

November 17, 2011

A regular meeting of the Allendale Planning Board was held in the Municipal Building on November 17, 2011. The meeting was called to order at 8:08 PM 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 to roll call: Mr. Quinn, Mr. Barra, Mr. Zambrotta, Mr. Sirico, Mr. Strauch, Mr. Sasso, Mr. Fliegel, Ms. McSwiggan, and Mr. Walters

Absent: Ms. Sheehan

On a motion by Mr. Barra, seconded by Mr. Walters, the minutes of the September 15, 2011 meeting were approved as amended.

D-Zone Discussion

Mr. Quinn started the discussion on the revision to the D-Zone. He mentioned that professionals John Yakimik, Borough Engineer, and Steve Lydon from Burgis Associates were present this evening. He also asked for the benefit of the Board for some background information from Councilman and Planning Board member Mr. Strauch or from Mayor Barra.

Mr. Strauch replied that it dates back to about a year ago when merchants and some realtors had come to the Land Use Committee, which he chairs, and expressed concern about how every time they found an applicant who was willing to move into the D-zone, more specifically the area on West Crescent Avenue, it would cost \$10-\$40,000 to get the applicant in because the permitted uses don't really reflect the current needs. We probably started in the beginning of the year in exploring the possibility of reviewing this, and we called in Burgis Associates, who agreed that the D-Zone had not been overhauled since the 1950's. There have been some minor changes, but nothing of any consequence, and it was grossly outdated and in need of revisions. The first thing we did was to have a public meeting with the residents so that they could come and air their concerns. They are usually very nervous, especially since one of the tenants there has a history of violating some of the uses by waking up neighbors at three or four o'clock in the morning with all of the noise. We also invited members of the Planning and Zoning Boards. We had a one hour meeting, and I forwarded a memo to the Planning Board that summarized what took place.

Mr. Barra said that Ed Snieckus sent everyone a fourteen page memo articulating the public's concerns. Mr. Quinn said that some of the Planning Board members did attend the meeting.

Mr. Strauch replied that after some discussion with the Council and Borough Attorney it was decided that this matter should come to the Planning Board as it affects the Master Plan. Mr. Strauch has no preconceived notions as to what they are going to end up with, but just wants to

get it into the works, so the Planning Board and the public have a chance to review it and make comments on it, and then make a recommendation back to the Council.

Mr. Barra added that the Council decided to put a ninety day time frame on this realizing that the Planning Board has Calvary Church meetings and that the Planning Board may not be able to do this in ninety days. The Council will be amenable to extending this time frame if needed. The Council's preference would be to have a public hearing and put out a public notice the way anyone would for an application (i.e. 200 foot limit), and this way we know the public has received the notice, and if they are interested, they can come to the public session. One of the residents who came to the previous public meeting that was held thought it was more for the tenants rather than the residents based on how it was written. It was the Council's hope that the residents would have as much input as possible. If you decide on the public hearing which the Council would urge you to do, you would be looking at the January meeting.

Mr. Quinn announced the meeting for the public was September 22nd, and the letter to the Planning Board was October 13th. Ninety days from either of those would be over the allotted time. December is not a good time for many people because of the holidays, so pushing this to January would make more sense.

Mr. Dunn asked about procedures and Mr. Barra responded that the Council felt decisions on the D-Zone belonged to the Planning Board as the Master Plan was just finished. The Planning Board can take its time to make the decisions to recommend back to the Council who will draft an ordinance.

Mr. Quinn responded that he hoped the members had seen some of the materials relative to this and that professionals were here to answer any questions. No significant changes were made to the D-Zone during the Master Plan process. It didn't need it from a philosophical point of view because those manufacturing activities no longer go on. The question becomes what other activities do we allow in there given that it is a tough spot from a traffic flow perspective. Businesses dependent on the public are probably not something we want to encourage, say retail, with high traffic flow with lots of ins and outs. This is where we are heading, modernizing the language. I don't know what this does from a Master Plan perspective, if we have to go back and amend the Master Plan, or if it is simply an ordinance that the Borough can pass, so I have some questions around that. We do have Mr. Steve Lydon from Burgis Associates here to comment and Mr. Lydon has worked with Mr. Snieckus in developing the comments we see in front of us. Mr. Snieckus had a conflict tonight.

