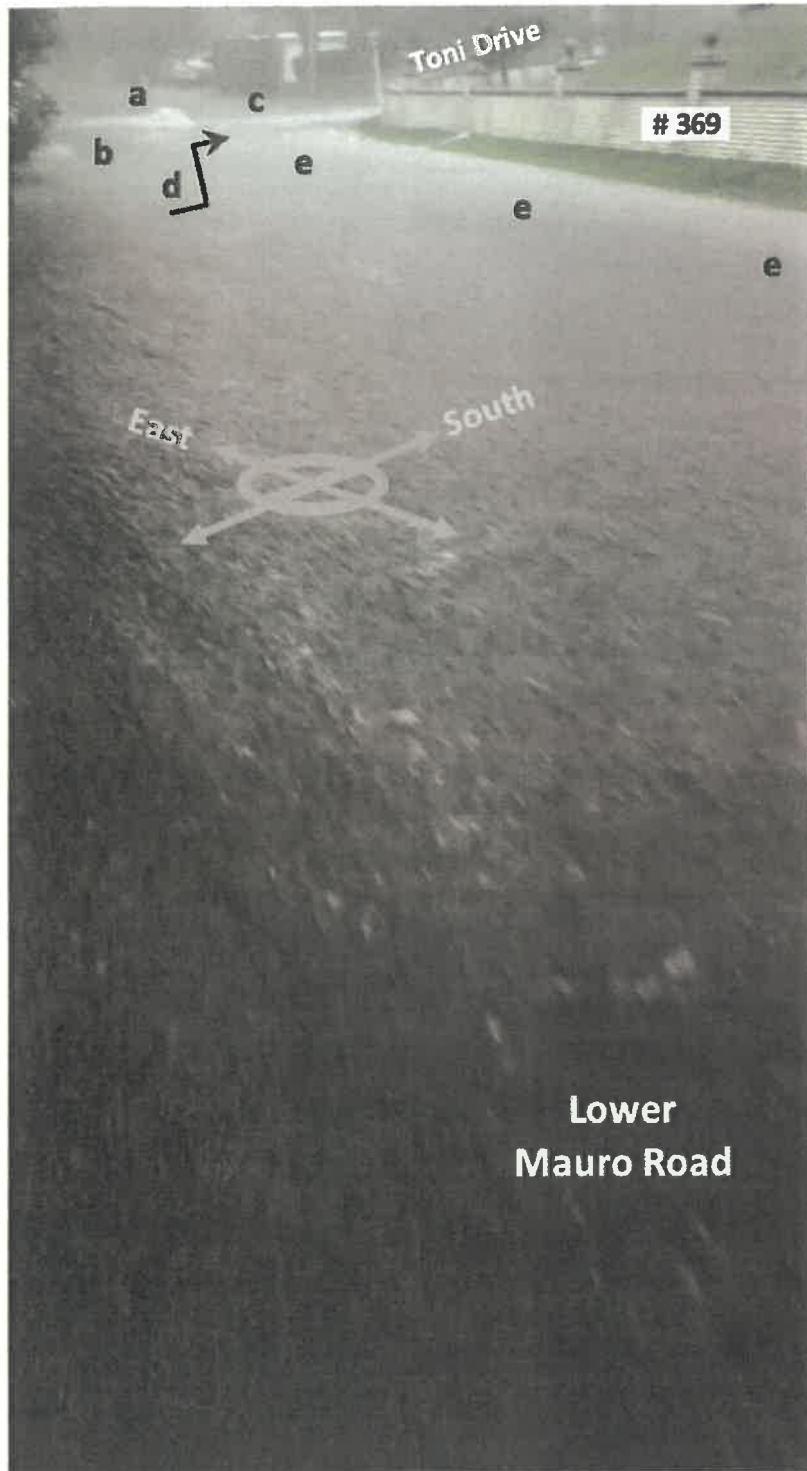
*'The Mauro River off-roads across private properties for the past 20 years'*



## Documentation and Analysis - The First Flood on August 6, 2024

Englewood Cliffs

August 6, 2024 at 5:49:34 PM · 69,918 of 73,168



### Lower Mauro Road

*"The Mauro River"*

*View is upstream*

The eruptive pattern is identical to the one noted to chronically re-occur and repeat itself. As such, it was presented on 3-9-2016 to the Mayor, Council, and officials of Englewood Cliffs in public session ( Fig 2 above; points a-c below).

