

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
May 8, 2014
Regular Meeting/Public Session**

Meeting Called to Order at: 7:30PM

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

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

Also in Attendance: Mr. Gary Cucchiara, Board Attorney; Mr. David Hals, Borough/ Board Engineer; Mr. Ed Snieckus, Borough Planner; Ms. JoAnn Carroll, Board Secretary.

New Business

Mr. Timothy Santo, 217 First Street, 1st Floor, Block 1016, Lot 5: new business application/chiropractic office.

Chairman Hanlon: asked Mr. Santo to come forward.

Mr. Santos: stated he is a chiropractor and has been in practice for 29 years; from 1985 until 2002 he was located in Upper Saddle River; 2002-present was located in Ridgewood; looking to come to Ho-Ho-Kus; his building is being renovated so all the leases are being bought out of the building; looks like a wonderful town to come to.

Chairman Hanlon: stated the address is on First Street; plenty of parking available; a letter from the landlord has been received; asked if Mr. Santos was the only person to be on site.

Mr. Santos: stated he will be the only person on site.

Chairman Hanlon: stated his clients will have plenty of room to park; asked if there were any questions from the Board.

Motion to Approve application: Pierson, Berardo

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

Chairman Hanlon: stated an approval letter was sent to DB Heating and Cooling; the matter is now complete.

Approval of Minutes with Corrections: Rorty, Cirulli

April 7, 2014

All Board members present approve 4/7/14 minutes with corrections.

Chairman Hanlon: instructed the Board Secretary to post the minutes on the website the following day.

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; completeness review.

Chairman Hanlon: asked the Board to open up their plans at this time; discussed evacuation procedures in case of an emergency; named the Borough's employees and volunteers who were on hand this evening to help in that event; stated the Planning Board has a very strict set of guidelines which they work with through the courts and the State; the Planning Board members are made up of residents with the exception of Mr. David Hals who is the Borough Engineer, Mr. Ed Snieckus who is the Borough Planner; neither of which vote on the Board; the Borough Administrator, Mr. Don Cirulli, is on the Board and does vote; the rest of the members are fully employed; not retired and donate their time; the Board normally meets on the second and third Thursday of the month; the Board tries to protect the Borough the residents and Board; reviewed the meeting process for the audience; all cell phones should be shut off; no video recording devices or recording devices are allowed; there is one stenographer taking notes and the Board Secretary makes an audio tape of the meeting as well as types minutes for the meeting; the Bergen County Bar Association states the Board can ask the audience to shut off all devices; this is a public meeting; meeting will end at 11PM tonight; will not go beyond this time regardless of where the testimony is at the time; all discussions take place in front of the microphone to keep a legal record of the proceedings; if someone is not able to approach the dais, arrangements will be made to have the microphone brought to their seat; 200' list residents are given first priority to speak; residents need to be truthful in their testimony; they will be sworn in; perjury if false information is given to the Board; there are special guidelines and rules that are followed by the Board; explained voting procedure and resolution; stated the applicant's expert has been sworn in and is still under oath.

Chairman Hanlon: stated there were Board members who were absent from last month's meeting; Mr. Pierson, Mr. Newman, Mayor Randall, Mr. Berardo; asked each member if they had reviewed the application and if they had listened to the audio tape of the meeting; each absent member confirmed they had reviewed the application and had listened to the audio tape of the April 10,

2014 meeting; certifications have been signed by both the absent members and the Board attorney.

Mr. Berardo, Mr. Pierson, Mr. Newman, Mayor Randall: each indicated they had toured the site.

Chairman Hanlon: asked the Board members to share what they saw at the appropriate time during the meeting.

Mr. Berardo, Mr. Pierson, Mr. Newman, Mayor Randall: each indicated they did not have a conflict with regards to this application.

Chairman Hanlon: stated the meeting last month ended with the applicant's attorney asking his engineer additional questions; the engineer had not received the Shade Tree Commission report, the Fire Department report or the Water Service report.

Mr. Bruce Whitaker, McDonnell Whitaker, applicant's attorney: stated he received additional reports the day prior and this day; they will need an opportunity to review with their professionals; will be able to supply a written response to all the reports that have come in; if any Board members have any questions for Mr. Palus they can be asked this evening; public would then ask questions.

***Please Note: Mr. Iannelli has arrived at this point of the meeting: 7:45PM.**

Mr. Mark Palus, MAP Engineering, is still under oath.

Chairman Hanlon: stated Mr. Palus had mentioned something about environmental; the main residence on the subject property seemed to have been built around 1920; could have had coal and switched to oil; has it been determined if there are oil tanks on the property.

Mr. Palus: stated as their scope of work, they did not do a subsurface environmental investigation.

Chairman Hanlon: asked if oil tanks will be checked.

Mr. Palus: stated if there were underground tanks they would have to be decommissioned following DEP standards.

Mr. Whitaker: stated appropriate documentation will be supplied to the Board regarding this issue; this is beyond the scope of Mr. Palus' involvement.

Chairman Hanlon: stated there is a second residence on the property which he is also concerned about having an oil tank.