Mr. Lydon stated he has worked with Mr. Snieckus on this for the past few months and is familiar with everything. He said that the most recent Master Plan dates from 2005 and the re-examination dates from 2011. The Mayor and Council can adopt an ordinance which is consistent with the Master Plan. If at the end of this process, you desire to make some amendments to make the D-Zone relevant in today's new industrial environment, depending on

the recommendations that come out, you may want to take a look at the Land Use 2005 document. You may end up taking a brief and restricted look at the land use element. Then when the Mayor and Council make recommendations to the zone in a way of an ordinance, they would be able to find that it is consistent with the Land Use element. In the 2005 plan there are some goals to talk about in the zone including taxes, and providing office, industrial, and land uses in the borough. This language you may want to change because as we go through the memo additional things were proposed. In addition to the language, the Re-examination report which you just adopted, talked about D-1 and D-2 zones manufacturing (assembly, process, whole sale, research laboratories, and office use), which really focused it, and you don't want to go through this process and have the Council adopt it with the general goals from the 2005 plan and have someone challenge it later on. Another way would be to amend the 2005 Land Use element.

Mr. Quinn asked Mr. Dunn if he thought going back to the 2005 Plan was the best way to proceed. Mr. Dunn said he agreed that it was the best way as the 2005 is the basic plan, whereas the 2011 was a re-examination or affirmation of the plan at that time. He was concerned about the Land Use Element as it directly impacts on that, and we have revised a number of things, and it does behoove the Planning Board to address it carefully. The Mayor and Council then can act on it with a correct recommendation because it would be in accordance with the Master Plan. Mr. Lydon commented that it could be a careful look or limited look on just the industrial areas. Mr. Quinn asked about the overlay which was taken out.

Mr. Barra asked if they could limit the review just to this specific zone on West Crescent Ave. as that is the area that the Planning Board is interested in and limit it to that particular area. Mr. Lydon agreed.

Mr. Lydon discussed a memo sent by Mr. Snieckus to the Board that provided some recommendations. He focused on the West Crescent part of the Industrial Zone which is comprised of seventeen acres, subdivided into five lots with the smallest lot being two and a half acres, and the largest lot being eight acres. There would be two industrial zones which is not uncommon. One recommendation was for commercial food preparation, but without having a banquet or catering hall. The focus was on adaptive reuse of the buildings and looking at buildings as they are now and being able to accommodate other businesses. Residents in the area would not want banquets going on Friday or Saturday nights. Mr. Quinn responded that you can qualify that in the plan and Mr. Lydon agreed. Commercial kitchens are different than banquet halls as they are where food is prepared and removed for consumption to another site. They are two different types of uses with different parking. He also recommended indoor commercial recreation and sporting instruction could be done in this area. That has become one of the bigger consumers in industrialized space in the county. He gave some examples. They seem to work fairly well, don't generate a lot of traffic, and usually have small groups of instruction.

Mr. Zambrotta was wondering about the amount of cars coming in to drop a person off and then leaving. Mr. Lydon commented that there would be cars, but in an industrial area with offices,

they have a larger amount of cars. You have an office building in back there now and you may have three employees per 1000 square feet, which may provide more traffic than a sports facility. We are not talking about a health club facility which does draw a lot of people and a lot of traffic. Mr. Zambrotta asked about whether or not Mr. Lydon had been to The Bubble in Waldwick and whether he had spent time there. Mr. Lydon had and Mr. Zambrotta said that there are hundreds of people coming through there. Mr. Lydon responded that it is a large facility and he wasn't thinking about anything that large. Mr. Snieckus had suggested limiting future businesses to 5000 square feet, whereas the Bubble is 25-30,000 square feet. Mr. Zambrotta questioned the turn over for classes that only last for half hour to an hour will generate vs. a food service place, a bank, or martial arts building. Mr. Lydon commented that everything is going to generate traffic or you are going to have empty buildings. Generally speaking they are low traffic generators and if we need to get traffic engineers in on sports facilities to provide numbers, we will do that in the future. The key is to limit the size on any one entity and not have any health clinics. The one exception would be physical therapy as that would work as it is usually one on one experience. He also discussed parking at these buildings as they are already developed and in use. If a new business is looking for a lot more parking than these building can offer, the business will look somewhere else. This site doesn't have a lot of parking so you can regulate things to some degree.

