

CITY OF ENGLEWOOD PLANNING BOARD

JANUARY 4, 2024--7:30 P.M.

REMOTE MEETING/ZOOM MEETING

MEETING MINUTES

Opening: Mayor Wildes called the meeting to order at 7:35pm; Mrs. Myers read the Open Public Meetings Statement followed by the Flag Salute

Roll Call:

Members Present: Mr. Anthony David, Mayor Wildes, Mr. Howard Shafer, Councilman Kevin Wilson, Ms. Diana Patino-Valle (arrived at 7:44pm), Mr. Ilan Lerman, Ms. Mercedes Cordon, Mr. Raphael Rosenblatt, Mr. Salvadore Almonte,

Members Absent: Ms. Emily Mann

Attorney Present: Douglas M. Bern, Esq.

Advisors Present: Robert Costa, P.E., P.P., C.M.E., John Szebo, P.P., AICP attending for Chelsea Gleis, P.P., AICP, Court Stenographer, Laura Carucci

Board Secretary: Paris Myers

RE-ORGANIZATION:

Mayor Wildes swore in the newly appointed Board Members:

Diana Patino-Valle	Class II City Official Board Member
Raphael Rosenblatt	Class IV Alternate Board Member
Allen George	Class IV Regular Board Member

Mr. Shafer nominated Anthony David for Chairman; Mr. Shafer Seconded the Nomination; Voice Vote: All in Favor

Mayor Wildes requested that Councilman Wilson participate in the January 4, 2024 meeting until the Council selects either him or another councilmember to sit on the Planning Board.

Chairman David nominated Howard Shafer for Vice-Chairman; Ms. Cordon Seconded the Nomination: Voice Vote: All in Favor.

Mr. Shafer felt that the Board needed to discuss these appointments prior to their reappointment. Mr. Shafer requested that the reappointment of the Board Engineer and Board Planner was tabled until a closed meeting can be scheduled prior to or at the January 25, 2024, meeting. The Board agreed to the request.

The Board approved the reappointment of Douglas M. Bern, Esq. of the firm Bern & Associates LLC as Board Attorney and Paris Myers as the Board Secretary: Motion: Ms. Diana Patino-Valle; Seconded by: Mr. Raphael Rosenblatt: Voice Vote: All in Favor

The Board approved the re-appointment of Laura Carucci as the court stenographer: Motion: Vice Chairman Shafer Seconded by: Mayor Wildes Roll Call Vote: All in Favor

The Planning Board meetings are governed by parliamentary procedure of Robert’s Rules of Order. Voice Vote: All in Favor

Rules, Regulations and Policies: That all rules, regulations, and policies adopted in previous years, and not rescinded by the City of Englewood and the Englewood Planning Board be continued in full force and effect until altered, amended, modified, or repealed by other resolutions of this Board, including board policy.

Voice Vote: All in Favor

Adoption of Amendment to By Law and Re-Adoption of By Laws of 2014 which remain unchanged. Voice Vote: All in Favor

Meeting Time and Location: The regular public meetings will be held virtually via Zoom until further notice on the first and fourth Thursday of the month (unless noted otherwise) starting at 7:30 pm and the adoption of 2024 Revised Meeting Dates:

January	4	25
February	1	22
March	7	28
April	4	25
May	2	23
June	13 (2nd Thursday)	27
July	11 (2nd Thursday)	25
August	1	22
September	5	26
October	10 (2nd Thursday)	31 (5th Thursday)
November	7	14 (2nd Thursday)
December	5	26
January 2025	9 (2nd Thursday)	23

Voice Vote: All in Favor

The official newspapers of the Planning Board are The Record and The Newark Star Ledger.
Voice Vote: All in Favor

REGULAR MEETING MINUTES:

Approve Meeting Minutes:

- o October 26, 2023
- o December 7, 2023
- o December 20, 2023 Special Meeting Minutes
- o December 20, 2023 Confidential Meeting Minutes

Motion: Vice Chairman Shafer Seconded by: Ms. Diana Patino-Valle

Yay: 9

Nay: 0

Abstain: Mr. Allen George (not a PB member at the time)

Absent: Ms. Mann

Motion to Adjourn Scheduled Cases and Procedures: None

Resolution(s) Approved:

- o File: 2023--12 Bandić Coffee LLC
Premises: 9-15 West Hudson Avenue | Block 705 Lot 7
Motion: Vice Chairman Shafer Seconded: Mr. Allen George
Yay: 7
No: 0
Abstain: Mayor Wildes, Mr. Lerman, Mr. George
Absent: Ms. Mann

Completeness Review:

- o File PB 2023-09 1-5 E Palisade Ave LLC
Premises: 3-5 E Palisade Avenue, Block 1206, Lot 15

The application was deemed complete and able to move forward by the Board Engineer and Planner.

