

REGULAR MEETING OF SEPTEMBER 8, 2014

The meeting of the Fair Lawn Planning Board on Monday, September 8, 2014, was called to order at 7:30 P.M. by Vice-Chairman Joseph Mele in the Council Chambers of the Fair Lawn Municipal Building.

The notice of Open Public Meetings Law was read stating that the newspapers were notified and a notice posted on the first floor bulletin board of the Fair Lawn Municipal Building.

Roll Call

PRESENT: Deputy Mayor Amy Lefkowitz, Vice-Chairman Joseph Mele, Oliver Wilhelm, Benjamin Bontekoe, Amy Hummerstone, Larry Metzger Absent: James Hughes, Peter Kortright, III, Daniel Furphy, Chairman Brent Pohlman, Joan Fragala

Also present: Board Attorney Thomas W. Randall, Esq., Board Engineer Jeff Morris and Board Secretary Cathryn Hochkeppel.

Approval of Minutes

Upon motion by Oliver Wilhelm and a second by Benjamin Bontekoe, the minutes of the work session of June 9, 2014 were unanimously approved. AYES: Vice-Chairman Joseph Mele, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, Oliver Wilhelm, Larry Metzger, Amy Hummerstone

Upon motion by Larry Metzger and a second by Oliver Wilhelm, the minutes of the work session of July 14, 2014, were unanimously approved. AYES: Vice-Chairman Joseph Mele, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, Oliver Wilhelm, Larry Metzger, Amy Hummerstone

Upon motion by Deputy Mayor Lefkowitz and a second by Oliver Wilhelm, the minutes of the regular meeting of August 10, 2014, were unanimously approved. AYES: Vice-Chairman Joseph Mele, Deputy Mayor Amy Lefkowitz, Benjamin Bontekoe, Oliver Wilhelm, Abstain: Larry Metzger, Amy Hummerstone

Memorializing resolutions

Church in Nutley; 9-02 and 9-10 Saddle River Road; Block 1507, Lots 21 & 22; minor site plan and subdivision

Upon motion by Oliver Wilhelm and a second by Benjamin Bontekoe, the memorializing resolution was unanimously approved. AYES: Deputy Mayor Lefkowitz, Benjamin Bontekoe, Oliver Wilhelm, Vice-Chairman Joseph Mele

General Public Comment

Vice Chairman Joseph Mele opened the time for public comments and no public wished to be heard.

11-26 Saddle River Road, LLC; 11-26 Saddle River Road; Block 1506, Lot 9

Asher Toporovsky appeared on behalf of the applicant. He explained that they were seeking approval of an ADA ramp.

Matthew Fox was sworn in and qualified as an expert engineer. Mr. Fox explained that he prepared the site plan dated April 1, 2013, last revised October 2, 2013 that was marked as Exhibit A-1. He explained the plan in detail. Mr. Fox explained that to the west there were three residential lots. Mr. Fox testified that the applicant has agreed to move the ADA parking spaces to the proposed access ramp and provide van access. Mr. Fox did not feel a bump out was necessary since the aisle width is over 36 feet as it would eliminate some of the buffer at the back of the lot. Mr. Fox stated that he would provide the engineer with the dumpster detail. Mr. Fox testified that there would be no negative impacts, only positives by providing handicapped entrance. Engineer Morris stated that another configuration that did not block the access of the building should be considered. He asked if they had considered Berdan Avenue for the ramp and Mr. Fox deferred to the architect. Mr. Morris pointed out that the pads need to be 5 x 5 rather than 4 x 4. Mr. Fox stated that they will make that modification. Larry Metzger stated he was familiar with the building, and where the applicant is proposing the ramp currently has large shrubs. It will also block access from the front to the back. Mr. Bontekoe expressed concern about placing ladders for entrance or egress over the ramp since the area was so narrow. Mr. Wilhelm asked about access to the dumpster and Mr. Fox explained that the trash would be picked up during non-business hours. He also commented that he thought the ramp could be reoriented to better accommodate access. Mr. Wilhelm suggested that the parking spaces be realigned. Vice Chairman Mele stated that he also felt that the parking should be reconfigured as there is a large expanse of pavement. Joseph Mele suggested that the plantings on the west side be supplemented if there are any gaps. He also asked about the depressed curb on Saddle River Road where occasionally a car is parked and should be prevented.

