

March 14, 2011

A work session of the Allendale Planning Board was held in the Municipal Building on March 14, 2011. The meeting was called to order at 8 p.m. by Mr. Quinn, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered roll call: Mr. Quinn, Mr. Barra, Mr. Fliegel, Mr. Sirico, Mr. Zambrotta, Ms. Sheehan and Ms. McSwiggan. Mr. Sasso, Mr. Strauch and Mr. Walters were absent. Also present was Mr. Dunn, Board Attorney.

Major Subdivision – Calvary Lutheran Church, Block 910, Lots 2, 17.01 and 17.02

Mr. Dunn said the application is on the agenda for a completeness review. Upon determination of completeness the matter will be scheduled for public hearing. The discussion at this point is limited to the criteria on the check list. Mr. Dunn said he spoke with the Borough Engineer, John Yakimik, on Friday and it is his understanding that he will not have a report by this evening.

Bruce Whitaker was present at attorney for applicant. He said he recognizes that the Thursday meeting will be for the purpose of determining whether or not the application is deemed complete. He is anticipating that if all goes well, the public hearing will be scheduled for the April meeting.

Tibor Latincics of Conklin Associates was present as engineer for applicant.

Mayor Barra questioned the need for the meeting this evening since the report from the Borough Engineer is not complete. Mr. Dunn said there may be some items that have to be addressed before proceeding to public hearing. Mayor Barra felt we should hear from our engineer before listening to comments from the applicant's engineer. He asked what is the next step if the application is deemed complete on Thursday. Mr. Dunn said normally the next step would be that the applicant is permitted to proceed to public hearing the following month at a regular session. If there is a work session prior to that it should only be administrative with regard to scheduling the hearing rather than substantive with regard to the application. That would occur at the public hearing. Mayor Barra said he is concerned about asking questions or hearing testimony without the benefit of a report from our own expert.

Mr. Yakimik said his completeness review is not complete and it will be available for the Thursday meeting. A report will be issued in writing prior to that. He is prepared to talk about general items but any comments he makes tonight will not be all inclusive. Mr. Quinn pointed out that is the nature of a work session. It is informal and with two new Board members he felt it would be educational and helpful as well. He said he would like to proceed.

Mr. Whitaker said this is an application for the property of Calvary Lutheran Church. A few months ago he came before the Board on an informal basis to show what they would be proposing to do. On that basis they went back and looked at the property again and revised the plan. They have simultaneously submitted the plan to the Bergen County Planning Board and

the Dept. of Environmental Protection. Conditional approval has already been received from the Bergen County Planning Bd.

Tibor Latincsics was present as applicant's engineer. He said the site consists of three lots totaling 4.28 acres. What is proposed is a residential major subdivision which is consistent with the A residential zone in terms of land use. There is an approximately 350 ft. culdesac, a fully improved roadway consisting of a 28 ft. wide cartway, granite block curbing, storm drainage system, sewers and water supply system which would service three new residential lots and a reconfigured lot No. 17.03 for a net yield of three new single family homes consistent with the character of the neighborhood in the A zone. Lot 2.01 would remain. One of the variances that is going to be requested is for lot 2.01 and would allow the church to exist on 2.1 acres as opposed to the 3 acre requirement. Application has been made to the Bergen County Planning Board and a conditional approval has been received. Application has been made to the Bergen County Soil Conservation District and that approval is forthcoming. They have a wetlands LOI from the State of New Jersey. There are two isolated wetlands on site – to the rear of the church property and in the lawn area adjacent to the parking lot of the church. That LOI has been provided to the Board and it identifies those wetlands as requiring a 50 ft. buffer.

With regard to storm water management, a report has been filed with the Borough Engineer. The subject site sits at the base of a triangular drainage area bounded by West Crescent Ave. and Franklin Turnpike. Approximately 13 acres drains down to Ivers Road and that area continues to drain down to the Allendale Brook. A detailed on-site analysis has been performed that resulted in an on-site storm sewer system which is draining to a storm water management detention basin at the corner of Ivers Road and a closed culdesac which in turn drains to a 24 inch RCP pipe under Ivers Rd. That detention basin meets the RSIS criteria for reduction in storm water flows and the peak rate of runoff exiting the site.

Mr. Latincsics said a tree inventory has been prepared and provided to the Shade Tree Committee and a grade plan has been provided to accompany the soil movement application.

Mr. Whitaker said the Residential Site Improvement Standards is a law that requires an applicant before any Board in New Jersey to conform to certain site improvement standards. They are requesting some waivers from that. If you want to upgrade over the minimum requirements you have to have special permission to do better. A 6 inch water main is required and applicant is proposing 8 inch. With the size of the roadway no curbs are required but they are proposing curbs. Based on the size of the roadway they do not believe sidewalks are necessary so they are requesting a waiver from that provision.

There are two variances that are required. One is with regard to the size of the lot for the church. There are two rear lots lines and it is difficult to interpret the code. Everything in the code concerning a rear lot line refers to singular and not plural. The Construction Official after consulting with Counsel called both of these back lines lot lines so technically there will be a variance as it pertains to the rear setback from the corner of the house back to the rear lot line that borders the church property. Mr. Whitaker said that in the corner it runs 35 ft. rather than the required 50 ft.

Mr. Yakimik asked about the comment that applicant has already received Bergen County Planning Board approval. Mr. Whitaker advised that conditional approval was received. A copy of that approval will be provided to the Board and the Borough Engineer.

Mr. Yakimik said as part of the application the applicant has asked for several waivers. However, as per the check list, the applicant is supposed to issue or submit an explanation as to why they feel they are entitled to these waivers. He believes it is important to give the applicant the opportunity to provide that prior to Thursday's meeting.

Mr. Latincics said applicant is asking for a waiver from providing the topography an additional 200 ft. beyond the site since this is a cost consideration for the church. He said they do provide information on Ivers Road and W. Crescent Avenue and there is historic aerial photography of Allendale much of which has not changed since that photography was taken and it is readily available. Mr. Whitaker commented that Mr. Yakimik has asked that this request be put in writing.

Mr. Latincics said that similarly there are aerial photographs available of existing off-site structures within 200 ft. and they have asked for that waiver also. In addition, they request a waiver from item 32 with regard to road orientation as it relates to energy conservation. Mr. Whitaker said these requests will be put in writing.

Mr. Yakimik said initially his biggest concern with this application is probably drainage. He did tour the site Friday morning after heavy rains on Thursday evening and he saw some very interesting things. He will take them into consideration when he writes his report.

Mayor Barra asked Mr. Latincics if he has been on the site since the heavy rains. Mr. Latincics said he has gone by the site and he did see the impact on the site and the surrounding area. He added, "I am sure the impact you are referring to is the pond being on the property which is actually detailed on the plan prepared prior to all of the storms. That is a characteristic of this property."

Mayor Barra said he has very serious concerns about flooding issues. There has been extensive flooding throughout the town this past week as a result of the rains and very extensive flooding in the Ivers Road area and the homes across the street. He asked Mr. Latincics to be very detailed and very thorough about the drainage system because several of the homes across the street were very close to having water in the back yards right up to the homes. He said this raises very serious concerns when you are talking about adding three homes and asked that both engineers look at this very thoroughly. He said the site ponds even with a small rain and urged that the engineers recheck their calculations and to be as thorough as possible and consider the impact that this development will have on the homes in the surrounding area. Mr. Latincics said they have filed a storm water management report and it anticipates many of these concerns and they are set for any suggestions from the Borough Engineer's office.

Mr. Quinn said as a procedural matter he believes the next step on Thursday is to review the application and to hear testimony from both the applicant and the Borough Engineer. He questioned whether the Board will take questions from the public at that point. Mr. Dunn said he

believes on Thursday the discussion will be limited to the concept of completion and then to authorize the public hearing so there will not be public input until the following month or whenever the public hearing is noticed and advertised by the applicant.

With respect to the master plan, Mr. Quinn commented that the Board had discussed the possibility of having a circulation plan for the Borough. He suggested asking Mr. Snieckus for a proposal for the cost of preparing such a plan. Mr. Zambrotta asked about the benefits of having a circulation plan. Mr. Quinn said it ties into the master plan with regard to traffic flow, the parking situation and pedestrian and bicycle paths. Mayor Barra said the Board had also talked about a subjective view of downtown architecture.

Mr. Yakimik asked if there is any progress with regard to the historic preservation ordinance. Mayor Barra said the Historic Preservation Commission was formed. They did a lot of work on an inventory and without knowing whether the Council would give a credit to someone on their property taxes if their home was designated as historic, they have not progressed any further. Diane Knispel, a member of the Commission, said they have gone to each and every home in town and have a list of historic homes. They have compared it to the Bergen County Historic survey to see which ones have been demolished and which ones still exist.

Mr. Quinn said the planner should look at comparing the master plan to the ordinances to make sure there are no conflicts. Mayor Barra said the ordinances do have to be brought into step with the master plan.

On a motion by Mr. Sirico, seconded by Mr. Zambrotta, the meeting adjourned at 9 p.m.

Respectfully submitted,

Barbara Knapp