HEARINGS:

File 2023-09 1-5 E Palisade Ave LLC
Premises: 3-5 E Palisade Avenue, Block 1206, Lot 15

- Applicant is seeking to renovate the existing one-story building on the northerly property line for use as permitted by the D(1)(B) Zone.

Matthew G. Capizzi appeared on behalf of his client, 1-5 E Palisade Ave LLC. Mr. Capizzi gave a brief overview of the application. His client proposes to renovate a 600 sq. ft. one-story building at the rear of the first building. He indicated that there are no variances required/requested for this application and no signs are being requested. His clients are proposing to renovate the interior and exterior of the building to be utilized by those businesses permitted in the Zone. Mr. Capizzi advised the Board that the Applicant proposes changes to the rear building, the front building will not be included in this project. The building footprint will not change. The Applicant is proposing renovations to the interior of the building as well as refurbishing the exterior with a concrete stucco finish with updated windows, doors, and lighting. Mr. Capizzi indicated that the existing dumpster will be enclosed for better aesthetics.

Mayor Wildes requested that this application be tabled until the next meeting when Ms. Mann is available, however, the Board concluded that the application could move forward as scheduled and if approved it could be subject to Ms. Mann's comments and review of the Resolution of Approval.

Mr. Capizzi, Esq., called his first witness, Chris Blake, Architect with offices located at 150 Engle Street, Englewood, New Jersey 07631. Mr. Blake was sworn in by the Board and qualified as an Architect. Mr. Blake has previously appeared before the Planning Board.

Mr. Blake shares his screen to show the drawings prepared by him dated October 4, 2023, and last revised January 2, 2024. Mr. Blake describes the site plan as a one (1) story building just east of State Street and Palisade Avenue. The building is an irregular shape with a brick exterior. The Applicant plans on renovating the exterior with a concrete stucco finish (leaving some bricks exposed) with updated windows, double doors and lighting.

Mr. Blake further testified that the interior floor plan of the building is one (1) large open space. The Applicant is proposing the installation of a bathroom (sink and toilet) and a "slop sink".

Mr. Blake advised the Board that the existing dumpster will be enclosed.

Mr. Blake shared his architectural drawings marked as Exhibit A-1 showing the front façade and ally way. The pictures depicted the proposed improvements to the building. Adding new windows, double glass doors, planking, lighting. The building will be painted white.

Mr. Blake testified to the rear elevations explaining the location of the property. He indicated that the property backs up into a City municipal parking lot. The current lighting in the area is good.

Several Board members had questions for Mr. Blake regarding the size of the dumpster in relation to the size of the ally way and parking requirements. Mr. Bern advised that there was a zoning change in 2014 wherein parking is not required for this project due to the size of the building.

No members of the public had questions or comments for Mr. Blake.

A motion to approve this application was made by Vice Chairman Shafer and Seconded by Mr. Lerman. The application was passed unanimously with the following conditions:

- The Resolution of Approval be subject to Ms. Mann's review and approval as she is the Chairperson of the sign/façade committee.

File: 2021-01A Atherton Beverly LLC. (continuation)

Premises: 390 Jones Road, Block 3305, Lot 14.02

Attorney: Matthew G. Capizzi, Esq.

- Applicant seeking an approval to subdivide an existing one-family residential lot into two (2) one-family residential lots.
- It is noted for the record that Jameson Van Eck, Esq. of the firm Wells, Jaworski & Liebman, LLP represents Olga and Aaron Gal who are objecting to this application.

Mr. Costa advised the Board that this application goes back to 2021. However, he has reviewed all the documentation and feels that the application can move forward.

Mr. Capizzi advised the Board that all documents, plans and drawings etc. have been replaced and prior testimony should not be relied upon. Mr. Capizzi described the project as being a two (2) lot subdivision; conforming to the City's requirements.

Mr. Costa and Mr. Szabo both agree that the proposed circular driveway should be omitted due to an insignificant turn-a-round space. Omitting the circular driveway would also eliminate a variance. Mr. Capizzi conveyed that he would still like to have an opportunity to discuss the proposed driveway.

Mr. Capizzi gives a brief synopsis of the application and stated that the existing lot is twice as large as required. It is located in the R-b Zoning District where single family homes are permitted. The Applicant proposes to subdivide the existing lot into two (2) equal sized lots. Mr. Capizzi indicated that the drainage design was pursuant to the NJDEP regulations and has been approved by Mr. Costa meeting all of the City's requirements.

Mr. Capizzi calls his first witness Brad Aller, P.E., CME of Dynamic Engineering Consultants PC with offices located at 50 Park Place, Mezzanine Level, Newark, New Jersey 07102, who was

sworn in by the Board and qualified as an expert engineer. He has not appeared before this Board before.

Mr. Aller reviewed the plans prepared by him and his office dated April 3, 2023 and last revised October 11, 2023. The property has several pre-existing conditions; being a single lot 37,300 sq. ft. with wooded area(s) and it is located in the R-b Single Family Zone. He testified that the surrounding area including the area across Jones Road is all residential.

Mr. Aller further testified that the Applicant proposes to subdivide the exiting property into two (2) equal sized lots (Lot 14.02 and Lot 14.03). Two (2) new single-family dwelling are proposed on each lot with circular driveway in the front and patios at the rear of the dwellings. Mr. Aller confirms that a variance is required for lot width, as it is slightly undersized and for the circular driveway. The proposed dwellings will each have a two (2) car garage and the circular driveway could accommodate 3 ½ parking spaces each. A retaining wall would be constructed between the lots to level the lots. The retaining wall would be 11 ft. high at its highest point. The proposed new lots would be fully conforming. Mr. Aller went on to discuss the two (2) underground stormwater collection pipes that are located under the driveway which connect to the existing infrastructure on Jones Road. The existing drainage map was entered into evidence and marked as Exhibit A-1 and the proposed drainage map consisting of two (2) sheets was entered into evidence and marked as Exhibit A-2.

Mr. Aller went on to testify about the grading on the site as it should have no impact on the neighbors as the grading will be “into” the site. Therefore, reducing the rate of water runoff from the site. The applicant is required to meet rules/requirements of the current flow rates into the infrastructure to meet the criteria for 200-year storms.

Mr. further testified to the landscaping of the proposed project and presented tree mitigation plans which were entered into evidence as Exhibit A-3. He reviewed the plans and indicated that 52 replacement trees are required. The Applicant proposes replacement of 12 major trees and 96 minor replacements. Unfortunately, it is not possible to replace more major trees as they require to be 50 ft. apart.

At this time several members of the Board had questions for Mr. Aller regarding the replacement trees, payment-in-lieu of planting and the retaining walls/grading.

Mr. Costa advised the Board that test pits and soil samples were done at the site and no infiltration exists. He recommends that a third separate system be installed for each proposed dwelling as this is a major subdivision so as to meet the new requirements of 2 gallons/1 sq. ft. with an increase of 40% to 3 gallons/ 1 sq. ft. The systems would have to have a maintenance log as required by the City in order to monitor the systems at the site. It would be the responsibility of the City’s Code Enforcement Department to ensure that the system and drains are free and clear of debris and in working order.

Mr. Szabo informed the Board the in 2021 the City passed an ordinance (Chapter 3.74) to enforce maintenance plans/manuals filed with the subdivision deed. Maintenance reports must be filed with the City yearly.

- Given the amount of time required to complete this application, hearing Mr. Capizzi, and the Board suggested carrying the application (without the need for further notice) to the January 25, 2024 hearing.

Old/New Business:

Public Comments: None

Chairman David thanks the Board and asks for a motion to adjourn:

Motion: Vice Chairman Shafer

Seconded by: Mr. Lerman

Vote: All in favor

Meeting adjourned at 10:01pm

Respectfully submitted,

Paris Myers,

Planning Board Secretary