Mr. Whitaker: stated this issue is beyond what their professional was engaged to do; but this will be responded to.

Chairman Hanlon: asked about the process of taking down the buildings on the property.

Mr. Palus: stated the removal of all the structures on the property is part of the application.

Chairman Hanlon: stated that asbestos must have been a part of the original home because of the age of the home.

Mr. Whitaker: stated this is beyond the expertise of this professional; any plans submitted that shows demolition, it is understood that before anything can be demolished, appropriate permits have to be issued by the construction department and any issues, including asbestos, will be dealt with; any approval granted by this Board must comply with the town's ordinances.

Mr. Iannelli: asked if the Fire Department's requirements for fire hydrants were addressed.

Mr. Whitaker: stated, that before Mr. Iannelli had arrived, Mr. Whitaker had stated that he had just recently received the Fire Department report along with other reports and each report will be responded to cumulatively in the form of a letter back to the Board and to all those departments.

Mr. Pierson: no questions at this time.

Councilman Rorty: asked about the houses whose back ends will be up against Hollywood Avenue; Lots 1, 9, 10 and 11; concerned about them being unsightly; wondering if there are any plans to alleviate the unsightliness of the backs of these houses.

Mr. Whitaker: stated that at the last meeting it was testified to installing landscaping; there have been additional comments made in regards to the Burgis report; large delineation of what they are suggesting; received this report this week; will review and respond in a positive manner to solve that issue.

Mayor Randall: stated he did hear testimony when he listened to the audio regarding the bulk requirements of the proposed homes; for context, was there an opportunity to compare the homes that are proposed and the lot sizes to the homes that are surrounding the property.

Mr. Palus: stated the lots and homes that are proposed are consistent with the surrounding homes; some surrounding homes are smaller than what they are proposing; homes shown are conceptual in nature; will meet requirements; consistent with zoning ordinances.

Mr. Cirulli: no questions at this time.

Mr. Newman: no questions at this time.

Mr. Berardo: no questions at this time.

Mr. Reade: stated he wanted to know more about the underground detention system.

Mr. Palus: stated, if you were to look at the property, it is divided; southeast corner is the lowest part of the property; this is where the water currently drains to; that is where the retention will be elevated; the elevation will be raised to provide complete enclosure of the system by the surrounding soil; completely underground system; concealed in the ground; only exposures would be a couple of manholes and grates for access purposes.

Mr. Reade: asked about the stone wall.

Mr. Palus: stated the wall will be a tiered wall; two tiers; one is 3 ft. and the other one is also 3 ft.; landscaping between them; permitted by Borough Ordinance.

Mr. Reade: asked if the detention system will mainly collect water off of the hard surfaces.

Mr. Palus: stated it will be the driveways of the roads that front on the cul-de-sac; the roadway cul-de-sac itself; fairly significant portion of the yard areas of the homes; will not include the roof areas as well as the west side, Van Dyke side, both the roofs and driveways collected in that area will be collected and recharged in the seepage pits.

Chairman Hanlon: stated there was a previous discussion regarding street lights, although it was not part of the presentation; counsel agreed there would be arrangements regarding street lights if the application is approved.

Mr. Whitaker: stated arrangements to review the plan with the Police Department with the purpose of getting their input from where they believe, from a safety aspect, they should be placed; Mr. Hals provided comments on where he thought they should be placed; the applicant will provide those

comments to the Police official that is in charge of making this determination and hopefully get a report from them.

Chairman Hanlon: asked the engineer if he had a general idea of the seepage tank size of the proposed homes.

Mr. Palus: stated each of the homes are currently proposed at 2-1,000 gallon seepage pits; did some initial calculations that the homes on Van Dyke require 2 pits; the calculations for the proposed road require 1 pit; but to be consistent they are also proposing 2 pits there as well.

Chairman Hanlon: stated on Van Dyke, he personally noticed the water running down the street in front of the proposed lots; then the water goes further down the roadway; looking at the eastern side of the roadway, the road is being eaten away because of run off; his suggestion is the homeowners should not be the ones collecting the street water; it should go into at least two storm drains on Van Dyke, through proposed easement, then onto the proposed street.

Mr. Palus: stated the problem with this suggestion is the elevation; can't get the water back up the hill and over to the detention system he is proposing; did provide drainage calculations; there will be a reduction of run off from the west side because of the proposed improvements; less run off than there is currently today on the site.

Chairman Hanlon: stated this was not the case based on what he had observed; would like a discussion between Mr. Palus and Mr. Hals; the stormwater issue needs to be addressed.

Mr. Whitaker: stated this will be done.

Chairman Hanlon: asked a hypothetical question; if he were in the backyard of Block 802, Lot 8, looking northward toward the new proposed construction and detention system, what would he be looking at.

Mr. Palus: stated the entire drainage detention system will be concealed underground so it will not be seen; will see the rear of proposed Lot 1 which will, as part of the regrading, have a series of 2 three foot walls spaced 6 ft. apart to provide adequate landscaping between them.

Chairman Hanlon: speaking regarding the residents on Brandywine, Lots 8 and 9; looking out from their backyard, how far away will the 3 ft. wall be from the backyard porch.

Mr. Palus: stated from the property line the first wall would be located 5 feet from the rear property line; which is permissible by ordinance.

Chairman Hanlon: asked if the only height would be a three foot wall.

Mr. Palus: stated there would be a three foot wall, a space in between, then another three foot wall.

Chairman Hanlon: stated there would be two 3 foot walls spaced apart.

Mayor Randall: asked how big the space in between the walls would be.

Mr. Palus: stated 6 ft.

Chairman Hanlon: asked who owns the property at this time.

Mr. Palus: stated, whoever purchases Lot 5.

Chairman Hanlon: asked if that person would be responsible for maintaining the landscaping and the retaining walls.

Mr. Whitaker: stated all are conforming by the Borough's ordinances.

Chairman Hanlon: stated he is trying to make sure the person who moves into the new lot maintains the property.

Mr. Whitaker: stated, like any other resident moving into Ho-Ho-Kus, they are required to do things; nothing in the ordinance for any homeowner in town in maintaining lawns, etc. unless they are violating a maintenance code.

Chairman Hanlon: asked if there were any suggestions on the plantings.

Mr. Palus: stated there is no detailed planting plan.

Chairman Hanlon: asked what would be on top of the second wall.

Mr. Palus: stated there would be appropriate ground cover.

Chairman Hanlon: asked if the access to the detention system is on top.

Mr. Palus: stated that statement was correct.

Chairman Hanlon: asked if the Borough would be responsible for maintaining the detention system.

Mr. Palus: stated, ultimately, yes.

Chairman Hanlon: asked if the detention system would be on private property.

Mr. Palus: stated there is a proposed easement; one of the concrete structures will be at the intersection of the cul-de-sac with WSRR; in the right of way; right behind the curb line; other end of the structure which is to the south, actually has one of its ends in the WSRR right of way along with the proposed water cleaning structure; done to facilitate maintenance by the Borough and DPW.

Chairman Hanlon: stated there was an agreement that there would be deed restrictions on the properties that have their back ends on Hollywood Avenue.

Mr. Whitaker: stated those restrictions are already shown on the map.

Chairman Hanlon: asked if the new road going north towards Hollywood would have a curb and a sidewalk.

Mr. Palus: stated the road would be widened to create 15 ft. from the center line of the road; there will be a sidewalk there but there is no proposed curbing at that point.

Mr. Hals: corrected the statement that there will be a deed restriction; there is a note on the plans that there will be restrictions; it is not a deed restriction.

Mr. Whitaker: stated he doesn't have the deed restriction yet because obviously there are no deeds for properties.

Chairman Hanlon: asked how many storm drains are proposed on the new road.

Mr. Palus: stated there are 2 on each side; right where the road will meet WSRR.

Chairman Hanlon: asked what type of storm they are designed for.

Mr. Palus: stated the drainage calculations state a 100 year storm.

Chairman Hanlon: asked specifically regarding the actual unit in the street.

Mr. Palus: stated a 100 year storm.

Chairman Hanlon: stated storm drains are being covered by a State mandate to reduce debris going down to the rivers; the water for a 100 year storm will enter these units without the problem that has incurred with the older ones.

Mr. Palus: stated the proposed inlets will accommodate a 100 year storm.

Mr. Hals sworn in by the Court Reporter.

Mr. Hals: stated the storm drainage system in the street does not have to be designed for a 100 year storm; the storm drainage system in the street is only designed for a maximum of a 25 year storm; actually the regulations only say it has to be designed for a 10 year storm; the applicant has designed it for a 25 year storm; then the drainage system is designed for a 100 year storm; doesn't believe the drainage calculations talked about the road system for a 100 year storm.

Mr. Palus: stated the capacity inlets will be for a 100 year storm; from a drainage standpoint, this is not a large volume of water being collected.

Chairman Hanlon: stated Mr. Palus needs to understand that the Borough has a history of water problems.

Mr. Palus: stated he understood that and that the system has been designed to exceed the RSIS.

Chairman Hanlon: asked if there was a possibility there could be 2 inlets on each side.

Mr. Palus: stated the inlets can handle a 100 year storm; there are 3 inlets altogether.

Councilman Rorty: referred to page 4 of 11 on the plans; the double wall closest to the neighbor's property line; stated proposed 5 ft. wide by 3 ft. deep stone trench.

Mr. Palus: stated this is between the lower wall and the property line; Lots 8 and 9 are pitched towards their property; some surface water in the area; collect water and recharge into the ground; it will go into the ground where it is located.

Chairman Hanlon: explained, for the public's information, the definition of detention tanks.

Mr. Palus: stated there will be two 1,000 gallon seepage pits; for clarification purposes, each one of these pits has a volume of 1,000 gallons; there are 2,000 gallons of storage within the pits underneath the ground; still putting stone underneath the pits and around the pits as well; there is additional volume of storage provided within those stones; final area of storage in two 1,000 gallon pits is going to be in the neighborhood of almost 6,000 gallons.

Councilman Rorty: asked how long it would take to drain off a seepage pit.

Mr. Palus: stated it would be a factor of the soil and how full the pit is.

Councilman Rorty: asked if there could be more perforations made in the side of the pits.

Mr. Palus: stated there are enough that the water will have no problem going through the sides; industry standards; nothing new invented for this application.

Chairman Hanlon: stated that Mr. Palus stated in his testimony, there are some homes in the area that have been upgraded; all that water is now being collected in seepage pits; some neighbors have leaders going to daylight.

Mr. Palus: stated each of the 11 homes will utilize the technology the way it is supposed to be.

Chairman Hanlon: asked for an explanation of “daylight.”

Mr. Palus: gave his explanation.

Chairman Hanlon: asked where he gets his direction from in regards to the water being placed in the particular units.

Mr. Palus: stated the drainage calculations are based on the roof areas of the homes; once specific plot plans are done, for each individual property, the calculations would be repeated; if a third pit is required it would be provided; based on the zone and the allowable building coverage, it is unlikely that you could build a house big enough that would require three seepage pits.

Chairman Hanlon: asked if RSIS give guidance.

Mr. Palus: stated the NJRSIS supersedes all municipality ordinances; industry standard; that is where the guidance is coming from and what the calculations are based off of.

Chairman Hanlon; stated he is familiar with the law that was put in place at the end of 1997; people were upset when it came about; some good basics for this type of design; what to do for streets, water, etc.; asked Mr. Hals to explain about the RSIS that the Borough is required by law to follow.

Mr. Hals: explained the RSIS guidelines and standards; lot sizes are not handled by the RSIS; handled by the Borough; standards have nothing to do with size, location of the homes; that is handled by the local ordinance; RSIS does not dictate driveways.

Mr. Palus: agreed with Mr. Hals' explanation of the RSIS as they relate to governing in the State of New Jersey.

Chairman Hanlon: addressed Mr. Whitaker stating he knew Mr. Whitaker did not have enough time to review all the last minute reports he received.

Mr. Whitaker: stated he had enough time to review them but not respond.

Chairman Hanlon: asked, because of this fact, if Mr. Snieckus should be interviewed at this time.

Mr. Whitaker: stated this would be wise from a time perspective.

Mr. Cucchiara: asked if any reports have already been marked; asked if any of the Board's consultants had been introduced to the Board.

The following exhibits were marked:

Exhibit #	Date Marked	Description
B1	May 8, 2014	HHK Water Dept. report dated 4/23/14
B2	May 8, 2014	HHK Shade Tree Commission two page report dated 3/18/14
B3	May 8, 2014	HHK PD two page report dated 4/8/14
B4	May 8, 2014	HHK FD report dated 5/6/14
B5	May 8, 2014	Bugis report dated 3/12/14
B6	May 8, 2014	Revised Burgis report dated 5/6/14
B7	May 8, 2014	Mr. Hals report dated 2/12/14
B8	May 8, 2014	Mr. Hals supplemental letter dated 2/20/14
B9	May 8, 2014	Mr. Hals letter dated 3/13/14

Chairman Hanlon: stated he had one last question regarding the County road; stated there was a discussion with the Board already; asked for an overview on Hollywood Avenue; sidewalk to be repaired or replaced; curbing to be addressed.

Mr. Palus: stated there were two comments in the letter received by the County: the applicant is working with them at this time; it is acknowledged that Bergen County is one of the approval agencies they have to go through; Hollywood is a County road.

Mr. Whitaker: stated the Board has received a report dated February 19, 2014.

Chairman Hanlon: stated the County usually wants more land.

Mr. Whitaker: stated a right of way is to be established 35 ft. from the center line of Hollywood Avenue.

Mr. Hals: stated the County is looking for 12 ft. from the applicant.

Exhibit C1: Bergen County Planning Board Letter dated 2/19/14 signed by Eric Timsak.

Chairman Hanlon: stated he realizes this is an unusual intersection; if application approved, need to protect the future owners of the property; if the County wants to do something, the future owners would have to be compensated; not giving land away.

Mr. Ed Snieckus sworn in by the Court Reporter.

Mr. Snieckus: stated, in regards to the County letter, it is stated that it wants the sidewalk moved in from the curb line closer to the existing trees on the site; double frontage issue; might be something the Board wants to discuss or consider, to have that sidewalk moved in.

Chairman Hanlon: stated the engineering people should get together to see if this is a fit for this intersection; still need a proper sidewalk and curbing.

Mr. Snieckus: stated he would be a part of that discussion.

Chairman Hanlon: stated, for the record, that Mr. Snieckus is working with the County to try to come up with a road plan which was promised some time ago; working on this particular intersection first.

Mr. Snieckus: stated he has not received anything back from the County.

Mr. Reade: asked if the County would be responsible for the modification on Hollywood Avenue.

Mr. Palus: answered, yes; anything within the right-of-way of Hollywood Avenue is the County's jurisdiction; there can be some input from Borough officials' as well as the applicant but ultimately that is the County's jurisdiction.

Mr. Reade: asked about the sidewalk portion of WSRR.

Mr. Palus: stated this is the Borough's right-of-way.

Mr. Reade: asked if any thought was given to extending the curbing.

Mr. Palus: stated it is not part of this application; not up to WSRR.

Mr. Reade: asked if that was appropriate.

Mr. Palus: stated that additional curbing changes the aesthetics; if the Borough Engineer felt strongly about it, it could be discussed; not being suggested at this point; sidewalk shown on plans.

Councilman Rorty: asked if there is any other more durable material that is available for the retaining system than what is being proposed.

Mr. Palus: stated the material proposed is very durable.

Councilman Rorty: asked if it was at the high end of durable materials that could be used.

Mr. Palus: stated it is very close to the top of the durability chart; this type of pipe is used because of its durability and the ease of installation; large pipes.

Councilman Rorty: asked if the thickness would be $\frac{1}{4}$ of an inch.

Mr. Palus: stated it depends on the width of the pipe; believes it will be about 2-3 inches thick for a pipe this size; smooth walled inside; exterior will have ridges and valleys.

No additional questions from the Board at this time.

Mr. Inglima: asked if the Board was opening up the witness to questions from anyone in attendance; stated he received a couple of emails over the past 24 hours from Mr. Whitaker; not sure if they were also received by the Board; identified a number of items that are missing from the Board's files; items needed for this application; drainage design; soil movement application; regarding property for new street; the Board should have as much information as possible; the Municipal Engineer and Planner have enough information; yesterday documents were received from Mr. Whitaker; listed the information received from Mr. Whitaker.

Mr. Whitaker: stated when Mr. Inglima was done he would address his concerns.

Mr. Inglima: stated he has received nothing from Mr. Palus other than two reports that were previously supplied; not sure how productive he can be with the absence of these items; can give it a go; discussed communications with Mr. Whitaker; will have additional questions based on the receipt of information; engaged Mr. Clay Emerson of Princeton Hydro; Mr. Emerson will be appearing at a subsequent date.

Mr. Whitaker: stated, to be clear, the information submitted to the Board was sufficient for the Board to deem the application complete; the professionals

have received enough information for them to render reports; Mr. Inglima is requesting copies of all the data and information he collected to prepare the reports that were submitted; in his letter he states he will seek a subpoena from this Board to receive them; inhibiting the process of this application; wants to move forward; could have written a letter objecting, but there is nothing to hide; what is provided in his file is the title search documents; all public record; copied Mr. Cucchiara on the cover letter; another request is the data that their engineer had in creating the drainage report and map; was supplied; putting together a PDF to give to Mr. Inglima; Mr. Whitaker was prepared to give him this information this evening before the meeting but Mr. Inglima arrived late.

Chairman Hanlon: confirmed that Mr. Whitaker arrived early for the meeting.

Mr. Whitaker personally handed the material to Mr. Inglima.

Mr. Whitaker: stated there was a third request which will not be provided which is data information from the property owners (they are the contract purchasers) or any other information they have pertaining to the property data-wise; not privy to it; not relevant because it has nothing to do with their application and the information supplied to Mr. Inglima is the basis and the foundation of the reports that have been prepared; if Mr. Inglima states that he needs more time to ask questions because he wants to review this data, then expeditiously and time manner-wise, it doesn't have to be presumed that Mr. Inglima has to go first; time productive to have everyone else ask their questions tonight, then if Mr. Inglima has time, he can ask his questions at the end of the evening or give him May 15th to begin; by then he will have the ability to go through the PDF that he was handed this evening; not supplying the information to the Board because he is supplying to Mr. Inglima due to his request; from his perspective, it is not yet evidentiary or identifiable; not submitting it to the Board as an exhibit because he does not need to; providing to Mr. Inglima because he wanted to review it; does not want to stall him with his cross examination.

The Board was in agreement with having everyone else ask questions and then Mr. Inglima can conduct his cross examination at the next meeting.

Mr. Inglima: stated he had no objections to this suggestion.

Chairman Hanlon: stated that on the 15th Mr. Inglima will be prepared to ask his questions; at the same time, Mr. Whitaker will have time to study the several reports he has received.

Chairman Hanlon: stated the residents within 200' of the proposed subdivision will ask questions first; they can ask questions of the engineer of what was presented this evening.

Ms. Victoria Petrock, 6 Cleverdon Road, Ho-Ho-Kus, NJ: asked questions in regards to the width of Van Dyke Drive; referred to plans and Block 801, Lot 4 on the map; traffic study; study during winter time; four extra driveways and space for parking.

Mr. Whitaker and Mr. Palus: stated this was referred to as a rural road; there is a rural lane specification in the RSIS; Mr. Palus has been to the site more than ten times; driven the loop; never had a problem coming the other way at the same time as another car; during a snow storm, if the road is not fully plowed, there is a potential inhibiting factor; what the applicant is proposing is a use permitted in this zone; additional four homes shown on Van Dyke were contemplated by the municipality when they set forth their Master Plan; the applicant is not doing anything out of the ordinary or above and beyond what the municipality deemed acceptable for this zone; the unusual nature is there is a right of way; pavement in the right of way; pavement on Van Dyke is actually more towards the east; widening would need to occur on the other side of Van Dyke.

Chairman Hanlon: stated he believes Ms. Petrock has a point, but it has to do more with the town than where she lives; the road has always been narrow; the DPW has had trouble on that narrow road this particular year; somewhat unique; if we are looking to change and/or widen the roads someone needs to take a look at it; the road will wind up in a resident's front door; happened with an application at 34 Cleverdon; subdivided into a new lot a few years ago; same subject as this time; widening road to about a 30 ft. road; area unique; better off talking to the Borough regarding street cleaning and snow removal.

Chairman Hanlon: stated the time limit for residents to speak is 5 minutes.

Ms. Sharon Gomez, 37 Van Dyke Drive, Ho-Ho-Kus, NJ: stated she lives across the street from the property; asked about run off and if it can't be measured now how does Mr. Palus know it will be under code when the houses have gone up; no place for the water to go with four more houses.

Mr. Palus: stated he testified to the existing condition; under the RSIS, there are certain thresholds for run off; the existing rate of run off; rate of run off from their property to Van Dyke will be less than what is there now; can't say it will solve all of Van Dyke's problems, but it will not be made worse and will actually make it better.

Chairman Hanlon: stated the applicant has agreed to speak with the Borough Engineer to come up with a solution for a drain or two on Van Dyke on the opposite side of the street where Ms. Gomez is located.

Mr. Palus: stated that at this time there are some structures on the applicant's property; portion of which drains toward Van Dyke; contributes to the run off that she is seeing; surfaces will be removed as part of this application; the water from the roofs and the driveways will not be on Van Dyke; it will be collected in underground seepage pits and put back into the ground; will be reducing overall run off from property to Van Dyke.

Ms. Alison White, 12 Van Dyke, Ho-Ho-Kus, NJ: spoke regarding the streetlights; street is deteriorating; asked if it will be re-done; asked if the dirt and top soil to be piled up during construction could be put somewhere else instead of right behind her home as is depicted on the plans.

Mr. Whitaker/Mr. Palus: stated they will work with the Police Department in regards to the placement of the street lights; procedures are governed by the County Soil Conservation District; will have to get approval from them; when topsoil is stockpiled it is surrounded by a filter fabric fence; in addition, the limit of disturbance for the project will also have a filter fabric fence; proposed location of the stockpile; may make sense to move it to another location; can certainly move it for her.

Mr. Whitaker: stated they will look at the stockpile location and comment.

Ms. Eileen LaForgia, 773 West Saddle River Road, Ho-Ho-Kus, NJ: asked what can be done with the manhole to the river pipe which is cracked.

Chairman Hanlon: stated this is not on a portion of the applicant's property.

Mr. Palus: stated he did remember meeting Ms. LaForgia on the site; spoke regarding the manhole to the river pipe; documenting that the pipe was in proper working condition; connection point for the system; make sure the pipes are adequate for capacity and condition; the pipe Ms. LaForgia is talking about becomes exposed as it goes down further towards the river; this pipe gets clogged up; that pipe is a Borough pipe; so ultimately the Borough would be responsible for it; storm water detention system discussed.

Chairman Hanlon: explained what stormwater detention systems are and what the applicant is proposing.

Mr. Palus: showed the detention system to the resident on the plans.

Chairman Hanlon: explained where the detention systems are located already in town.

Ms. Kim Mitchell, 934 Washington Avenue, Ho-Ho-Kus, NJ: asked how much less the storm chamber costs than concrete.

Mr. Palus: stated the poly plastic piping is more expensive.

Ms. Mitchell: asked what else is being done other than no sidewalks on Van Dyke to preserve the rural character of the area.

Mr. Palus: stated there is curbing and sidewalks going in; sidewalks along WSRR; existing curb and sidewalk on Hollywood; not widening Van Dyke; putting sidewalks on Van Dyke is essentially the same as widening Van Dyke; the properties are being developed within the confines of the municipal ordinance and the RSIS.

Ms. Mitchell: asked if another drain inlet could be installed.

Ms. Palus: stated the applicant and the engineer work with the Borough and their engineer regarding the drainage on Van Dyke; significant elevation; that is not in front of the subject property; RSIS standards.

Ms. Mitchell: asked if Ho-Ho-Kus standards are higher than RSIS standards, are the RSIS standards still uphold.

Mr. Whitaker: stated that is what the law requires which was explained by Mr. Hals.

Mr. Steven Shell, 885 Hollywood Avenue, Ho-Ho-Kus: stated he is a Council member but is here this evening as a private citizen; missed the meeting last month; asked if the lot lines on Van Dyke will change.

Mr. Palus: stated yes; it was pointed out on the plans by Mr. Palus; removing all four lot lines; reestablish the same four lots on Van Dyke but will be adding some more real estate to them to make them bigger; the existing four lots on Van Dyke do not meet the zoning ordinance requirements; will eliminate the lot lines, add some real estate and make them bigger so they conform to the R2 requirements.