Vice-Chairman Mele opened the matter to the public for questions of the witness.

Patty Ritt, 13-28 Jerome Place, asked why the rest of the building is not being made handi-capable. Mr. Fox stated that this is what is being proposed at this time. She asked about the dumpster and was told it was being placed at the back of the parking lot.

Raymond Hartwick, River Edge, New Jersey, was sworn in and qualified as an expert architect. The drawing prepared by Mr. Hartwick dated July 10, 2014, was marked as Exhibit A-2. Mr. Hartwick testified that his goal was to provide handicapped entrance to the upper level. He also explained that they did not want to block the windows to the lower level offices. He testified that amendments were made to the original plan based upon the comments of the Board Engineer. Mr. Hartwick stated that there would be no negative impacts upon the neighbors.

Engineer Morris asked if they pushed back spaces 10-12, could they rotate the ramp 90 degrees. Vice Chairman Mele suggested that the applicant discuss the matter privately. Mr. Fox stated that it is a substantial change but the applicant would discuss it. Vice Chairman Mele recessed the meeting for ten minutes.

The meeting reconvened at 8:40 p.m. with all members present as previously indicated.

Asher Toporovsky stated that the Board suggested that the parking be reconfigured to rotate the ramp and the applicant has agreed to this change. Mr. Hartwick stated all of the parking spaces will be moved to the west and the ramp will be rotated 90 degrees. They also proposed another set of stairs. Mr. Hartwick testified that they would move the minimum number of spaces required. Mr. Hartwick also noted that the light pole will be required to be moved.

Amy Hummerstone asked if there was any access to the lower level from the upper level and was told there was not. The lower level is accessed from the exterior.

Vice Chairman Mele opened the matter to the public for questions of the witness.

Patty Ritt, 11-26 Saddle River Road, commented that the large aisle is used for parking. If that large aisle is taken away, the cars will not be able to piggyback. Mr. Fox noted that they are only moving those spaces necessary to relocate the ramp, and there will still be a wide aisle width.

Craig Miller, 5 Ramapo Terrace, asked the materials to be used for the ramp and it was explained that it will be masonry.

No other public wished to be heard and the time for public questions was closed.

Mr. Toporovsky suggested that the Board approve the application subject to the Board Engineer's review.

Vice Chairman Mele opened the matter to the public for general comments and no public wished to be heard.

Larry Metzger suggested that they receive a revised plan before approving this application.

Amy Hummerstone asked if the owner is considering accessibility for the lower level. Mr. Toporovsky stated it is a concern but it is a difficult building. It may be considered in the future. Deputy Mayor Lefkowitz thanked the applicant for listening to the comments of the Board.

Vice Chairman Mele listed the conditions of the approval which included supplementing the landscaping along the residential side of the property if necessary, moving the handicapped spaces further south, striping the eight-foot handicapped aisle, provide handicapped signage, provide details of the dumpster, narrow the aisle to accommodate the ramp 90 degrees to the building, drop curb from van accessible space, stairs on both sides of the platform and trash pick up to be after business hours. Vice Chairman Mele stated that he believes this is an improvement. It was

the consensus of the Board to have the Board Engineer review the revised plan. Amy Hummerstone moved that the application be approved subject to the conditions listed. Deputy Mayor Lefkowitz seconded the motion that was unanimously adopted. AYES: Deputy Mayor Amy Lefkowitz, Oliver Wilhelm, Benjamin Bontekoe, Amy Hummerstone, Larry Metzger, Vice-Chairman Mele

Adjournment

Deputy Mayor Lefkowitz moved that the meeting be adjourned and Oliver Wilhelm seconded the motion which was unanimously adopted at 9:05 p.m.

Respectfully submitted,

Cathryn Hochkeppel
Sec'y of the Board