

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
September 13, 2018
Combined Session**

Meeting Called to Order at 7:33PM by Chairman Hanlon

Open Public Meetings Statement: Read into the record by the Board Secretary.

Roll Call: Messrs. Pierson (absent), Reade, Newman, Carrick (absent), Policastro, Jones, Councilman Rorty (absent), Chairman Hanlon, Mayor Randall (absent)

Also in Attendance: Gary J. Cucchiara, Esq., Board Attorney; Mr. David Hals, Schwanewede/Hals Engineering; Borough/Board Engineer; JoAnn Carroll, Board Secretary

Chairman Hanlon: stated, for the record, this evening's meeting was a Combined Session of the Board for the month of September, 2018.

Chairman Hanlon: stated Members Pierson, Reade, Jones, Newman and himself attended the MEL seminar along with the Board of Adjustment on September 6, 2018; wants to form a subcommittee to review changes to the driveway ordinance; members would include Mr. Mark Berninger, Zoning Officer, Mr. Hals, Mr. Reade and Mr. Cucchiara; a discussion can be held via conference call; Mr. Reade indicated he would head the committee; Members Reade, Pierson, Jones, Newman, Policastro, Mayor Randall and himself all viewed the SW management videos; Board Members should contact either himself or Mr. Reade with any questions regarding the Master Plan assignments; the Mayor and Council signed the resolution regarding the Race Track Road Historic Sign.

Approval of Minutes: Reade
August 16, 2018

Seconded by: Policastro

Ayes: Reade, Policastro, Jones, Chairman Hanlon

Nays: None

Proposed Architectural Review:

Mr. Pat Pianelli, Ardmore Road LLC, 319 Ardmore Road, Block 202, Lot 2: minor subdivision application, 2 lots, with one identified variance for second story setback; 85-10 K

Chairman Hanlon: stated the applicant agreed to appear before the Board for an architectural review of the homes proposed for the 319 Ardmore approved subdivision to see how they would fit in to the Cheel Croft community.

Mr. Pat Pianelli, applicant: stated renderings of the two proposed houses were emailed to the Board; he and his architect drove around the Cheel Croft section of the Borough; put some aspects of those homes into two new homes; wants to make significant changes from the homes he is currently building on Ardmore; biggest change is the roof lines; many homes in Cheel Croft have hip roofs; facing material changed; stucco will be used with darker windows; casement windows with different grille patterns; will have two garage doors instead of one; different setbacks and different levels when viewed from the front; changed the returns on the bottom of the soffits; thought of doing different sidings; may do stucco and stone.

Mr. Policastro: asked about landscaping and thanked the applicant for taking the time to make changes.

Mr. Pianelli: stated he will try to have a different look by using different trees, heights, plants, rocks, etc.

Mr. Reade: stated he loved the combination of stucco and stone; asked if there were copper tops proposed for the house on lot 1.

Mr. Pianelli: stated metal roofing has been added; copper is very expensive today and it is high maintenance; will have metal roofing which will be the same color as the accents in the windows and soffits.

Mr. Jones: stated he appreciated the fact the architectural features have been changed.

Chairman Hanlon: asked the applicant to leave the full size drawings with the Board Secretary for a Board Member to review who was absent this evening.

Motion to authorize Gary Cucchiara, Esq., Board Attorney, to prepare a letter addressed to the applicant stating the conditions of the resolution have been met: Jones

Seconded by: Policastro

Ayes: Reade, Newman, Policastro, Jones, Chairman Hanlon

Nays: None

Public Hearing/Ongoing Business:

Mr. Richard Radici, Wearimus Properties, LLC, 262 Wearimus Road, Block 905, Lot 5: major subdivision application; 3 lots

Alan Bell, Esq., applicant attorney: stated he had received the reports from the Police Department, Fire Department, Mr. Snieckus, Borough/Board Planner and Mr. Hals, Borough/Board Engineer.

Chairman Hanlon: confirmed the Board had received the revised plans from the applicant and also the LOI from the NJDEP dated July 28, 2018.

The following exhibits were marked during the hearing:

A7 marked 9/13/18	NJDEP LOI/Line Verification and plan dated 7/25/18
A8 marked 9/13/18 (plans)	E&LP Response Letter dated 8/30/18
A9 marked 9/13/18 (SW mgmt. report)	SW Mgmt. Maintenance Plan (revision date of 8/30/18) SW Mgmt. Report (revision date of 8/30/18)
A10 marked 9/13/18 (SW mgmt. maintenance plan)	Subd Plans, 15 pages; latest revision date of 8/30/18 prepared by E&LP
A11 marked 9/13/18 (report and disc)	Inspection report and disc Richard Radici, applicant
A12 marked 9/13/18 (transmittal letter)	All American Sewer (name not listed on report but testified to during hearing)
A13 marked 9/13/18	Aerial photograph of the improvements on the adjacent property overlaid with lot lines; submitted by E&LP
B5 marked 9/13/18	David Hals, Borough Engineer 3rd review of application dated 9/11/18
B6 marked 9/13/18	Edward Snieckus Burgis Associates review of revised plans dated 9/11/18
B7 marked 9/13/18	Ho-Ho-Kus Fire Department Keith Rosazza, Chief; review of revised plans dated 9/11/18
B8 marked 9/13/18	Chief Minchin, HHK PD; review of revised plans dated 8/31/18

Mr. Bell: stated the concerns of the Board, neighbors and Mr. Nye were all taken into account after the last meeting; the applicant is working with Mr. Nye to address the drainage concerns on his property; a number of revisions were made to the plans; the most significant is the widening of the road to 26 ft. from 20 ft.; the buffer averaging needs to be approved by the NJDEP, but the location of the line is now known; two witnesses will appear before the Board this evening, the applicant's engineer and traffic expert; the applicant has had some discussions with Mr. Inglima who represents Mr. Nye and due to the fact the applicant will have to present additional information to the Board at

another meeting, Mr. Inglima has agreed to withhold any cross examinations of the applicant's experts, reserving the right, if issues with his client are not cleared up.

Robert Inglima Jr., Esq., objector's attorney: stated this would only be the case if acceptable to the Board.

The Board agreed.

Mr. John Hansen, E&LP, applicant's engineer: previously sworn in by Mr. Cucchiara; still under oath; significant steps have been taken since the last meeting; received an LOI from the NJDEP in July, 2018; confirmed there is a pocket of wetlands on the site in the SW corner; 50' buffer to this area; some concern regarding wetlands along the NW property line; those are off-site; the NJDEP determined there is no buffer.

Mr. Hals: requested a copy of the plans stamped by the State.

Mr. Hansen: stated the properties public road was redesigned to be 26 ft. from curb to curb; paved road; redesigned grading and drainage and stormwater management system; added a second bio-retention basin; it accommodates the increase in the road width; the connection of the driveways has been redesigned after receiving Mr. Hals' comments; additional grading and drainage work on the east side of the property; evergreens will be removed from the swale; confusing situation regarding the need for a variance for the road configuration; looked at the road width and metes and bounds; there was a discrepancy; lines are parallel; it can be confirmed there is no variation in the road right of way so no variance is required; two design waivers being sought; RSIS requires sidewalks, the applicant is asking for no sidewalks; ordinance requires side lot lines to be at right angles to the right of way; asking for relief from this; believes the lots are conventional style lots; feels it is a good design; changed the turn arounds for the driveways on each lot; the combination of a 2-car garage and space in front of it provides 3.5 parking spaces per the RSIS; was asked to determine if the lot on Wearimus Road which abuts the applicant's property would cause that lot to have any variant conditions; Exhibit A13 shows there is approximately 120 ft. from the structure to the applicant's property line; the setback for a front yard is 50 ft.; this shows there would be no issue as far as the front yards setback; comments from Mr. Hals' received regarding drainage; after this meeting and the next meeting with the property owners these items will be addressed and submitted to Mr. Hals for his review; the pipe which was the subject of Exhibit A11 was broken in spots; applicant agrees to repair it; (Mr. Hals passed the report of the pipe to the Board for their review).

Mr. Hals: stated he watched the video; the entire length of the pipe was videoed; it entered the manhole in the Township of Washington to the terminus

on the SW corner of the property; the first 50 ft. or so of the pipe is cracked and in poor condition; then it is good followed by poor conditions; then a section of the pipe which is clean then other sections with broken joints that need to be replaced; it might be a third to a little more than a third that needs to be replaced; concurs that the pipe is straight and there are no signs of settlement and it is clean; the applicant indicated they are going to be addressing some stormwater points; the applicant has increased the road to 26 ft. wide; in terms of lots 5.02 and 5.03, the wetlands do encumber those two lots; requires a NJDEP buffer averaging plan; will require a split rail fence along the end of it per the NJDEP; will impact the second lot; from the back of the house on the second lot to the transition line would be 15 ft.; the fence will not bother the lot at the end of the cul-de-sac but they will have a bio-retention basin; spoke regarding the design waivers; dividing lines between the two lots; the neighbor lot line is radial or perpendicular; has to determine if the lots proposing meet the ordinance in terms of the lines affecting the development itself and should the lots be approved as oriented; roadway is proposed with no crown; the drainage system needs to be redesigned on both sides of the road; needs supporting data for the soil moving, sanitary sewer, corner lot still gravity fed, sewage ejectors for the two back houses; need to pump sewage back up the roadway; proposing a common sewer line; the Borough has historically not taken ownership of the sewer mains; they are generally not this long in the Borough; generally they are shorter lengths from house to the main; the Borough does not have the ability to maintain them; it would be the responsibility of the homeowners themselves for the sewer lines; applicant should determine if they are going to keep the line in the roadway or off the pavement in the shoulder area; not sure the current location proposed is the best location; water mains are 8 inch; looping water service through the cul-de-sac and back; fire hydrant at the cul-de-sac; three houses are serviced off the main off of the roadway; applicant's engineer contacted him regarding the design; groundwater table is close to the surface because wetlands are located in the SW corner of the property; the applicant has to prove what is going on there; percolating water; need to prove or alter the design; this is the biggest component out of the stormwater items the applicant has to address; proposing to intercept the run off from the west through a swale and channel to a drain system and then carry to the pipe; diverting some water so they can control only what they need to control and not off site water; there are technical items that need to be addressed in the plans; any approval will require deed restrictions to be placed on the properties; one is the LOI; the LOI requires a deed restriction to be filed on the lots; buffer averaging will require another deed restriction; proposing the maintenance of the stormwater system be done by a homeowner's association; deed restrictions would have to be filed for the individual properties to maintain the stormwater management system; drainage in street is the Borough's responsibility; the street will eventually be dedicated to the Borough; once the storm drainage system got to where the retention basins are, or whatever system is chosen, that would be done by a homeowner's association and that restriction will have to be reviewed by the

Board attorney; other permits required and other agency approvals; major soil movement permit application needs to be submitted; need testimony regarding soil moving permits; Bergen County Planning Board approval, Bergen County Soil Conservation District approval, Freshwater Wetlands permit and ultimately a sewer extension approval.

Mr. Reade: asked if the deed restrictions would include the extra drains installed.

Mr. Hals: stated he would have to give the question some thought and discuss with the DPW.

Mr. Reade: asked if Mr. Hals had concerns regarding the runoff down the roadway due to the slope fall from Wearimus at 15 ft. then into the driveways there is a drop of another 3 ft.

Mr. Hals: stated what the Board was approving was not the grading for each house; all comments are specifically about the drainage collection for the roadway; a drain will need to be placed on Wearimus Road at the mouth of the road; it is not shown, but every driveway will have to go uphill before they go downhill.

Mr. Reade: (to Mr. Hansen) stated he did not believe the 200 ft. radius was positioned correctly on the geographical survey.

Mr. Hansen: stated he was aware of that and it would be corrected.

Mr. Reade: asked what the conceptual alternate plat was on plat 15.

Mr. Bell: stated, when the application was first submitted, the applicant was intending on showing an alternate plan; that plan is no longer in play and will be removed.

Chairman Hanlon: asked who owned the 24 ft. pipe.

Mr. Bell: stated there is a recorded easement which was marked as A5 at the last hearing; the easement is between Frank Alster, owner, and the Armco Construction Company; one of the comments in the Borough Engineer's letter is there needing to be an easement to the Borough covering the same easement, which of course would be granted.

Mr. Inglima: stated he believed there was a second easement.

Mr. Bell: stated the easement would be granted; the pipe would have to be maintained by the Borough; the applicant will improve it; Mr. Bell will follow up to see if there was a subsequent easement to the Borough.

Chairman Hanlon: stated coordination with the Township of Washington will have to take place in case something goes wrong with the pipe on that side.

Mr. Bell: stated he was not sure if the pipe would be different from any other drain pipe that goes through properties; it would not be the responsibility of the association or the owners of the lots.

Mr. Hals: stated he agreed it is taking municipal water; the question being is it Ho-Ho-Kus water; it is the responsibility of Ho-Ho-Kus or the Township of Washington; permission from the Township of Washington would be needed to make connections to their pipe.

Mr. Bell: stated he will give it some thought.

Mr. Jones: stated these types of issues are not always recorded; as the Borough Administrator, it would be appreciated if this was clearly spelled out.

Chairman Hanlon: stated he has reviewed the video submitted of the pipe and he has been on the property numerous times over the years; visited the property shortly after the engineer drilled holes; 4-5 spots on the property; clay has come up and sits alongside the holes; visited the site in July after a rainstorm; all the clay pieces have been in big pools of water; collection spots; the hole at the back end of the tennis court was still full of water a while after; water was bubbling out of the hole and it hadn't rained in 2 weeks; no water was running from Wearimus to the Nye property; water is coming out of the pipe; there was no water in the Township of Washington from three sewer lines that feed into this pipe; doesn't know if the current applicant or previous applicant covered up the pipe with soil; at one time the cracks in the pipe were visible; another manhole on the site was also cracked below the Township of Washington side.

Mr. Bell: stated the pipe would be fixed.

Chairman Hanlon: stated his concern is where the water was coming from since the conditions were dry; where is the water table?; seems to be very high when you walk around the property.

Mr. Hansen: stated soil tests were performed by his firm prior to the designing of the system; there is a restrictive horizon; one has more clay than the others; thinks it creates a hanging water table; not a solid clay layer; the stormwater system will work as long as the layer with slower permeability is removed; will report back to the Board after reviewing this information.

Chairman Hanlon: in regards to lot 5.03 on the eastern side; the applicant is suggesting to connect into the 24 inch line; asked how the water from the

Township of Washington would be controlled coming down the hill; there are steep drops even for a regular rainstorm.

Mr. Bell: stated evergreens were not proposed for drainage purposes; more for a buffer form the properties that neighbor the subject property.

Chairman Hanlon: stated Mr. Hals wanted to see drains on either side of the street.

Mr. Hansen: stated there will be drains on both sides of the street.

Chairman Hanlon: stated there is a lot of water in the area; very good chance there will be no swimming pools on proposed lots 5.02 and 5.03.

Mr. Hansen: stated there could be smaller swimming pools if smaller houses were built.

Chairman Hanlon: asked if the proposed homes would have basements.

Mr. Hansen: stated yes.

Chairman Hanlon: stated he had a concern regarding the 2 inch line along the 425 ft. of sewer; 2 inch line is not a standard sewer line; owners of lots 5.02 and 5.03, are pumping up the street and if something goes wrong, the street will have to be dug up, fixed and repaved; asked if a standard 4 inch sewer line could be installed and have pumps to a manhole in the front of the homes; then pumped up the street; the standard line would be the Borough's responsibility.

Mr. Hansen: stated the homes would have grinder pump units; a 2 inch line is the typical size for this type of pump; each have a check valve; standard practice; will move the force main outside the cartway of the public road.

Chairman Hanlon: stated it is a long way to pump 425 ft. up a hill.

Mr. Hansen: stated the pump is capable of doing that; does not need to meet a certain pressure.

Chairman Hanlon: asked if it was recommended that the homes on proposed lots 5.02 and 5.02 have generators.

Mr. Hansen: stated yes.

Chairman Hanlon: asked if all the trees on the property would be removed.

Mr. Hansen: stated all the trees within the limit of disturbance would be removed to grade and get the direction of water to flow the right way.

Chairman Hanlon: stated there is water around the trees which closes off oxygen to them; a lot of the trees are rotting.

Mr. Hansen: stated some of them are rotting due to the property not being properly graded; the project is designed so there will be no standing water.

Chairman Hanlon: stated the property behind the original house has never been touched.

Mr. Hansen: stated that was understood.

Chairman Hanlon: stated there are a series of trees along the west side of the street going out towards Wearimus Road; asked if those trees would stay in place.

Mr. Hansen: stated all trees which are farther away from the disturbed limits will be kept.

Chairman Hanlon: stated a couple of the trees on Wearimus should be addressed due to sight lines.

Mr. Hansen: stated the intention is to keep the sight lines clear.

Mr. Hals: asked that a note be added to the plans that the sight lines need to be clear at the time of construction.

Chairman Hanlon: asked who would maintain the retention areas.

Mr. Hansen: stated the homeowner's association.

Chairman Hanlon: stated there is only one other home association in the Borough; need to make sure the home owner's association takes care of the special detention basins.

Mr. Hansen: stated the basins have been designed to fit into the natural topography the best they can; they do not look like boxes; they will not be seen.

Chairman Hanlon: stated the runoff from the roof and the driveway for proposed lots 5.02 and 5.03 enter into a different system that is going back and is being drained into the 24 inch pipe.

Mr. Hansen: stated the water comes off the houses and goes only into the underground system then discharges into the proposed system; driveways are piped directly into the bio retention system which is shown on the plan.

Chairman Hanlon: asked if the pH was looked at in this area.

Mr. Hansen: stated no.

Chairman Hanlon: stated a lot of snow will melt off of cars during the winter which contains salt.

Mr. Hansen: stated the bio retention system will handle it and a stormwater management maintenance plan has been submitted.

Chairman Hanlon: asked if two locations on the 24 inch pipe would be opened up to install the water connection.

Mr. Hansen: stated yes.

Chairman Hanlon: stated the Township of Washington may determine the pipe is maxed out and we are then adding volume to the 24 inch pipe.

Mr. Hansen: stated the pipe is not designed to control a 100 year storm event; will do an analysis on the pipe if needed; believes it has good carrying capacity; will meet with Mr. Nye and review the whole system.

Chairman Hanlon: stated there is an unnamed stream that goes to the Saddle Brook then to the Saddle River; is concerned the property gets water from the spot between the Saddle River and the property itself; water can't be added to the property.

Mr. Policastro: asked where the pipe entered and exited.

Mr. Hansen: stated it enters on the easterly side and exits on the westerly side; the Nye property is located in the SW corner.

Chairman Hanlon: asked for an explanation to how the orifice plate works.

Mr. Hansen: described how the orifice plate works with the bio retention basin.

Chairman Hanlon: asked if the plate was aluminum.

Mr. Hansen: stated yes and is typical in the industry.

Chairman Hanlon: stated salt and aluminum do not get along; there is a history in this area of pH in the water.

Mr. Hansen: stated he has never had a negative experience with the orifice plate.

Chairman Hanlon: asked if the applicant has been in contact with the County yet.

Mr. Hansen: stated they are working through the issues with the County.

Chairman Hanlon: stated the County will contact the Board to let us know the applicant has contacted them for coordination purposes; in regards to proposed lot 503; it has 200+ ft. of frontage; if standing in front of the house on the road and have houses in the center, there would be 50 ft. on either side; the house is 100 ft. wide and almost as wide as the road.

Mr. Hansen: stated he believed the lots were conventional lots.

Chairman Hanlon: stated he could not think of any other lot in town that have reduced the frontage in front of the house.

Mr. Hansen: stated the frontage is conforming; the subdivision map from Copper Beech has the same layout.

Chairman Hanlon: disagreed; asked if all three lots would be part of the homeowner's association.

Mr. Bell: stated yes.

Chairman Hanlon: asked if the homeowner's association would take care of the drainage above ground and the retention in the back.

Mr. Hansen: stated yes; a maintenance manual has been filed; connected to the deeds of the property; inspection/maintenance records get submitted to the Borough Engineer; annual report submitted to the DEP.

Mr. Hals: stated reporting is done once a year in April; the maintenance manual has to be a part of the deed restriction.

Mr. Jones: asked if the entire property needed to be excavated to remove the layer with slower permeability.

Mr. Hansen: stated he was trying to make a point; has evidence of mottling with the regional water which is a perched water table; the layer is removed as excavation is taking place for the building of the basin.

Mr. Jones: asked if the areas that are not removed would have "casual" water.

Mr. Hansen: stated there is water that flows through natural ground; top soil is regenerated; the improvements installed will have a constructed conduit that will take ground water.

Mr. John McCormack, applicant's traffic engineer; sworn in by Mr. Cucchiara; gave his educational and professional background; accepted as an expert in the field of traffic engineering; discussed trip generation; reviewed the roadway design; increase in the roadway width is a nice improvement; benefits the homeowners; reviewed the Copper Beech application which is similar to this one; looked at the Wearimus intersection and formalizing the driveway; good visibility; feel of intersection is that of a "T" intersection; safety of intersection maintained; with improvements to the frontage the sight lines in both directions exceed the industry standards; Jacob Road to the east has a very limited sight line; the project as it is laid out will be safe and efficient.

Mr. Jones: asked how far the sight distance was from the intersection going south on Wearimus.

Mr. McCormack: stated, with the trees cut back, it should be about 500 ft.

Mr. Newman: asked about the sight distance at the crest of the hill coming from the Township of Washington.

Mr. McCormack: stated at the crest of the hill that driver is required to have a stopping sight distance; stopping sight distance is less; can adjust to the hill and still be 500 ft. away from the intersection.

Mr. Newman: asked the type of weather that is calculated for.

Mr. McCormack: stated the calculations are give or take 5-10% depending on the weather; driving patterns change when the weather changes.

Mr. Newman: asked about the line of sight for larger vehicles, such as a lumber or masonry delivery truck.

Mr. McCormack: stated the line of sight doesn't change for different types of vehicles; residents of the road will adjust to this road; the magnitude of volume is minor; sight triangles are already shown on the plan.

Chairman Hanlon: asked if it was proposed to leave some trees and bushes where the exit of the new road will be.

Mr. McCormack: stated a few trees here and there don't necessarily impede the line of sight; a few that are in front of the line can be moved back; industry standard used to calculate the number of trips from a home.

Mr. Policastro: asked about the guardrail at the NW side of the intersection and would one be recommended at the NW corner of the proposed roadway.

Mr. McCormack: stated the guardrail is there for coming down Washington.

Chairman Hanlon: stated he believed the guardrail was there to protect the fire hydrant.

Mr. Bell: stated he had no further witnesses; he is available on either October 11th or November 8th.

A brief discussion was held at this time regarding meeting dates.

Mr. Cucchiara: stated, for the record, the 262 Wearimus application would be heard on October 11, 2018 at 7:30PM in the Council Chambers of Borough Hall.

Motion to adjourn: Policastro

Seconded by: Jones

All in Favor

None Opposed

Meeting adjourned at 9:45PM

Respectfully submitted by:

JoAnn Carroll
Planning Board Secretary
September 27, 2018