Mr. Shell: asked if homes could be built on those lots as they are today.

Mr. Palus: stated they are existing lots; an application would have to be made to the municipality and the building department; there is certainly potential for development.

Mr. Shell: asked if by making the lots bigger, bigger houses will be built.

Mr. Palus: explained if the four lots were kept undersized, there would have been more real estate to utilize for the remainder of the parcel.

Mr. Shell: asked if another lot could have been added.

Mr. Palus: stated bigger homes can be built on bigger lots.

Mr. Shell: asked which part of WSRR is widened.

Mr. Palus: stated from Hollywood Avenue down to the southern corner of the applicant's property; not on east side of WSRR.

Mr. Shell: asked what type of restrictions were mentioned for the four lots on Hollywood Avenue.

Mr. Palus: stated there would be no driveway access to Hollywood Avenue; Lots 1, 8, 10, 11 would need approval by the Planning Board.

Mr. Shell: asked if there were any other restrictions.

Mr. Palus: stated even though the homes will not have driveways coming out to Hollywood Avenue, Hollywood Avenue would still have front yard set back requirements associated with it.

Chairman Hanlon: stated the applicant can not answer this question completely because he has a set of documents that he just received and he has not been able to review them yet.

Mr. Whitaker: stated he received the Borough Planner's report this week; will review and reply to it; Chairman Hanlon is correct; this is a question to hold until he sees that type of plan that they provide.

Mr. Jim Albes, 31 Valley Forge Way, Ho-Ho-Kus, NJ: stated he would like to see the calculations of the run off; what would be the size of the footprint for the roofing area on an average house.

Mr. Palus: stated the maximum house size has been capped by the lot coverage; 20% of the lot area; referred to plans; footprints of homes shown are basically 40 x 50.

Ms. Albes: asked how many cubic feet of water is coming down and going down the drain, not including the driveways, with 5 inches of water with 2000 square feet; asked about the soil.

Mr. Palus: stated all calculations have been submitted and reviewed; amount of inches of rain fall is not how it is calculated; methodology used is RSIS submitted to the Borough for review; storage for each home exceeds the rainfall over three ways of a 100 year storm; pits are oversized; soil is sandy in nature.

Chairman Hanlon: asked if Mr. Palus could provide the numbers at the next meeting.

Mr. Palus: stated, “yes.”

Please note: a 10 minute recess is taken at this time: 9:35PM

Meeting Called to Order: 9:45PM

Roll Call Taken:

Messrs. Berardo, Pierson, Reade, Cirulli, Newman, Councilman Rorty, Chairman Hanlon, Mayor Randall

Ms. Susan Curtis, 11 Van Dyke Drive, Ho-Ho-Kus, NJ: asked if this development is a sound plan.

Mr. Palus: stated the plan proposed is a sound plan; it is within the Borough’s ordinances; not overdeveloped per R2 zone requirements; as a planner, you look at the Master Plan and the Zoning Ordinances of the municipality that you are working in; within that municipality there will be different zones that the municipality has determined what the thresholds will be; objective of a planner is to work within those confines; the homes proposed are going to be consistent with the surrounding neighborhood.

Mr. Curtis: stated the Borough’s Master Plan states as one of its goals the preservation of the existing character of the neighborhood.

Mr. Whitaker: read aloud a portion of the Master Plan to which Ms. Curtis mentioned.

Mr. Palus: stated the application is in scale with the R2 zone requirements.

Chairman Hanlon: stated for the record that there are two residences located on the Costanza property, not one.

Mr. Stan Kober, 919 Washington Avenue, Ho-Ho-Kus, NJ: asked if there are bottoms in seepage pits.

Mr. Palus: stated that seepage pits are constructed without bottoms.

Mr. Kober: stated that water will go down further if there are no bottoms; asked if it holds the water and gradually moves it out.

Mr. Palus: stated the purpose is to take this water and put it back into the ground; no control in a seepage pit; not a detention system; the seepage pit is designed to recharge the water back into the ground; if the water comes in

faster than the ground can receive it, that is why the additional volume is available so it will fill up over a period of a very heavy or large storm event; as soon as the storm ends, it will dissipate itself back into the ground; that is the standard function of the seepage pit.

Mr. Kober: asked how high the retention system pipes on WSRR will be covered with dirt.

Mr. Palus: referred to plans; top of pipes at 110 elevation; above that will be about 1.5 ft. of dirt; it will be relatively flat across the top of the detention structure.

Mr. Kober: asked if the pipes would be visible.

Mr. Palus: stated they will not be visible; it will look like a lawn area; couple of manholes at end for maintenance repairs and/or inspection; the pipes will not be seen at all.

Mr. Kober: asked what would be on the cul-de-sac where there is no curbing.

Mr. Palus: stated there would be lawn area; a curb then a transition to lawn.

Mr. Kober: asked if people would have to walk in the street.

Mr. Palus: stated they could either walk in the street which is wider than it needs to be substantially or they can walk right along the edge of the curb.

Mr. Kober: asked if this was a safety issue.

Mr. Palus: stated not on a street with such a small amount of traffic.

Mr. Kober: asked about the tree report.

Chairman Hanlon: stated the tree report is on hold at this time; it was revised 2-3 days ago; asked for the question to be held until, hopefully, next week; attorney mentioned that he was not able to speak regarding this report because he had not received it yet.

Mr. John Esterbrook, 27 Sleepy Hollow Drive, Ho-Ho-Kus, NJ: asked if there were any storm drains on the SE corner of the property.

Mr. Palus: stated, "no."

Mr. Esterbrook: asked if there was any water directly leaking that collects there now to the storm drain system.

Mr. Palus: stated “no.”

Mr. Esterbrook: asked if the 4 inch pipe will be connected to the storm drain system.

Mr. Palus: stated “yes.”

Mr. Esterbrook: asked if that was new water that would be added to that system at that point.

Mr. Palus: stated it would be new water to the 18 inch pipe coming down WSRR.

Mr. Esterbrook: asked if the existing stormwater problems would be exacerbated.

Mr. Palus: stated studies have been done on the 18 inch pipe; he has analyzed the existing run off to that pipe; factored in the proposed connection as part of this development; the capacity is far exceeded even under the proposed conditions.

Mr. Esterbrook: asked if the pipe would be impacted by the storm system on Brandywine.

Mr. Palus: stated “no.”

Chairman Hanlon: stated there were no other questions from the audience; the public portion at this time is closed; asked Mr. Inglima if he would like to ask any questions.

Mr. Inglima: stated he hadn’t had a chance to look at the Boswell Engineering survey that forms the basis of the subdivision; would like to ask the witness regarding the base information used to create the plan.

Mr. Inglima: asked Mr. Palus if he was a surveyor.

Mr. Palus: responded that he is not a surveyor.

Mr. Inglima: asked who was the licensed surveyor that prepared the document that shows the metes, bounds, the property boundaries, location of improvements and all the other data upon which the subdivision was based upon.

Mr. Palus: stated the subdivision map was prepared by Douglas Smith, licensed surveyor.

Mr. Inglima: asked if the references that Mr. Smith used in the preparation of the plan are limited to the items described in the table labeled “references” on sheet 3 of 11.

Mr. Palus: stated “no.”

Mr. Inglima: asked what additional materials were used by Mr. Smith.

Mr. Palus: stated Mr. Smith would have to be asked that question.

Mr. Inglima: asked if Mr. Smith would be testifying.

Mr. Whitaker: stated absolutely.

Mr. Inglima: stated he would hold his questions with respect to the preparation of the subdivision plat; respectfully deferred the rest of his questions with respect to the information received this evening to a subsequent hearing.

Mr. Whitaker: stated the purpose of not having Mr. Smith be the first witness is that his experience in bringing a subdivision application forward is that questions to a surveyor first will result in traffic, drainage and everything else; thought it best to have the engineer testify first because there is more information he could supply than the surveyor himself.

Chairman Hanlon: stated this is pretty much normal protocol; engineer testifies first then other experts later on.

Mr. Inglima: asked if Mr. Smith would be testifying on the 15th.

Mr. Whitaker: stated yes if Mr. Inglima was done with his questions to Mr. Palus.

Mr. Inglima: stated he doesn’t know what the agenda for the 15th looks like; he has a number of questions for Mr. Palus; request the applicant submit the Boswell survey in advance of the hearing for it to be reviewed by the Board and the Board professionals; separate survey also be provided to the Board; issues raised with the property itself.

Chairman Hanlon: asked what the relevance of the Boswell drawing was.

Mr. Inglima: stated it was the base information used by Mr. Smith to create the survey for the applicant’s site.

Chairman Hanlon: asked if Mr. Inglima was going to wait until next week to finish his questions to Mr. Palus and then ask questions of Mr. Smith.

Mr. Inglima: stated, “yes.”

Mr. Whitaker: stated the information will be available but not provided; is expecting that Mr. Inglima’s questioning of Mr. Palus is going to take the better part of the meeting on the 15th.

Chairman Hanlon: stated they can also have a meeting on the 22nd.

Mr. Whitaker: asked Mr. Inglima how much time he anticipated needing for his questions to Mr. Palus on the 15th.

Mr. Inglima: stated he did not know at this time because he still has to review the information he received this evening.

Chairman Hanlon: stated the goal will be to finish with the engineer at the next meeting; Mr. Whitaker has some additional items he needs to review based on documents his office has received this week as well as Mr. Inglima; finish off with the engineer and get to Mr. Smith on the 22nd.

No further questions from the Board.

Mr. Whitaker: stated that it is understood now that after Mr. Inglima asks his questions of the engineer that all public questions of the witness are complete.

Chairman Hanlon: stated, “yes.”

Motion to Adjourn: Rorty, Berardo

All Board Members present approve Motion to Adjourn.

Meeting adjourned at 10:10PM

Respectfully submitted by:

JoAnn Carroll
Planning Board Secretary
May 22, 2014