

MINUTES
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
May 4, 2006

Kevin Martin opened the meeting at 8:05 p.m. by reading the Open Public Meetings Law statement; This is a Regular Meeting of the Zoning Board of Adjustment; in compliance with the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at River Vale Municipal Offices.

ROLL CALL:	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Present
	Melvina Fakazis		Present
	Chuck Waldes		Absent
	David Rice		Absent
	Thomas Pospisil (Alternate 2)		Present
	Robert Fortsch		Present
	Robert Adamo (Alternate 1)		Present
	J.J. Clancy		Present

Also Present:	Brian Giblin	Board Attorney
	Elliot Sachs	Board Engineer

APPLICATION:

06-06 –688 Westwood Ave LLC, 688 Westwood Ave, Block 1801, Lot 20,21,22,23
Use Variance for Building 1 (Retail Use in “A” Residence District)
Use Variance for Building 1 (Residential Apartments in “A” Residence District)
Use Variance for Building 2 (Residential Apartments in “C” Commercial District)
Minimum Front Yard (8 feet proposed where 45 feet is required)
Minimum Side Yard (10 feet proposed where 15 feet is required)
Maximum Building Coverage (37.6% proposed where 25% is required)
Maximum Building Height (35 feet proposed where 32 feet is required)
Maximum Distance from edge of Parking Lot to Residence District Lot Line (2.5 feet proposed where 10 feet is required)
Minimum Parking Space depth (18feet proposed where 19 feet is required)
Minimum Drive-Aisle Width (24 feet proposed where 25feet is required)
Parking Space Requirements (202 proposed where 260 is required)

Kevin Martin read the list of variances requested by the applicant, 688 Westwood Ave, LLC

Marla Taus, Attorney represented the applicant, contract/purchaser. Ms. Taus described the mixed

use consolidation of 4 individual lots.

Raymond Virgona, Architect was sworn in by Brian Giblin, Board Attorney. Mr. Virgona provided his qualifications, which were accepted by the Board as a qualified architect. He testified that he prepared the floor plans and elevations consisting of 3 pages and marked as Exhibit A-1.

A-1A – architectural elevations on the Westwood Avenue side – main elevation of buildings 1 and 2.

A-1B – floor plans for buildings 1 and 2

A-1C – plans and elevations for building 3

Mr. Virgona advised that A-1A shows the project as seen from Westwood Avenue. Three buildings are proposed 2 of which abut Westwood Avenue. A tower element and a low wall will be placed between the buildings. Eight units are proposed for each building, 6 two bedroom and 2 1 bedroom for a total of 34,666 square feet of gross building area.

A-1B- Mr. Virgona reviewed floor plans of building 1 and 2, both 1st and 2nd floors.

A-1C – Building 3 – Mr. Virgona reviewed the floor plan retail use. The front facade is brick.

All 3 buildings will have sprinklers and elevators.

J.J. Clancy inquired about the type of tenants proposed to rent the premises. Mr. Virgona replied that he was not certain what type of tenants there would be. J.J. Clancy advised his concern stating that there is a significant difference regarding parking, for instance, if a medical office should rent space. He inquired if a study was done on parking calculations. Mr. Virgona advised that the site was planned in conjunction with the traffic engineer who would be testifying later. Mr. Virgona stated that the design work for the project began around November 2005.

Elliott Sachs, Board Engineer, inquired if all areas in both residential and commercial buildings would have sprinklers. Mr. Virgona replied, “Yes”, and a fire wall placed between floors and walls. He advised that the residential buildings have a 8,500 square feet footprint and the retail building is larger.

Kevin Martin opened the meeting to the public and so carried.

Robert Waldron, 271 Collignon Way, Apartment 8-A, commented that the proposal would have a large impact. Eight apartments above each retail unit would require 32 parking spaces and trucks would be coming in and out. The Architect, Mr. Virgona advised that there would be designated loading and trash areas. Mr. Waldron reported that lots 22 and 23 are residential properties. His concerns including illumination with lights on back of the buildings and parking all around the buildings. Mr. Virgona advised that buffers would be placed. Mr. Waldron inquired how high the rear building would be. Mr. Virgona responded that building 3 would be 17 feet high at the highest point and that Exhibit A-1C shows this. Buildings 1 and 2 are 35 feet from average grade.

Loretta Wilson, 279 Collignon Way Apt. 2 stated that many residents are against the entire concept.

Joyce Waldron, 271 Collignon Way Apt. 8A 8A, inquired if the rear building, building 3, conformed with River Vale codes. Mr. Virgona stated that it did comply. When she inquired about the distance between the rear building and Collignon Way, Mr. Virgona advised that the engineer would address her question. She was concerned with traffic and noise in the evenings. Mrs. Waldron reported that a parking area for commercial trucks was proposed at one time and denied.

Marie Gurrieri, 271 Collignon Way Apt. 4B, stated that her windows would face building 3 and she is concerned with trucks and lights. Brian Giblin advised her to listen to all witnesses before making final conclusions.

Robert Russo, owner of 751 Beech Crest Drive, inquired about the tower shown on the plans. Mr. Virgona explained that the tower is free standing located near Westwood Avenue. Mr. Russo commented that the plans would call for a lot of parking spaces.

The meeting was closed to the public.

Kevin Martin asked if the proposed tower was as high as the 2-story building. Mr. Virgona advised that it is 34 feet and sits on 4 piers and would be used for light signage to identify the retail stores. The tower is 14 ft. x 14 ft. and the signage area 8 ft. x 12 ft. Kevin Martin stated that he would like complete details regarding the tower. Mr. Virgona will provide details as requested. J.J. Clancy inquired if the signage would “back” light. Mr. Virgona replied that only the front would light, no backlight.

Brian Giblin, Board Attorney, swore in Joseph Staiger, Traffic Engineer. Mr. Staiger provided his qualifications, which were accepted by the Board. He then testified that he prepared the traffic report and 3-part traffic impact analysis. The 3 parts being elevation of existing conditions, proposed elevations and proposed elevation of ingress and egress. Marla Taus, Attorney, distributed a handout of the analysis, marked as Exhibit A-2, for the proposed residential and retail buildings. Mr. Staiger reported a change on page 6 and corrected 34,300 square feet of retail space proposed to actual 32,900 square feet floor area.

Mr. Staiger advised that he took traffic counts at various times during peak hours weekdays and Saturdays. On page 6 of his report he indicates a trip generation table I. On page 7, he indicates trip generation with consideration of pass-by trips table II. Trip Distribution on page 7 reviewed by Mr. Staiger. Kevin Martin commented on the existing assisted living facility across the street, which generates traffic throughout the day.

Mr. Staiger reported that 2 driveways, off of Westwood Avenue are proposed. The driveways would be 70 feet apart, more than 3 times what the DOT requires on a state highway. The 16 proposed residential units would require 31 or 32 parking spaces. 202 parking spaces are proposed leaving 170 spaces for retail parking. It is proposed that 1 parking space would be assigned parking per unit.

Melvina Fakazis commented that the post office across the street reserves parking spaces for their trucks behind the existing stores next to the post office. She expressed concern with “magnet” parking on major holidays in a parking lot the size of which is being proposed. Mr. Staiger felt that the area would not peak at the same times and that utilizing the parking lot would eliminate congested traffic on Westwood Avenue.

J.J. Clancy commented that a survey of the type of retail businesses proposed should be conducted, stating that different uses required different parking requirements. A doctor’s office, for instance, would be different than a restaurant. He explained that retail could be broken down into several areas for parking requirements.

Kevin Martin commented that making a left turn out of the proposed complex onto Westwood Avenue would be difficult and he is concerned with vehicles cutting through side streets. He wants to know the impact the additional traffic would have on these side streets. He also advised his concern with children due to ball fields in the area. Mr. Martin did not feel residents would park in back of buildings even if they were assigned spaces. Traffic pattern, noise, traffic flow and parking spaces need to be clarified.

Thomas Pospisil inquired about service levels. Mr. Staiger responded currently at C & D level of service.

Mr. Staiger reviewed dimensions of parking spaces.

Mr. Martin opened the meeting to the public and so carried.

Ellie Crank, Berkeley Village, Apt. 7B, commented that Collignon Way has been peaceful and quite and she was concerned with the entrance leading to the back of the proposed complex. Mr. Staiger clarified that entrance and exit could only be made from Westwood Avenue.

Robert Waldron, 271 Collignon Way, Apt. 8A, advised that the Collignon Way apartments required 2 parking spaces when they were built. Mr. Staiger advised that the proposed 16 units require 32 spaces, 2 per unit and of the 32 spaces, 1 may be assigned. Retail stores generate their activity at different times than residential requirements according to Mr. Staiger. He advised that a parking plan would need to be worked out.

Robert Russo, owner of 751 Beech Crest Drive, commented that there is no available list of stores proposed for the complex. Brian Giblin advised that this has not been addressed yet and added that few businesses are allowed to be opened 24 hours a day.

Joyce Waldron, 271 Collignon Way commented that the buildings up front were too close to Westwood Avenue and was concerned with visual safety. Mr. Staiger felt that there would be no site disruption and explained. Mrs. Waldron stated that if the application is approved, there should be consideration for placement of a cross walk for residents in the assisted living facility who would be utilizing the retail businesses. Mrs. Waldron inquired if a study was done as to how many stores

are needed to supply resident needs. Brian Giblin advised that the Board is not aware of any studies. Kevin Martin added that if there were a change of use, the subject would return before the Board.

The meeting was closed to the public.

Elliott Sachs, Board Engineer inquired if Mr. Staiger conversed with the County and if he received a report on queuing of cars from River Vale Road. Mr. Staiger advised that he would be submitting a traffic report to the County. He added that modifications would be made to the plans based on the Board and resident comments. Mrs. Sachs recommended that he add the public safety concerns.

Regarding parking supply, Brian Giblin inquired if there is a RSI requirement. Mr. Staiger responded that it did not apply to the proposal. J.J. Clancy recommended that the board engineer review the report provided this evening. Robert Adamo inquired if the proposal would be safe for fire equipment. Mr. Staiger replied that there is no detriment for fire code and that the facility would not have a negative impact. Mr. Adamo inquired about loading zones and how trucks would get unload at the site. Mr. Staiger reviewed plans.

Mr. Martin expressed his concern about noise and the time garbage would be picked up and deliveries made.

Kevin Martin read for the record a letter dated May 3, 2006 from the Fire Chief stating their concerns.

Mr. Sachs inquired about a specific turnaround for fire apparatus. Mr. Staiger advised that if this needs to be done it would be.

The application will be continued at the May 18, 2006 meeting.

ADJOURNMENT:

Upon motion of Kevin Martin, seconded by Robert Fortsch, on voice vote, all in favor, none opposed, the meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Sylvia Kokowski - Recording Secretary

THE NEXT MEETING IS SCHEDULED FOR MAY 18, 2006

Name	Moved	Second	Ayes	Nays	Absent	Abstain
Lorraine de Stefan						
Melvina Fakazis						
Chuck Waldes						
David Rice						
Robert Fortsch						
J.J. Clancy						
Kevin Martin						
Thomas Pospisil Alt 1						
Robert Adamo Alt 2						