

Approved 6/24/15

**SPECIAL PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
JUNE 10, 2015**

Chairwoman Wilmit called the meeting to order at 7:30 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	MaryBeth Wilmit	Mayor Peter Rustin
	Kevin Tremble	Gus Allen
	Gene Marcantonio	Marc Harrison
	Jon Warms	Ted Kagy
	Sheryl Gaines	Eugene Kwon

Voting members absent: Councilman Mark Zinna

Others present: Jeffrey Zenn, Esq.
David Hals, P.E.

A motion was made by Mr. Warms and seconded by Mr. Kagy to approve the minutes of the Special Public Meeting of May 13, 2015, and the Regular Public Meeting of May 27, 2015. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

PUBLIC HEARING

PB#1-15-05, Site Plan w/variances

Block 1005, Lot 9

87 County Road

Applicant: Dr. Imad Baghal

Mr. Stephen Sinisi is the attorney for the applicant. Board members were presented with revised engineering plans this evening. There was much discussion as to whether the application should proceed given that members haven't had an opportunity to review the plans nor have any of the board's professionals had an opportunity to review them either. Mr. Sinisi indicated that he would call Mr. Hubschman to briefly explain the revisions for the board; but Mr. Hubschman will be scheduled to be called at the next meeting to give full testimony on the plans. Mr. Sinisi also wanted to recall the traffic engineer and present the Operations Manager for The Learning Experience and his professional planner as witnesses this evening. Mr. Zenn explained that the applicant has addressed traffic flow and circulation concerns that the board raised in the prior hearings. A motion was made by Mr. Marcantonio and seconded by Mr. Warms to take a 20 minute recess to permit the board members and its professionals to review the plans just presented this evening.

The board returned to the meeting and the application will go forward as scheduled this evening. Mr. Sinisi called upon Mr. Michael Hubschman, engineer for the applicant, to give further

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testimony this evening. As Mr. Hubschman was previously sworn in at the last meeting, he was qualified as an expert in the field of engineering. Mr. Zenn noted that Mr. David Hals, Planning Board engineer, remains under oath from the previous hearing as well.

The following exhibits prepared by Mr. Hubschman were entered into the record:

- Exhibit A-14, 6/10/15, Colorized version of Sheet 1 of 5, entitled “Site Plan” last revised 6/3/15
- Exhibit A-15, 6/10/15, Colorized version of Sheet 2 of 5, entitled “Grading, Drainage & Utility Plan”, last revised 6/3/15
- Exhibit A-16, 6/10/15, Colorized version of Sheet 3 of 5, entitled “Soil Erosion & Sediment Control Plan; Details”, last revised 6/10/15
- Exhibit A-17, 6/10/15, Colorized version of Sheet 4 of 5, entitled “Lighting & Landscaping Plan, dated 2/3/15
- Exhibit A-18, 6/10/15, Colorized version of Sheet 5 of 5, entitled “Existing Conditions Plan”, last revised 4/23/15

Mr. Hubschman gave a brief overview of the revisions to the plans. The building has been shifted and there will be circulation around the building. All parking spaces are now 9.5’ so no variance will be required for parking space size. An additional space has been added bringing the total to 35 provided parking spaces. The site will be accessed from County Road with a right turn in and right turn out only. A garbage truck will be able to come into the driveway, pick up the trash in the rear of the property, and continue around the building to exit onto County Road. The variances for the playgrounds from the previous plans have been eliminated with the revised plans. The signage proposed has not changed from the previous plans. There will be Do Not Enter signs facing out on the egress driveway.

The meeting was open to the public with questions for Mr. Hubschman. There being no one from the public with questions for him, this portion of the meeting was closed to the public. Mr. Hubschman will be present at the next Planning Board meeting to give further testimony and answer additional questions.

Mr. Hals reviewed the changes to the plans from his perspective. He will issue a review letter including all presented this evening. The footprint of the building has changed from 5,980 sq. ft. to 5,274 sq. ft. There will be thirty-five (35) parking spaces on site instead of thirty-four (34). All parking spaces are now conforming to the ordinance. They are 9.5’ x 18’. The dead-end parking lot has been changed to a full circulation plan with clockwise circulation around the building. The impervious coverage has increased and drainage accommodations will need to be sufficient to handle the increased storm water. The capacity number of students will need to be shown on plans. The trash enclosure has been moved requiring a waiver. The circulation plan is a much better design for trash collection, allowing the trucks easy access with no need to back up from and out of the site as was the case in the previous plans.