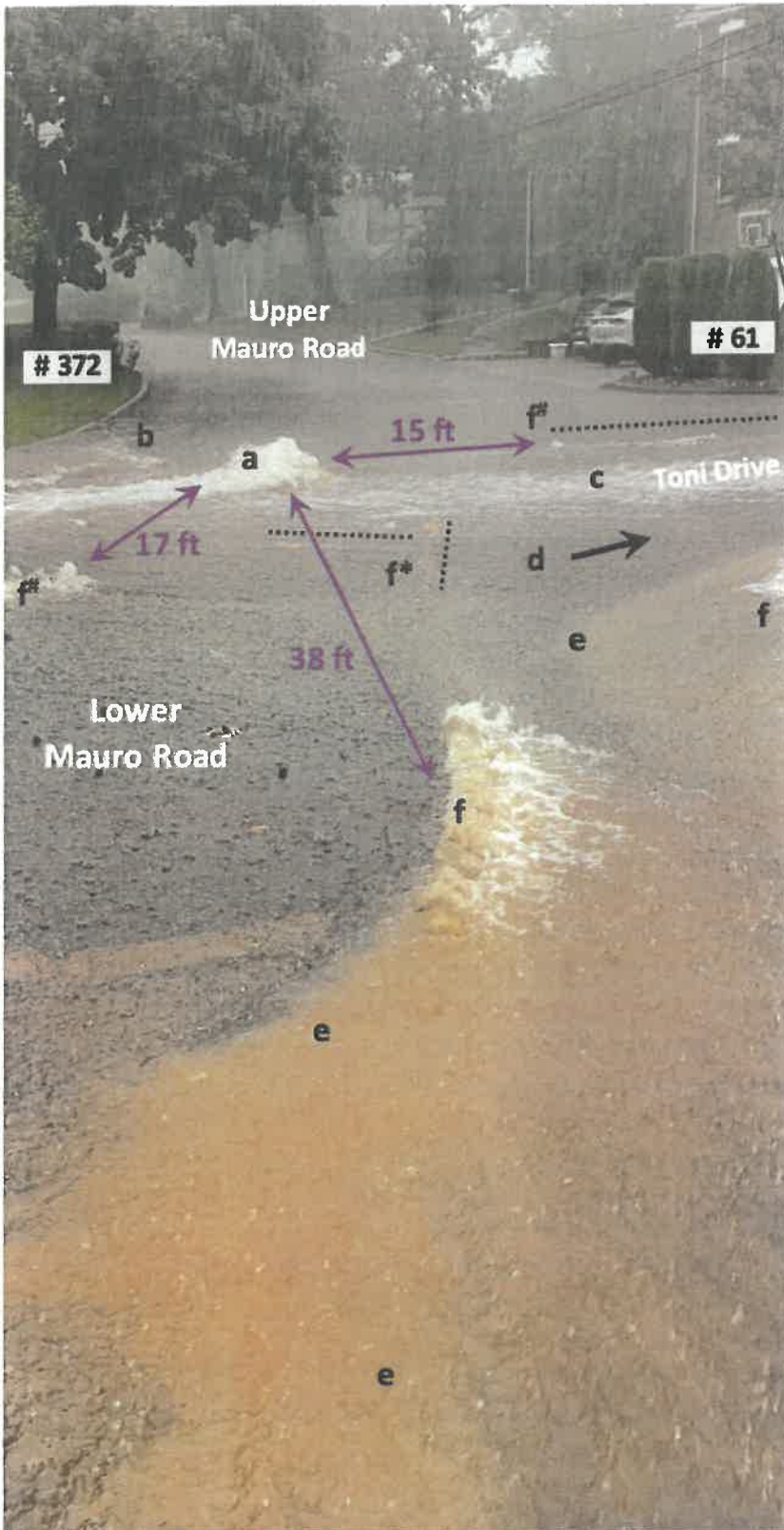
The stormwater covers the entire width of Lower Mauro Road. At its southern side, the stormwater has climbed above the curb and is halfway up the grassy bank in front of #369.