Mr. Fliegel asked if they were able to limit each tenant to 5000 square feet no matter what the use. Mr. Lydon said that it depends on the use as to the limit. Mr. Sirico asked if it was possible to limit the amount of any given similar entity within that D-Zone. Can you have two caterers, or four soccer places, etc.? Steven's Karate sometimes has a lot of people in an out with drop-offs. Mr. Sasso disagreed as he is there every week and finds that there is no problem with drop-off and pick-up. Mr. Zambrotta asked about the traffic in that particular area.

Mr. Walters commented that he has 31 years of commercial real estate experience and he read Mr. Snieckus' report. His biggest problem with the report was one parking space per 50 square feet of space. He described various spaces and square footage in Bergen County. He felt the ratio of 20 spaces per 1000 square feet was not sufficient as not a single building in Bergen County would qualify for that ratio. He felt that some of the things they should look for would include: medical uses, dialysis center, or other medical specialties that won't overtax the parking. He discussed Black Millwork and what that will become in the future and how the board has to think about that as they plan. There may be some problems with putting a retail space in there. He also suggested looking at the parking.

Mr. Fliegel wanted to make sure he understood Mr. Walters correctly in that Mr. Snieckus' standards were too restrictive on parking and that there needs to have less parking per square foot. Mr. Walters agreed. Mr. Walters also felt the uses listed were outdated. Mr. Sasso mentioned MRI Centers and Mr. Walters agreed that it would be a great use as there is a huge need for that and for dialysis. Mr. Zambrotta asked if letting the structure and the number of

parking spaces be a limiting factor. He was concerned that the needs of the industry might change over the years as they had from the previous list.

Mr. Walters replied that you don't want to choke it so much. Mr. Zambrotta agreed and stated that the list should be expansive so that they don't have to update the list again and again. Let the market bear it and the structure and the facilities and the number of parking spaces drive some of it. Mr. Quinn replied that you have to be careful with that. Mr. Barra mentioned that due to Mr. Snieckus' point that we can't predict what the future holds and that parking is a way of limiting the usage. So, let's try to use that as our method as traffic is one of our main concerns. We might want to focus on what is a reasonable amount of parking spaces that is usable, but doesn't impose a traffic burden on adjoining residences or the town in general. That is a choke point because it is the crossroads.

Mr. Strauch mentioned that the Council had discussed concerns on certain retail establishments like bowling alleys that the noise of people congregating was an issue. We also don't want to steal from the core downtown district as we want that to be where people congregate. He suggested not micromanaging the uses. We can try to eliminate the retail, but we can focus on the parking limiting the traffic. We want to be a business friendly community, but we have to be cognizant of the residences.

Mr. Lydon said someone questioned how closely you can define some uses and not others. I am not sure you can allow eye doctors but not cardiologists. But, you can make imaging a permitted use. You could allow a dialysis or service center. That is how you can approach this plan. You have to look at what it is you are trying to allow, like an imaging center, and make that a permitted use.

Mr. Walters suggested using the parking as a control. Mr. Dunn said that medical buildings sometimes change tenants, and the amount of space needed for those tenants, and the parking needs may change depending on who is there at any given time. I don't think it is conceivable to have a medical center without four to five spaces per 1000 square feet. Mr. Walters gave an example in Hackensack.

Mr. Sasso asked if it would be practical to list permitted uses generally with subheadings. Mr. Quinn said you are actually saying what is permitted in zone. Mr. Sasso asked about overlay with different parking ratios and Mr. Quinn felt that was how Mr. Snieckus wrote the memo. Mr. Walters said that he believed that unless it is specifically mentioned as an allowable use, than it is subject to the interpretation of the building inspector. Mr. Lydon responded if it is not permitted it is not allowed. Mr. Dunn said we can say that but there are always exceptions. Mr. Lydon said that they should be using the specific terms (i.e. imaging center or dialysis center) rather than medical office. Mr. Sasso commented that each category could be used as a guideline. Mr. Walters suggested special surgeries are a subcategory, too. Mr. Fliegel asked

about the building on Franklin Turnpike that is an extension of Valley Hospital, but Mr. Walters mentioned they see many patients.

Mr. Lydon suggested martial arts could be placed in there along with music or fine arts. This would not be confused with a performing studio where clients could be there hours on end which could be disturbing to the surrounding residences and businesses. Mr. Barra suggested that dancing studios always have a lot of parents and kids and traffic. He commented the one by the A&P is very small compared to the one in Waldwick that has tremendous amount of traffic. He suggested for a dance studio putting a square footage limitation on it. Mr. Quinn said this would keep class sizes down. Mr. Zambrotta commented that if it is a child driven business it is really about the success of the business. Mr. Walters responded that they make more money based on the number of students in the class. Mr. Zambrotta mentioned that cars coming in and out for classes make a difference in the traffic. Mr. Lydon disagreed as he didn't feel that everyone would be there back to back. Mr. Walters said that Karate just has a big room without any showers. Mr. Zambrotta mentioned that when Steven's Karate was larger there was no space in the waiting room and the traffic was heavy outside. Mr. Barra discussed Corinthian building that now has five/six tenants, and the owner made one studio, and there are a hundred cars coming in and out of there, which is not what we want to see.

Mr. Lydon suggested putting a limit on the square footage in the ordinance and making sure the language of the ordinance is clear. There are zoning techniques to limit the size. Mr. Walters agreed that square footage would be a good way. He felt that there was no way that four 25000 square footers would want to be next to each other as they would compete with each other. He also agreed that physical therapy and rehabilitation places would be good. Mr. Lydon suggested looking at Mr. Snieckus' suggestions and carrying his numbers over to the studios.

Mr. Strauch asked what the recommended parking stalls were per thousand square feet. Mr. Lydon responded that it was not in the report. Mr. Strauch suggested that every use have a parking requirement. Mr. Barra said limiting square footage to sports or dance places and used Holmgren Karate as an example. Mr. Zambrotta said it is relatively small. It was decided that 2500 square feet might not be a bad number. Mr. Yakimik had the plans for the karate school with him and said that it was 4600 square feet in the Corinthian building, and one parking space per 100 square feet. Mr. Barra asked if they already had a tenant with 4600 square feet would there be a problem limiting future tenants to 2500?

Mr. Lydon asked if that has created a problem. Mr. Barra didn't think so as there are other tenants in the building. Mr. Quinn said that they will have to come to some number that they think will be reasonable that would accomplish what they are looking to do. Mr. Sirico asked what about facilities that rent out small office suites. Mr. Lydon said that would be office use and Mr. Walters commented that they are high density. Mr. Strauch asked about parking and there was some discussion on how much parking was available at the sites. Mr. Lydon commented that parking may limit what type of use goes into the buildings. Mr. Yakimik said

that when a new tenant comes in to a building, the Zoning Official would come in and look at the use and check to see if there is adequate parking. If they need more parking, then they go to the Board of Adjustment. Because everyone who has come in after the karate school has been so low in numbers, they have not exceeded a fifty-five space requirement. Mr. Walters said that would be tough for a landlord to make those types of decisions.

Mr. Fliegel asked about whether a traffic study has been done in this area. Mr. Yakimik said a limited traffic study was done. Mr. Fliegel asked if we know there is a problem with traffic. Mr. Strauch replied that he thinks it is more with Myrtle than with any of the uses. Black Millwork use to let out around 4PM and there was a momentary surge there. All the traffic back-up has been on Myrtle trying to get on to Crescent. Mr. Barra wanted to know if there was a traffic problem with Holmgren's. Mr. Zambrotta brought up that the business is new and that it may take some time to build up a clientele. Mr. Sasso suggested that this may be a whole other story in a couple of years. Mr. Walters asked how many employees Black Millwork had at their peak as that would be a high water mark and they should shoot for something lower. Mr. Strauch said that they peaked at over 100. Mr. Fliegel asked about the no left hand turn sign. Mr. Yakimik answered that there is a small no left hand turn sign. Mr. Yakimik was not a fan of that sign as he felt there was no basis for it. Mr. Fliegel and Mr. Yakimik discussed how Myrtle traffic causes some of the problems there. Mr. Walters feels the planned installation of the traffic light will have a dramatic effect on things as right now it is a standoff as to who goes first. Mr. Quinn commented it is a difficult intersection and others agreed.

Mr. Quinn wanted Mr. Lydon to finish his report and then have Mr. Yakimik talk about the traffic light. Mr. Lydon talked about medical and dental offices as there may be more traffic. He also described data storage centers and how noise could be a problem from the back-up generators. There was discussion on how much fuel would be required for the generators. Mr. Zambrotta felt they would have to be specific as to what they didn't want like fuel containers, hazardous materials, etc. but let the market determine the rest. Mr. Walters commented on one storage center he knew about that is local. Ms. McSwiggan asked about storage facilities. Mr. Lydon commented that sometimes tenant businesses have used them as distributions centers. Generally those are closer to highway locations. There is also a lot of truck traffic. He also said that people sometimes have stored hazardous materials in them and it has been a problem. Mr. Barra said the Council was not happy with that idea. The Planning Board talked about the one in Ho-Ho-Kus. Mr. Sirico mentioned that businesses are right next door.

Mr. Quinn asked Mr. Yakimik about the traffic light. Mr. Yakimik told them it is controlled by the county, but we do have some control over design and what we would like to see at the intersection. However, there is no control over construction of the intersection or funding. They have been in active contact with the county to finalize the plans. They hope to put out to bid in winter and start construction in the spring. They are dealing with two easement issues right now and hope to have those resolved shortly. Mr. Sirico asked about the site plans and whether you can see the light coming from underneath the trestle. Mr. Yakimik replied that there will be

warning signs. Mr. Sirico asked if there was an extension of the signal and Mr. Yakimik said there would be no electronic warning signs.

There was some discussion between Board members whether you could see the new light from coming down Crescent Ave. before the trestle. Mr. Quinn commented that the Black Millwork property will not be controlled by this light and Mr. Yakimik agreed. Mr. Strauch told the Board that Borst driveway would be closed and merged with 240 West Crescent or the Corinthian building. Mr. Quinn asked who was doing that and Mr. Yakimik responded that it is a condition of the light. He felt that the more people who used the signal the better. Black Millwork wasn't involved because there is no mechanism to enforce them to do it. Mr. Walters asked about left turn on to Myrtle. Mr. Strauch answered that they are changing the configuration of Myrtle a bit to work with this new light. Mr. Yakimik answered with more details on how the light will work.

Mr. Quinn said the next steps are to think about things we discussed tonight and have the planner come back with some of the answers to questions that were brought up tonight. Mr. Strauch suggested that the planner add parking requirements for some of the uses, and also to check the zoning to see what the current parking requirements are already. Mr. Barra wanted to know what the next steps were in the process. He knew it wouldn't be December because of the Calvary proceedings, so would it be January for more discussion and formalizing the ideas, and scheduling February for the public to comment. Mr. Quinn agreed as this made sense to him. Mr. Barra thought a final draft of the recommendation would be done in January so that the public could see and hear about it in February. Revisions could also be done at that time if needed.

Mr. Walters commented to the planner that he felt the coverage should also be looked at for the following meeting. Mr. Sasso mentioned that other buildings could be built at a later date since there is so much acreage. Mr. Quinn said that the buildings could be knocked down. Mr. Walters felt that someone might come in and knock down Black Millwork to make the parking ratio work. Mr. Barra mentioned that the land is wetlands back there behind the buildings. There was discussion on notices needed and the language of what the future plan should say with regard to restrictions and what uses should be permitted. Mr. Zambrotta was concerned about limiting certain medical uses, but Mr. Walters said that in the future things may change in this zone as it may not be considered industrial anymore. Mr. Quinn felt they needed to trust Burgis Associates recommendations as they had knowledge about what was being done in Bergen County. Mr. Yakimik suggested not allowing large areas of parking that were not being used as they would be impervious areas that may cause drainage problems.

On a motion by Mr. Zambrotta, seconded by Mr. Sirico, the meeting adjourned at 9:40PM.

Respectfully submitted,

Diane Knispel