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Board members had no questions for Mr. Hals. The meeting was open to the public with questions for Mr. Hals. There being no one from the public with questions for him, this portion of the meeting was closed to the public. Mr. Hals will be present at the next Planning Board meeting to give further testimony and answer additional questions.

Mr. Sinisi called upon Mr. Andrew Vischio, traffic engineer for the applicant, to give further testimony this evening. As Mr. Vischio was previously sworn in at the last meeting, he was qualified as an expert in the field of traffic engineering. Mr. Vischio indicated that he had helped in the revisions of these plans. The building size has been reduced slightly and the site access with right turn movements only around the building make for a better plan. There were board inquiries about erecting No Parking Signs” along the egress driveway. The applicant will comply with this request.

Mr. Hals asked for an explanation as to why the ingress/egress driveways were not reversed. Mr. Vischio explained that if a car happens to come into the site and passes all the parking spaces, the driver can easily exit onto County Road and re-enter the parking lot again. There is concern that the driveways are located so close to the traffic light and there may be back-up of cars from Central Avenue trying to get into/out of the lot. Mr. Vischio does not believe there will be a queuing problem at the site. He briefly reviewed Exhibit A-13, 5/27/15, Parking Utilization Exhibit, prepared 5/13/2015. Mr. Vischio testified that based on the architectural plan the licensing capacity for the center could be roughly one hundred sixty-seven (167) students.

Board members wanted a ten (10) year accident analysis of the intersection of Highwood Avenue and County Road. The driveway is very close to the traffic light. Mr. Sinisi noted that County Road is maintained by the County of Bergen. A ten-year analysis is excessive. Mrs. Wilmit countered that the County has jurisdiction for the road. Mr. Sinisi further indicated that approval will be required from the County of Bergen as well as from the Planning Board. Mr. Zenn advised the board that the applicant is not responsible for off-site traffic conditions. The applicant must provide a responsible, safe site.

There were no additional board comments at this time.

The meeting was opened to the public with questions for Mr. Vischio. Debra Knapp asked questions regarding car circulation through the site and queuing issues. Mr. Vischio addressed those questions indicating that the applicant is proposing a day care center and not a nursery school. He does not foresee cars being stuck at a standstill in the lot, with cars trying to get in and out at the same time. There being no one else from the public with questions for Mr. Vischio, this portion of the meeting was closed to the public.

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Mr. Sinisi called upon Ms. Sharon Steinhardt, Regional Manager for The Learning Experience. She was sworn in to give her testimony to the board. She is the North Jersey Regional Manager and oversees seven (7) facilities in Bergen County, including, Franklin Lakes, Englewood Cliffs (not yet open), River Vale, Waldwick, Lyndhurst, Hackensack and East Rutherford. She's had this position for two (2) years. She indicated that there are one hundred forty (140) centers nationwide and fifty-three (53) in Bergen County.

All licensing is done through the State of New Jersey. Each facility must adhere to state regulations including student/faculty ratios, playground equipment, and playground ground materials must be certified.

Typical hours of operation at the day care center are from 6:30 a.m. to 6:30 p.m. The applicant is seeking a variance for this. The size of the building in Tenaflly is similar to the other Learning Experience's facilities. Ms. Steinhardt explained that when the children are dropped off there is free play time, a morning snack, circle time, art time, workbook, outdoor time and time at Make Believe Boulevard. Lunch is served and all students generally have nap time from 12:30 – 2:30 p.m. Then there is snack time again and outside time. The ages of the students range from six (6) weeks to six (6) years. On average approximately forty (40) children may be diapered; while one hundred are non-diapered. Full time students total 80% with 20% being part time students.

She reviewed time blocks with the board, there is an 8:30 a.m. – 12:30 p.m. session, an 8:30 a.m. – 3:00 p.m. session and a 3:00 p.m. – 6:00 p.m. session; however, students may be dropped off/picked up before or after those times. Many families enroll more than one (1) child. On any given day, the absentee rate is 8%-12%. With the capacity number of students, Ms. Steinhardt would require between twenty-two (22) and twenty-five (25) staff members. Most staff members have a bachelors' degree in early/elementary education and are certified in CPR and first aid.

Approximately fifteen (15) children and two (2) teachers would utilize the playground at a time on a rotating basis. She concurs with the testimony of Mr. Vischio that at capacity there may be approximately 165-167 students enrolled; however, those figures are not seen at the initial opening of the facility. The Learning Experience is hopeful to have 80% capacity within a year.

She reviewed drop off/pick up times with the board. Average time for drop off is five (5) minutes. Average time for pick-up is eight (8) minutes. The peak hour for drop off is usually 7:30 a.m. – 9:00 a.m. Parking has never been an issue at any other locations in her region.

Board members had questions regarding the hours of operations, parking for staff, late pickup and playground size. Ms. Steinhardt indicated that although a child may be six (6) years old, there are no plans to have a kindergarten class at the center. Five (5) to seven (7) staff members may be on site at 6:30 a.m. – 8:30 a.m. depending on the number of enrolled students.

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Questions arose regarding an evacuation plan for the site. Nothing has been established as of yet because no plans are approved. They will meet with the Borough's Office of Emergency Management Coordinator to work on this plan together. Mrs. Nicolosi was asked to forward plans to Councilman Anthony Barzelatto, OEM Coordinator, for his review and comments, if any, at this juncture of the application.

Ms. Steinhardt explained that The Learning Experience utilizes evacuation cribs, which can hold four (4) babies at a time. Younger children are moved off site to another location, i.e., nearest business that could house the children. Each center does monthly fire drills as well as lock-down drills.

During inclement weather, the day care center remains open until the last child is picked up. They do not follow procedures similar to a school district which dictates a designated pick up time.

Ms. Steinhardt will gather information on the numbers of students at the different northern New Jersey facilities along with pick-up, drop off times to help board members understand the process for getting children to and from the center and to explain the parking situation. There will be parking signs "For Parents" posted at designated spaces in the front of the parking lot. Any graduations are done off site. Class events are staggered at specific times to avoid overcrowding in the parking lot. Vendor deliveries would occur between 10:00 a.m. – 2:00 p.m. This is not a typical parent drop off time.

There was a question about whether the site was going to install a generator. Ms. Steinhardt did not know that information. She does not know if other centers have generators either. Food will be heated in microwaves and crock pots for serving morning snack, lunch and afternoon snack. All food service would be inspected by the appropriate Health official.

There were no more board comments at this point.

The meeting was opened to the public with questions for Ms. Steinhardt. The following individuals asked questions regarding tours, specialist visits, playground size, outdoor time for babies/infants, certifications/qualifications of teachers: Julie Silverman, director of 91 W. Clinton, Janice Jacobs and Joanne Meistrich. Tours are spaced out over time. There are no outside vendors for enrichment working at the center. There are only approximately 20 children on the playground at any given time. Infants are walked in a buggy for fresh air at the playground only...not off site at all. Not all teachers are certified. The Director and Head Teacher are certified. The Learning Experience has prepared lesson plans which are used in the classrooms. Parents are told that his/her child's teacher may not be certified. There being no one else from the public with questions for Ms. Steinhardt, this portion of the meeting was closed to the public.

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Mr. Sinisi noted the applicant has several more witnesses to present with testimony. As the hour was getting late, the hearing testimony for the evening was concluded. It was requested that the Work Session of July 8, 2015, be converted to a Special Public Meeting for the purposes of continuing this application. The meeting will commence at 7:30 p.m. instead of 8:00 p.m. Mrs. Nicolosi will handle publication of notice.

The board members had no objection to converting the meeting as requested. Therefore, the application for PB#1-15-05, Dr. Imad Baghal, Block 1005, Lot 9, 87 County Road, will be continued without further notice to the Special Public Meeting scheduled for Wednesday, July 8, 2015.

There was a discussion that perhaps board members could schedule a site visit for the application of 53 Knickerbocker Road. Mr. Hals would walk the board through the site plan and explain where the lots would be situated and where the cul-de-sac would be located. Mr. Zenn will contact Mr. Watkins to see if his client would permit board members to individually visit the site prior to the meeting. It was decided that the board will conduct the first hearing on June 24, 2015, and then decide if they wish to visit the site.

Mrs. Nicolosi introduced Mrs. Christine Attanasio, Administrative Assistant, to the board members. She will be working with Mrs. Nicolosi and covering for her during her medical leave absence, date still to be determined.

A motion was made by Mr. Harrison and seconded by Mr. Marcantonio to adjourn at 10:25 p.m. A voice vote carried the motion. All voted in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary