

**CALL TO ORDER** This virtual meeting was called to order at 7:50 p.m. at Borough Hall by Chairwoman Christina Hembree with the reading of the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Christina Hembree, Chairwoman	Present
Dianna Cereijo, Alt 2	Present
Sanjeev Dhawan	Present
Emilia Fendian	Absent
Robert Hayes	Present
Michael Kaufman	Absent
Robin Malley	Present
Gary Newman	Present
Hasmig Yetemian, Alt 1	Absent
S. Robert Princiotto, Esq.	Present
Evan Jacobs, Engineer	Present
Richard Preiss, Planner	Not Requested
Meg Smith, Secretary	Present

**APPROVAL OF MINUTES:**

The minutes of Open Session for April 28, 2020 were held for vote at a later meeting.

**RESOLUTION OF APPROVAL**

**Jonathan Blonde**

**Block: 1104 Lot: 1**

**6 Spring House Road**

**R-30 Zone**

Request for construction of a two (2) car detached garage and retaining wall where required minimum side yard setback is 20 feet and 13 feet is proposed.

Vote for this resolution was held for a later meeting.

**APPLICATION (NEW)**

**Jehovah Witness Kingdom Hall**

**Block: 2004 Lot: 4**

**45 Woodcliff Avenue**

**R-22.5 Zone**

Request for a D-3 Conditional Use Variance for impervious surface coverage of 53% where 30% is allowed. This coverage is being reduced from 56% previously. Amended Site Plan proposes a second ingress/egress and A/C equipment to be placed in the front yard setback.

Chairwoman Hembree has recused herself from this application.

It was confirmed that proof of notice and publication were provided by the applicant and verified.

Ms. Onofrak, attorney for the applicant, explained that this property is a house of worship which is a conditional use in a residential zone. Applicant is requesting variances and design waivers to add a driveway and move air conditioning equipment.

Mr. Bush, representative for the applicant, was sworn in. Mr. Bush stated that he has been a member of the congregation since the early 1980's and is one of the elders. Mr. Bush explained that this house of worship was built in 1972 and has been operated as a house of worship continually since being built. Mr. Bush stated that 3 local congregations meet at this property and that there is no staff. It is operated by volunteers.

Mr. Bush stated that some renovations were done in 1987 which included the addition of a covered walkway and interior renovations. The congregation would like to bring the facility up to date.

These renovations would include two driveways (one for entry and one for exit), new lighting, new sign and 3 air conditioning units on Pascack Road. The new driveway and lighting would improve circulation and safety. The air conditioning equipment placement is a cost effective measure.

Mr. Bush stated that the congregation benefits the community by promoting Bible teaching and trains members for disaster relief.

Mr. Newman questioned relocation of the air conditioning equipment and any increase in coverage.

Ms. Malley questioned the interior renovations.

Mr. Bush stated that they would not be increasing the footprint of the existing building.

The meeting was opened to the public with a motion from Mr. Newman, seconded by Vice-Chairwoman Malley. All board members were in favor of the motion.

The phone number was provided to the public to call in with any questions or concerns regarding this application.

With no members of the public calling in to ask questions or state any concerns, the meeting was closed to the public with a motion from Mr. Newman, seconded by Vice-Chairwoman Malley. All in favor, the motion carried.

Mr. Brown, engineer for the applicant, was sworn in and qualified as an expert.

Mr. Brown explained the existing conditions with one driveway and 44 parking stalls. Mr. Brown explained that only 42 of these 44 parking stalls are usable. Mr. Brown also stated that the drive aisles are narrow and less than the 24 feet required. Stalls are 8 ½ feet by 17 feet and there is no real handicap accessible parking. The one stall marked as handicap does not have an aisle beside for access.

Mr. Brown explained the proposed 2 driveways which provide 1 for entry and 1 for exit and 42 parking spaces with 24 foot drive aisles. There are 2 handicap stalls with aisles.

The proposed monument sign is requested to provide better visibility. Improvements to sidewalk around the property are also proposed and will improve safety. Lighting improvements provide better visibility.

Currently there is only one light.

Mr. Brown reviewed the landscape plan and explained that there are trees along Woodcliff Avenue screening the property to the West. An 8 foot fence is existing in the rear of the property and no additional landscaping is proposed in this area.

Mr. Brown stated that current impervious coverage is 56% and this property is moving toward compliance by reducing coverage to 53%.

Mr. Brown stated that the applicant is requesting 8 variances, but 7 are pre-existing. The new variance is for placement of the HVAC in the front yard on Pascack Road. Mr. Brown explained that the roof is 7 years old and would need to be reconfigured to move the HVAC. Mr. Brown stated that this is a non-profit facility and proposed HVAC placement is more cost effective.

Ms. Brown stated that the benefits outweigh the detriment because the coverage is reduced and is moving toward compliance.

Mr. Brown stated that there is an existing free standing sign. This sign is obscure from Woodcliff Avenue. The proposed sign will also be placed on the northeast corner of the property but is more visible. Also proposed as required by Bergen County are traffic movement signage and handicap designation signs.

The applicant is proposing 2 additional signs on the building which are 2.8 feet. The existing sign with meeting times will be moved to the glass doors.

Mr. Princiotto asked if there is lighting on the sign.

Mr. Brown stated that there will be 2 ground mounted flood lights which is the same lighting being used for the existing sign.

Mr. Newman asked if the applicant was removing seating.

Mr. Brown stated that the interior is being reconfigured to include a spacious lobby, meeting rooms and an ADA accessible bathroom.

Mr. Brown stated that with an existing property and building it is impractical to meet all design standards and it is cost prohibitive.

Vice-Chairwoman Malley stated that she walked the property and found parts of it in poor condition. Parking lot had pot holes. Landscaping plan does not address planting on the west side of the property.

Mr. Brown stated that the property had not been maintained during COVID 19 and pending renovations.

Mr. Bush stated that fencing was repaired several years ago but the property has been in a holding pattern awaiting renovations. Landscapers do the basic outdoor maintenance for the property.

Mr. Brown explained that the existing 8 foot fence stops 40 feet short of Pascack Road.

Mr. Jacobs, Board Engineer, stated that since Pascack Road is a front yard the fence may have been

prohibited to continue further.

Ms. Onofrak suggested that the applicant provide a new landscape plan. Mr. Brown agreed and believes it will clear up the area by the fence and the parking area.

Mr. Princiotto asked the condition of the fence.

Mr. Brown stated that the fence is in good condition.

Mr. Princiotto stated that applicant needs a variance for 12 feet for the size of the free standing sign.

Mr. Brown stated that curbing will be removed along most of the north and west edge of the property and along the east edge below the building.

Mr. Princiotto questioned the lighting and asked how it would affect residents.

Mr. Brown stated that a photometric study was done along the South property line (by the fence) and it showed only 5 foot candles.

Mr. Princiotto questioned the location of the air conditioning equipment to the property line.

Mr. Brown stated the equipment pad is 29 feet and the air conditioning equipment is 33 feet from the property line.

Mr. Princiotto stated that 50 feet is required in the front yard.

Mr. Princiotto stated there can be a noise issue with air conditioners.

Mr. Jacobs stated that commercial compressors are larger and produce more noise than residential units.

Mr. Brown stated that existing system is a split system and proposed system is packaged units. Mr. Brown stated that if the air conditioners were placed in the rear yard then it would be closer to residents.

Vice-Chairwoman Malley asked if the air conditioning could be placed on the other (north) side.

Mr. Brown stated that the proposed location is working with the existing property and he believes the proposed placement is the best possible to the surrounding areas. Landscaping will be added to improve the aesthetics and buffer.

Mr. Princiotto questioned the distance to the neighbor.

Mr. Brown stated that distance is approximately 100 feet and is behind the 8 foot fence and several trees.

Mr. Jacobs concurred that there is approximately 100 feet to the neighboring residence.

Mr. Princiotto questioned the occupancy / seats of the facility.

Mr. Bush stated that typical attendance on a Sunday is approximately 110. Weekday he estimated

between 100 to 105. Mr. Bush stated that there was a re-alignment done recently and this caused the number of seats to drop.

Mr. Princiotto asked if the building was sprinklered for fire.

Mr. Bush stated that the building is not sprinklered currently and he is not sure if it is proposed.

Mr. Princiotto asked Mr. Jacobs to discuss the proposed ingress and egress.

Mr. Jacobs stated that the existing condition is challenged. Fire truck would need to stay on the main road near hydrants to fight a fire.

Mr. Brown stated that proposal incorporates recommendations from the County and driveway width was suitable for the one way traffic that it is being proposed. Mr. Brown stated that there is no official County approval. Applicant is waiting for Zoning Board approval and any changes before finalizing with the County.

Mr. Newman questioned the placement of the proposed sign and the visibility for turning vehicles at that corner.

Mr. Jacobs stated that he mentioned this as a concern in his review letter but this is a County Road and the County will decide what is allowed.

Mr. Newman questioned if there would be a turn restrictions at the ingress and egress.

Mr. Jacobs stated that the County decides on restrictions and signing needed.

The meeting was opened to the public with a motion from Mr. Newman, seconded by Mr. Hayes. All board members were in favor of the motion.

The phone number was provided to the public to call in with any questions or concerns regarding this application.

Ms. Hembree, 145 Pascack Road, spoke representing herself and her neighbor at 151 Pascack Road. Her concerns included noise level of the air conditioning units, existing lighting that shines in her neighbor's window, and property maintenance and landscaping. Ms. Hembree requested that the fence be extended to buffer neighboring property and landscaping be cleaned up and maintained. Ms. Hembree stated that the Jehovah Witness congregation has always been a good neighbor.

With no other members of the public calling in to ask questions or state any concerns, the meeting was closed to the public with a motion from Mr. Newman, seconded by Vice-Chairwoman Malley. All in favor, the motion carried.

Mr. Princiotto asked for a comparison of existing lighting to the proposed lighting.

Mr. Brown stated that they would be abandoning the existing light on the pole and proposing to move lighting to the parking area.

Mr. Princiotto stated that this proposed lighting should be shielded.

Mr. Jacobs stated that shields would be included and all lights would be LED. This lighting can be controlled and can be adjusted if needed. Mr. Jacobs also noted that the fence will shield the lighting.

Mr. Bush stated that the lights are on a timer and are off at 10:30pm.

Mr. Brown addressed concerns from the Neglia Review letter.

Mr. Jacobs stated that they will need County approvals to be provided when available to provide requirements for driveway and road signage.

Mr. Brown stated that the proposed lighting will be a significant improvement. Photometric information missing from the plan will be provided on the revised plan. Mr. Brown stated that this lighting is below the average allowable illumination and applicant is trying to prevent spillage to residents.

Mr. Jacobs asked if the existing street lighting at the current driveway was included in calculations.

Mr. Brown stated that this was not included and requested a waiver to address.

Mr. Jacobs had no issue with this request.

Mr. Brown addressed the Engineering review letter concern that no dumpster is provided. Mr. Brown stated that there has never been a need for a dumpster because there is very little refuse and it is removed by the congregants.

Mr. Brown stated that they are reducing the number of seats in the congregation and providing a better parking ratio.

Mr. Brown stated that tree removal will only be done for dead and dying trees and will be coordinated with the Shade Tree Committee.

Mr. Brown stated that they will not be changing the run-off pattern. There is currently 1 storm drain which will remain. Applicant will be decreasing impervious coverage.

Mr. Newman questioned the elimination of curbing.

Mr. Brown stated that curbs necessary to guide runoff will remain and removal of other curbing will not affect drainage.

Mr. Jacobs requested that the 2 trees between ingress and egress be changed from Rudbud. Mr. Jacobs stated that this tree does do well when limbs are cut under 7 feet and can grow to 25 to 30 feet which can interfere with the utility pole.

Ms. Malley questioned tree removal and replacement.

Mr. Princiotto stated that this can be included as a condition of approval.

Mr. Newman questioned interior renovation and maximum capacity.

Mr. Princiotto stated that as a condition of approval capacity has been lowered to 160 seats.

Ms. Roy, Planner for the applicant, was sworn in and accepted as an expert.

Ms. Roy confirmed that she had reviewed this applicants' plan as well as the Master Plan. Ms. Roy stated that this use has been constant since the 1970's and that these renovations bring deviations into compliance.

Ms. Roy discussed the positive criteria to include a house of worship serving a public good and being an inherently beneficial use. Ms. Roy stated that this application promoted the general welfare, provided sufficient open space, improved traffic design and improved visual for this property.

Ms. Roy stated that renovations will improve this existing site.

Ms. Roy stated that improvements to provide more efficient parking and separate ingress / egress are benefits to the site and do not impair the intent of the zoning for Woodcliff Lake.

The meeting was opened to the public with a motion from Mr. Newman, seconded by Vice-Chairwoman Malley. All board members were in favor of the motion.

The phone number was provided to the public to call in with any questions or concerns regarding this application.

With no other members of the public calling in to ask questions or state any concerns, the meeting was closed to the public with a motion from Vice-Chairwoman Malley, seconded by Mr. Newman. All in favor, the motion carried.

Ms. Onofrak requested that the exhibits be moved into evidence and summarized the application. Ms. Onofrak stated that she believes that the applicant has shown that they meet the burden of proof.

Several board members questioned and discussed the size and placement of the free standing sign.

Mr. Jacobs stated that the applicant will need to prove that this sign does not impair the sight triangle and the County will review and approve. Applicant will need to provide the County approval when granted.

Mr. Newman questioned the number of seats.

Mr. Brown stated that 160 for every chair in the building, but not all of these chairs are used at the same time. Mr. Brown would like to include the improvement from the current parking ratio without mentioning an exact number. He stated that the interior renovations have not been finalized and this number can change.

Mr. Princiotto suggested phrasing capacity as "not more than 165 seats".

Mr. Brown accepted this suggestion.

Mr. Princiotto reviewed other conditions including property clean-up and maintenance, landscaping for the southwest corner (to be approved by Engineering and the Shade Tree Committee), signage, lighting and air conditioning noise levels.

A motion to approve this application with conditions as noted and conditions noted in Engineering letter dated 6/19/20 was made by Mr. Newman and seconded by Ms. Cereijo. On a roll call vote, Ms. Cereijo, Mr. Dhawan, Mr. Hayes, Vice-Chairwoman Malley and Mr. Newman were in favor of the motion to approve this application. Chairwoman Hembree was recused from this application.

**CLOSED SESSION**

Mr. Newman made a motion to go to Closed Session and it was seconded by Mr. Dhawan. All board members were in favor of the motion. This closed session was documented by Resolution 20-09 for litigation regarding 188 Broadway LP at 188 Broadway and Valley Chabad at 100 Overlook.

A motion to go to Open Session was made by Mr. Hayes and seconded by Mr. Newman. All board members were in favor of the motion.

Board members decided to take no action on a request from the applicant of 188 Broadway.

The meeting was adjourned on a motion from Chairwoman Hembree, seconded by Mr. Newman, and carried by all.

Respectfully submitted,

Meg Smith