

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
August 20, 2009

Kevin Martin opened the meeting at 8:00 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 & notice is posted at River Vale Municipal Offices.

<u>ROLL CALL:</u>	Kevin Martin	Chairman	Present
	David Rice		Absent
	Thomas Pospisil		Present
	Robert Adamo		Present
	Joseph Massin	Alternate # 1	Present
	Robert Fortsch		Present
	John Donovan		Present
	Douglas Marchese	Alternate # 2	Present
<u>ALSO PRESENT:</u>	Brian Giblin	Board Attorney	Present
	Steven Busanic	Board Engineer	Present
	Lauren Roehrer	Land Use Admin	Present

Robert Adamo arrived at 8:07 p.m. after roll call. Douglas Marchese arrived at 8:10 p.m. after roll call.

VOUCHERS:

A motion by Kevin Martin, seconded by Joseph Massin to approve vouchers as read by the Board Chairman, on voice vote, all in favor, the motion carried.

MINUTES:

A motion by John Donovan, seconded by Robert Fortsch to approve the minutes of July 16, 2009 on roll call vote, all those eligible voted yes; the motion carried.

RESOLUTIONS:

None

APPLICATIONS:

688 Westwood Avenue, LLC, 688 Westwood Avenue, Block 1801, Lots 20, 21, 22
Final Amended Site Plan Approval – Violation of 142-242

Brian Giskowski Attorney for the applicant. Mr. Giskowski commented that certain requests were made

by the Board and the Township Fire Official. Revised drawings were submitted. Revised architect plans were dated June 29, 2009. Amended site plan was dated July 30, 2009. The plans show an increased size of the roadway and sidewalk in the same area to accommodate fire access.

Fire Official Greg Goodell was sworn in by Brian Giblin, Board Attorney. Mr. Goodell advised that he met with proper representatives of the applicant and reviewed the revised plans and had no objections.

The meeting was opened to the public by the Chairman and so carried.

No public comment

The meeting was closed to the public

Mark Martins was called to testify and previously sworn. He reviewed the modified plans for a one-way driveway which was reconfigured along with the sidewalk. The proposed signage was reduced in size. The only required variance that remains is the placement of the sign. Other locations were checked. The requirement is a 5 ft. set back. The amended site plan dated July 30th, 2009 was marked as Exhibit A-6 and dated August 20, 2009. Thomas Pospisil commented that the play area was reduced. Mr. Martins advised that it was reduced from 3500 sq. ft. to 3200 sq. ft.

Justin Mahalik previously sworn submitted 2 revised drawings; revisions made were SA-1.1 Building Elevations Previous Exhibit A-4 now marked as Exhibit A-7 with new revision date of 06/29/09. The sign is proposed to be 32 sq. ft. above the Learning Experience door. The measurements are in conformance with ordinance requirements. Playground area details Previous Exhibit C-1 now marked as Exhibit A-8.

Change made to playground area sidewalk. Playground area is now 3200 sq. ft. Exhibit C-2 signage details was previously submitted and now marked as Exhibit A-9 with a revision date of 06/29/09. Mr. Mahalik reported that the sign would not be internally illuminated; it will be lit by 3 goose neck lights.

Kevin Martin inquired if the goose neck lights were low voltage not spot lights. Mr. Mahalik confirmed that they would be specific to illuminate the sign.

All revision dates of 06/29/09 were accepted.

Mr. Adamo inquired if there would be any other lights placed other than the goose neck lights. Mr. Mahalik advised that his scope is the interior of the building and the sign on the outside of the building. Kevin Martin asked if there would be objection to shunt the lights out by 11:00 p.m. including the signage light. Mr. Mahalik advised that the Learning Experience would not have a problem with that request.

Russ Luppino, applicant was sworn in by Brian Giblin, Board Attorney. Mr. Luppino had no objection to having the lights turned off at 11:00 p.m. Mr. Luppino advised that soffit lights would be placed across the sidewalk area. Mr. Adamo inquired if the application is approved when the Learning Experience would open. Mr. Mahalik advised 6 – 8 months.

Mr. Pospisil inquired about the number of children in the playground area at one time. Mr. Mahalik advised that each class would spend about 30 minutes at one time in the area. The Learning Experience is up and above what the State requirement is. Mr. Pospisil commented that the playground could be made smaller according to requirements. Mr. Mahalik said yes, and it was able to be done.

Mr. Marchese asked about the number of staff members. Mr. Mahalik responded 22 teachers and 2 staff members. Twenty-four at full capacity and it would not be at full capacity at any one time. Mr. Marchese did not feel it was sufficient coverage. Mr. Mahalik read the State requirements which were less than what was being provided.

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

No public comment.

The meeting was closed to the public.

Craig Peregoy, Engineer was sworn in, presented his qualifications which were accepted by the Board. Mr. Peregoy was retained to examine the site circulation and to review parking requirements. Mr. Giskowski inquired if the driveway isle width of 14 ft. was sufficient for the Fire Department. Mr. Peregoy replied yes. The one-way driveway has no effect on the site overall. Mr. Giskowski asked about relocation of the monument sign. Mr. Peregoy advised that the current designated location was the best; towards the center of the site. It was thought that if the sign were placed further east it would be difficult to see. The benefits outweigh the detriments according to Mr. Peregoy.

Kevin Martin inquired if there would be indication on the ground "do not enter" because of the one-way driveway. Mr. Peregoy acknowledged "yes". Mr. Peregoy advised that there would be no other signs by the stripped island.

Mr. Adamo inquired if all employees would park in the designated parking area and if this would be stated in the resolution should the application be approved. Kevin Martin agreed that it should be designated parking and inserted in the resolution. Mr. Giskowski advised that all tenant leases state that employees are to park in the rear.

Mr. Adamo presented a question relative to if the Learning Experience moved from the location. Mr. Giblin advised that any generation of higher parking requirements would need to come back before the Board.

Mr. Donovan asked if Mr. Peregoy had National Data for Day Care Facilities. Mr. Peregoy reported 0.145 vehicles per student or 25 and 0.1 vehicles per student or 17.

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

No public comment.

The meeting was closed to the public.

Mr. Donovan inquired if there would be any other monument signs on the site for the Learning Express besides the proposed one. Mr. Luppino responded “no”. Mr. Pospisil asked why a monument sign was necessary. Mr. Mahalik stated that the Learning Express was set back on the site and there was a need for a sign. Mr. Pospisil commented that a 32 ft. sign is big and the facility is not “that far back”

Mr. Donovan asked if there was on street parking. Mr. Mahalik advised that there would be no parking between the 2 driveways. Mr. Massin asked if there would be exterior lights for the playground area. Mr. Mahalik replied not for the playground area, only for egress. Mr. Mahalik added that 8 spaces are reserved for drop off and pick up and for off hour parking.

Mr. Giskowski made closing statements. Testimony is for approval of the final amended site plan, parking variance and signage.

No further comments or discussion.

The application will be voted on for two separate issues.

Monument Sign

A motion by Robert Adamo to approve the monument sign, seconded by Robert Fortsch; on roll call vote, Kevin Martin and Robert Adamo voted yes; Thomas Pospisil, John Donovan, Robert Fortsch, and Joseph Massin voted no; Douglas Marchese was not eligible to vote; the motion was denied.

Site Plan as Amended and Parking

A motion by Robert Adamo to approve the amended site plan and parking requirements conditioned as discussed during testimony, seconded by Joseph Massin; on roll call vote, all those eligible voted yes; the motion carried.

ADJOURNMENT:

Upon motion seconded and carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary