

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
October 9, 2014
Combined Session**

Meeting Called to Order at: 7:35 PM

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

Roll Call: Messrs. Berardo, Corriston (absent), Pierson, Reade, Cirulli, Newman, Iannelli, Councilman Rorty, Chairman Hanlon, Mayor Randall

Also in Attendance: Gary J. Cucchiara, Esq., Board Attorney; Mr. David Hals, Borough/Board Engineer; Mr. David Novak (associate of Mr. Snieckus, Borough Planner); Ms. JoAnn Carroll, Board Secretary.

Ongoing Business:

Hollows at Ho-Ho-Kus, Chamberlain Developers, W. Saddle River Road/Van Dyke Drive, Block 802, Lots 1, 2, 3, 4 and 10: major subdivision application; the applicant proposes to construct and market single family dwelling units on each of the properties; major soil movement application.

Approval of Minutes:

June 12, 2014: Cirulli, Councilman Rorty (All in Favor)

June 19, 2014: Councilman Rorty, Mayor Randall (All in Favor)

June 26, 2014: Councilman Rorty, Mayor Randall (All in Favor)

August 14, 2014: Mayor Randall, Councilman Rorty (All in Favor)

September 11, 2014: Cirulli, Councilman Rorty (All in Favor)

Please Note: Mr. Newman, Mr. Iannelli and Mr. Berardo have signed their certifications that they have listened to the discs of the meetings they have missed.

Overview of Meeting:

Chairman Hanlon/Mr. Cucchiara: Meeting procedures reviewed; next meeting will take place on 10/23/14; revised amended major subdivision application received on 9/3/14; three residents who wanted to make statements; scheduling discussed; anonymous petition discussed; not evidence; cannot be admitted into evidence; anyone involved with the petition can testify at the appropriate time; **Board polled in regards to the petition:**

Mr. Iannelli: did not receive

Mr. Reade: did not receive/read
 Councilman Rorty: did not receive
 Mayor Randall: did receive; contacted Board Attorney regarding; for the sake of transparency, wanted it to be known this document has been forwarded to the Board; petitions are not considered; consider live testimony; did not read it.
 Mr. Cirulli: did receive; did read; would not affect his voting on this application in any manner
 Chairman Hanlon: did not receive
 Mr. Pierson: did not receive
 Mr. Berardo: did not receive
 Mr. Newman: did not receive

Mr. Inglima echoed the remarks of the Board with respect to the issue of petitions; no petition should be sent to any Board member who is being asked to rule on an application; Mr. Whitaker concurred with Mr. Inglima.

Ms. Sharon Gomez, 37 Van Dyke Drive; sworn in by Mr. Cucchiara; gave reasons why she is against the Hollows application; questioned by Mr. Whitaker.

Ms. Suzanne Curtis, 11 Van Dyke Drive; sworn in by court reporter; gave reasons why she is against the Hollows application; discussion with Mr. Snieckus; questioned by Mr. Whitaker.

Ms. Petrock will speak at a later date.

Exhibits Marked:

A6	October 9, 2014	Amended Plans with latest revision date of 9/3/14 (sheets 5 and 6 of Exhibit A6 marked by Mr. Palus to show the locations of the soil test holes)
A7	October 9, 2014	Drainage Calculations/West Side with final revision date of 8/31/14 prepared by Mr. Palus
B10	October 9, 2014	Mr. Hals' 10/7/14 report of the amended application.
B11	October 9, 2014	Mr. Snieckus' 10/1/14 report of the amended application/subdivision.
B12	October 9, 2014	Mr. Snieckus' 10/1/14 report of the amended application/soil movement.
B13	October 9, 2014	Shade Tree Commission report of amended application/ date of report is 10/8/14

Mr. Whitaker/Mr. Inglima/Mr. Cucchiara:

Revised plans submitted; 13 pages in total; Mr. Whitaker discussed in detail; Mr. Inglima wanted it clear for the record previous set of plans have been formally withdrawn; Mr. Whitaker used the term “revised” not “withdrawal”; Mr. Cucchiara stated exhibits have been marked A1-A5 which were various forms of the plans; asked if they are not to be considered and the new plans are to be considered; albeit part of them still have the same configuration as has been indicated; Mr. Whitaker stated they have to remain part of the record; look at the metamorphosis from one to the other; seeking approval of the plans dated 9/3/14 with the caveat that if the Board feels there is a better design of one aspect on the prior plan the Board should let the applicant know; page 7 added; copying error; Mr. Inglima asked, for procedure purposes, if the witness who is testifying first is going to describe plans that he or his firm have prepared and if there is any information contained on those plans that was obtained from others, it would help speed up cross examination.

Mr. Whitaker /Mr. Palus: Mr. Palus has had no change to his licensing since his last testimony; Mr. Whitaker and Mr. Palus discussed the revised plans in detail; discussed sidewalks, Belgian block curbing, landscaping along Hollywood Avenue; water main revision, reduction of disturbance, existing right of way line shown from Hollywood Avenue, drainage sheds, seepage pits, trench connected to seepage pits, drainage calculations, impervious coverage, Board accepted Mr. Hals’ recommendations, retaining walls on lot 5 have been eliminated, no access to Hollywood Avenue from the lots without Planning Board approval.

Mr. Hals: Issues in Mr. Hals’ report have been addressed; still a waiver because of sidewalks on cul-de-sac per RSIS; new cul-de-sac would need a waiver; lots still same configuration as previously proposed; widening of Van Dyke discussed; sanitary sewer design has to be redesigned; technical item of conflict of sanitary sewer; required to show adequate fire protection; storm drain system characterized; agrees with what the applicant is proposing; redesigned underground detention system; minor items to be added to plans: seepage pits, trench drains, show connecting pipes; only one storm inlet on east side of WSRR; by constructing road/houses, reducing run off to low point; substantially reducing ponding; proposing an inlet on WSRR; reduction of water in that area; discharge at that point; should be an agreement with the Borough and the property owner; not maintained on property now; wont want to maintain in future; sole responsibility of property owner on lot 5 and the Borough would have the right to discharge; soil movement quantities discussed; details added for scour; drainage area maps; calculations

show both previous and new; should only show new; outside permit requirements at this point.

Mr. Palus/Board Members/Mr. Hals: Removing of retaining wall on WSRR discussed; located entirely on Borough property; graded slope is an improvement; smaller wall proposed along the east side of the building on lot 5; dimensions of wall discussed; elevation discussed; trees proposed; soil movement calculations include construction of each home, foundations, seepage pits, everything; difference between net vs. prior system on site in regards to soil movement calculations; taking advantage of the natural permeability of the soil; multiple soil tests taken on property; well above average permeability; not much disturbance behind lot 7 and 6; relatively minor grade changes; curbing discussed; RSIS curbing requirements discussed; drainage pipe on lot 5 discussed; drainage system of cul-de-sac is completely separate; each proposed home to have 2 seepage pits of 1,000 gallons each; oversized the design; view from Mr. Dabbagh property discussed; lot 5 owner responsible for accepting stormwater from the street; possible option to install an inlet and tie into existing system; water being put back from where it is coming from at this time; damaged pipe explained; trees and berm discussed; **Mr. Whitaker:** read ordinance literally; did not want to seek waiver; berm can be done.

Mr. Palus/Board Members/Mr. Whitaker: loop system preferred by Water Department; hard water; easier to maintain and properly service homes; Mr. Hals understands the Fire Department/Water Department concerns; RSIS designates how to construct water main; RSIS clearly allows for a short section of the line to be a dead end line; no negligible benefit of loop system; Mr. Hals differs in opinion with the Water Department; view when driving west on Hollywood Avenue discussed; trees responsibility of individual homeowners; sidewalks/curbing discussed; no formal drainage system in Van Dyke right of way at this time; nothing to connect inlet to; applicant will do what the Board wishes; scour hold discussed; new structure proposed in the cul-de-sac right of way is completely underground; end structure shown on improvements; will be able to go into the manhole; will be in the Borough right of way and will be the Borough's responsibility; brief discussion had regarding possible storm drains located at Van Dyke and Hollywood; Mr. Whitaker stated there was no change that the applicant would work with the Borough to speak with the County to make the interchange safer off of Route 17.

**A 10 minute recess was taken at this time: 9:40PM
Meeting called to order: 9:50PM**

Roll Call: Messrs. Berardo, Corrison (absent), Pierson, Reade, Cirulli, Newman, Iannelli, Councilman Rorty, Chairman Hanlon, Mayor Randall

Mr. Snieckus/Mr. Palus: spoke regarding a memorandum dated 10/1/14; typo on page 3 of 13; setback of lot 5; scaling dimension; limit of disturbance and inconsistencies between two of the drawings; both drawings will be brought together; tree removal discussed; details of sequence of construction requested; two distinct phases of the project; spoke regarding page 6, item 11b; shade tree planting easements to be 10 ft. discussed; Mr. Palus believes it will be an awkward appearance; further discussion continued; Mr. Snieckus is in support of a berm.

Mr. Inglima/Mr. Palus/Mr. Whitaker: discussed the widening of Van Dyke per the Borough Engineer's proposal; distance from center line of Hollywood Avenue to the north boundary of the site along the rear line of proposed lot 11, 10, 9 and 1; consistent distance; determined by surveyor; taken from the DAB survey; Mr. Palus did not have a copy of the DAB survey with him; revised through July 30, 2014; same survey with additional information; subdivision done and signed and sealed by the surveyor; Board Secretary confirmed the survey had not been filed with the Board; Mr. Inglima asked that the updated survey be submitted; Mr. Palus stated it will be submitted; obtained from the updated survey the center line of Hollywood Avenue and some of the existing drainage improvements along Brandywine Road and the intersection of Brandywine and WSRR; Mr. Palus did not know if the surveyor obtained any information regarding the location of monuments or other structures along the right of way lines of Brandywine, Van Dyke, Hollywood and WSRR; center line of Hollywood Avenue and drainage improvements shown on the revised plans; no monuments shown; Mr. Inglima stated Mr. Hals had noted defects in the 9/3/14 plan; Mr. Whitaker objected to the use of the word "defects"; did not see the word "defect" used in Mr. Hals' report marked B10; Mr. Inglima continued and used the word "errors"; Mr. Palus stated there were minor technical issues addressed; road profile discussed; water main to be shown; storm capture system done by Boswell Engineering; Mr. Palus described what a storm capture chamber was; oldcastle precast system depicted; stations at different intervals; road cross sections are intended to provide soil movement calculations; cut fills for the installation of the road; some utilities are shown for graphical illustration purposes as well; basically a road grading plan; based calculation of soil movement activities for the road portion; drainage structure is intended for the grading of the road; not intended to be design elements of the water system; sanitary and water lines shown; excavation will be done to install the oldcastle precast system; system is roughly 65 ft; will excavate approximately 7 ft.; 2 ft. of cover over system at a minimum; thickness of road shown; Mr. Palus did

not design the structure; only involved in the placement; Mr. Inglima asked if any specs or details of the installation of the structure had been submitted to the Board; Mr. Whitaker objected; Mr. Whitaker stated the actual installation requirements would fall within the parameters of the Construction Code Official and Engineer if an approval is granted; beyond what a Planning Board is looking at as far as the construction detail; Mr. Inglima asked for latitude as is necessary for the Board to make an informed decision with respect to the proposed structural stormwater retention facility; device is not in common usage in the Borough; discussion continued regarding catch basins; catch basins ensure all water coming down WSRR; widening of WSRR; not reconstructing WSRR; proposing additional inlet to catch as much water as possible; third catch basin discussed; Mr. Inglima asked if Mr. Palus took any issues with Mr. Hals' conclusions of the system; Mr. Whitaker objected; he stated he set the parameters of what his direct testimony would be on each aspect of this application; Mr. Pazwash was at the meeting earlier, due to the timing, he was released and will be back at the next meeting to testify; water accumulates around crown, along new curb line; water will more or less go through the scour hold; small area; flair not necessary; discharge to stone; hole excavated in the ground; existing low area of property; significantly less water to spot than there is today; Mr. Palus has done calculations to document that the water coming out of the pipe coming off of WSRR will be substantially less than the water that flows to the scour hold location based on today's conditions; Mr. Inglima asked if Mr. Palus had calculated the area of the site that is currently crossed by water running from WSRR in the direction of the scour hold; Mr. Palus stated that calculation was not done; stated it was not done because it is not just the water from WSRR that comes to the area of the scour hold, it is also 2/3 of the site that goes to that location; useless piece of information; conclusions based on the existing conditions of run off near the scour hold based on calculations and personal observations; no standing water in the area of the scour hold; Mr. Palus has been present when there has been rain; below grade structure discussed; distance from the scour hold to the nearest property line is 15 ft.; retaining wall discussed; wall is at the property line; grade about 104.5; grading discussed; fencing barrier by sidewalk not needed due to slope; considered a safe slope; soil log tests discussed; Mr. Palus was present when the test hole work was done but did not do the actual excavations; tests done on July 14, 2014; two holes shown by proposed lot 4; measured down from the existing grade; the Board and engineer will be provided with the location of the test holes; model of system changed after plans were submitted; center line of Hollywood Avenue along entire north boundary of site; confident represents true distance; Mr. Inglima asked if the area of proposed lot 1 that is north of the line was deducted from lot 1, would lot 1 be less than 12,000 sq. ft.; Mr. Palus did not know; Mr. Whitaker objected; the

applicant is not proposing to make the lot smaller; irrelevant; proposing substantial conifer trees; safer to move sidewalks back; trees provide a buffer; Mr. Whitaker stated Mr. Pazwash will be available for the next meeting; Mr. Inglima reserved the right to ask additional questions.

Chairman Hanlon stated the next meeting will take place on October 23, 2014 at 7:30PM; the public can ask questions at that time; brief discussion regarding the next meeting took place at this time; Mr. Whitaker stated the applicant was not going past October 31, 2014.

Motion to Adjourn: Councilman Rorty, Cirulli

Ayes: Berardo, Pierson, Reade, Cirulli, Newman, Iannelli, Councilman Rorty, Chairman Hanlon, Mayor Randall

Meeting adjourned at 11:00PM.

Respectfully submitted by:
JoAnn Carroll
Planning Board Secretary
December 18, 2014