Surface waves and velocity create the impression of a rushing river.

- Overflow of the T-junction manhole, bolted-down since late 2012 – its lid no longer can lift up. This restricts the stormwater overflow from that manhole at the price of increasing the pressure inside the culvert running from Toni Drive (see above Fig. 2, B).**
- Overflow of Inlet #2 in front of # 372.**
- Pressure-enhanced overflow stream generated by stormwater ejection from all Toni Drive inlets up to Forest Drive.**
- Dark demarcation line between the white water rushing out of Toni Drive ( c ) and the sand-colored streak ( e ) that originates at the T-junction and forms the southern edge of ' Mauro River '.**
- Visible extent, within the rushing flood, of the sand-colored streak that originates at the T-junction.**

# Documentation and Analysis - The First Flood on August 6, 2024

Englewood Cliffs  
August 6, 2024 at 6:06:38 PM 70,055 of 73,168



## Lower Mauro Road

*"Mauro River's sand-colored streak"*

*View is upstream*

The stormwater inundation is limited to Lower Mauro Road.

Upper Mauro Road is not flooded.

The dotted lines highlight water ejection along the linear structures of asphalt repairs, created by cuts to access underground pipes of gas or water. These water ejection lines are *white* if mixed with ejected air bubbles ( $f^{\#}$ ); *yellow* if carrying sandy solids to the surface ( $f^*$ ); or mixed *white/yellow* in appearance ( $f$ ).

Surface waves and velocity create the impression of a rushing river.

- Overflow of the T-junction manhole, bolted-down since late 2012 – its lid no longer can lift up. This reduces the stormwater overflow from that manhole at the price of increasing the pressure inside the culvert coming in from Toni Drive (see above Fig. 2, B).**
- Overflow of Inlet #1 in front of # 372.**
- Pressure-enhanced incoming overflow stream generated by stormwater ejection from all Toni Drive inlets up to Forest Drive.**
- Demarcation between the white water rushing out of Toni Drive ( c ) and the sand-colored streak ( e ) that originates from multiple ejection sites through the asphalt at the T-junction.**
- Visible border, within rushing floods, of the sand-colored streak originating from the T-junction of Toni Drive.**
- White/yellow water ejecting with force through one of the linear asphalt suture (gas line in Mauro Road ).**

## Documentation and Analysis - The First Flood on August 6, 2024

Englewood Cliffs  
August 6, 2024 at 6:06:49 PM · 70,058 of 73,168



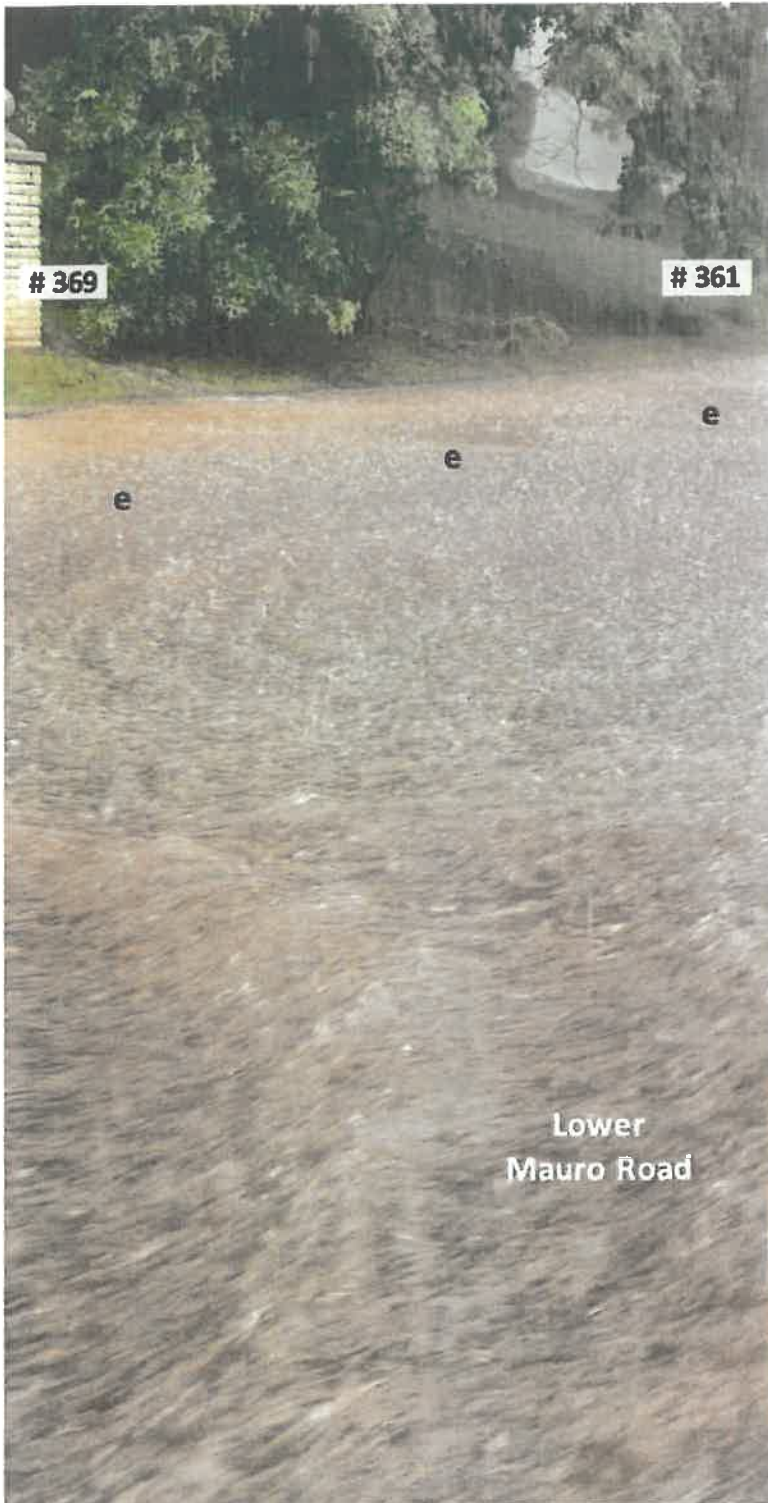
### Lower Mauro Road

*"The yellow streak in Mauro River"*  
View is at downstream corner of T-junction

- c. Pressure-enhanced overflow stream generated by stormwater ejection from all Toni Drive inlets up to Forest Drive.
- d. Dark demarcation line between the white water rushing out of Toni Drive ( c ) and the sand-colored streak ( e ) that originates at the T-junction and forms the southern edge of ' Mauro River '.
- e. Visible extent, within rushing floods, of the sand-colored streak originating from the T-junction of Toni Drive.
- f. Water ejecting through an asphalt suture ( curb line in Mauro Road) and carrying both air bubbles and sand-colored solid to the surface.

# Documentation and Analysis - The First Flood on August 6, 2024

Englewood Cliffs  
August 6, 2024 at 5:52:00 PM · 69,936 of 73,227



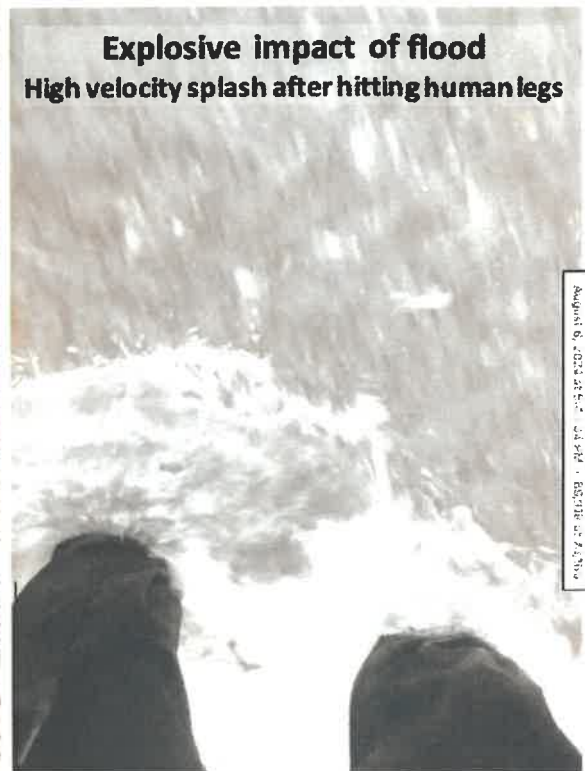
## Lower Mauro Road

*"The Mauro River"*

*View is downstream*

The stormwater covers the entire width of Lower Mauro Road. At its southern side, the stormwater has climbed above the curb and forms a grassy bank between #369 and #361. Surface waves and velocity create the impression of a rushing river. At the crest of the curved asphalt surface, i.e. in the middle of Mauro Road, the flood is 15 inches deep and at such velocity that it threatens to rip the footing off any standing adult <sup>23</sup>.

- e. Visible extent, within rushing floods, of the sand-colored streak originating from the T-junction of Toni Drive.



<sup>23</sup> **Photo documentation:** At 260 Castle Drive, this same flood event stripped the asphalt off the driveway; the entire driveway required re-surfacing. At 372 Mauro Road, that flood washed out and toppled 25 feet of a massive wall alongside it had flowed.

## Part C

Photos of the 8-6-2024 flood in the Castle Drive & Jenkins Drive sector



The 8-6-2024 flood ripped the asphalt off the driveway at 260 Castle Drive.  
The driveway had to be re-asphalted.

**Photos of the 8-6-2024 flood in the Castle Drive & Jenkins Drive sector**



The 8-6-2024 flood ejecting from Jenkins Drive makes Castle Drive disappear – this is the roadway between 260 Castle Drive and 263 Castle Drive.

**Photos of the 8-6-2024 flood in the Castle Drive & Jenkins Drive sector**



The white water river rushing down Jenkins Drive and emptying into Castle Drive –  
It moved the car.

## Photos of the 8-6-2024 flood in the Castle Drive & Jenkins Drive sector



Scenes from inside a representative family home on the downhill side of Castle Drive.

On 8-18-2024, the basement of this family home, like that of many others along Castle Drive, was again flooded by the runoff that emerged from the extensive uphill acreage of the largely water-impermeable **Southern Sylvan Avenue Overlay Zone D** and that discharges into the downhill residential storm drain system, overwhelming it.

# Part D

## Urban flooding

### The 114th Congress

Introduced, for the first time, the term 'URBAN FLOODING'  
in a legislative document.

### The 114th Congress

did so in the  
2016 Appropriations Bill of the Department of Homeland Security,  
recognizing that  
'URBAN FLOODING' is a security concern of national significance.

### The 114th Congress

funded and instructed the Federal Emergency Management Agency (FEMA)  
to work with the National Oceanic and Atmospheric Administration (NOAA)  
and its National Water Center (NWC)  
to evaluate 'URBAN FLOODING',  
recognizing its categorical, legal, and regulatory divergence  
from 'RIVERINE FLOODING' and 'COASTAL FLOODING'  
and requested those to be detailed further by FEMA, NOAA, and NWC.

Reference:

U.S. Congress, House. 2016.

Department of Homeland Security Appropriations Bill, 2016

H.R. 215 to accompany H.R. 3128.

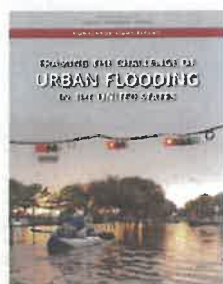
114th Cong., 1st sess.

*Available at*

<https://www.congress.gov/114/crpt/hrpt215/CRPT-114hrpt215.pdf>

This PDF is available at <http://nap.edu/25381>

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