

Approved 11/10/10

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
October 27, 2010**

Vice Chairman Allen called the meeting to order at 8:00 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Mayor Rustin	Councilman Jon Warms
	Kevin Tremble	Jeffrey Toonkel
	Gus Allen	Mark Zinna
	Marc Harrison	Steven Greene
	Eugene Marcantonio	

Voting members absent:	Mary Beth Wilmit	Eugene Cho
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Others present:	Jeffrey Zenn, Esq.
	David Hals, P.E.

A motion was made by Mayor Rustin and seconded by Mr. Zinna to approve the Resolution of Approval for the Application of Log Cabin, LLC, Block 1305, Lot 5, 22 Jersey Avenue. The roll was called and the motion carried. Voting YES: Mr. Allen, Mr. Tremble, Mr. Toonkel, Mr. Zinna, Mr. Harrison, Councilman Warms and Mayor Rustin.

PUBLIC HEARING

PB#1-10-11 amends PB#1-07-09A – Site Plan/Variance

Block 1003, Lot 5, 33 Riveredge Road

Applicant: Emco Realty Corp. (Steve Cohen)

Mr. Zenn advised that all notice documentation for the above application is in order; however, the attorney for the applicant has requested that the matter be carried to the November 10, 2010, meeting, due to scheduling conflicts. The board approved this change. This application will be heard on the aforementioned date at 8:00 p.m. No further notification is needed.

PB#10-13 – Site Plan

Block 1308, Lot 5, 255 County Road

Applicant: De Carlo Landscape Design

Mr. Richard Hubschman is the attorney for the applicant. Mr. Zenn advised that all notice documentation for the above application is in order. He explained that the applicant is the contract/purchaser for the site. Mr. Hubschman called on Mr. Michael Hubschman to give his testimony this evening. He gave his credentials to the board and was qualified as an expert in the field of engineering. He noted that the footprint will remain as is shown on the plans. The applicant is seeking approval to put in an overhead door on the side of the building with a small ramp.

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The following exhibit was marked and entered into the record:

- Exhibit A-1, 10/27/10, Colorized version of Sheet 1, Site Plan, Proposed Contractor's Yard, last revised 8/19/10
- Exhibit A-2, 10/27/10, Photos of the application site taken 7/22/10

It was noted that the board members do not have the revised plans presented this evening. Revised plans will be delivered to the Planning Board office tomorrow.

Mr. M. Hubschman noted that parking will be used for landscaping trucks as well as employees. Mr. David Hals, Borough Engineer, was sworn in for the evening.

Borough Engineer David Hals' letter of September 2, 2010, was reviewed and the applicant will comply with several of the recommendations suggested. Mr. Hals noted that the proposed ramp would impede the traffic movement on-site. It was his recommendation that the pavement be raised to eliminate the ramp. The pavement area from County Road to the rear of the building would also need to be reconstructed. The applicant will comply with these recommendations.

Mr. Hals recommended that the parking lot be enclosed with granite block curb. The applicant will curb along the rear of the property. Mr. M. Hubschman noted that the trash will be enclosed with a board-on-board fence.

It was recommended that landscaping should be provided in the front of the building. The applicant will provide this. Mr. Hals noted in his letter that the stormwater from the parking lot flows uncontrolled to the properties to the northwest. The stormwater must be collected and piped to the storm drainage system. The applicant will install seepage pits for the roof drainage system prior to the connection to the storm drainage system on site.

There was discussion on the parking on the site. A handicapped parking space will be provided in accordance with the law. Signage for this space will be installed as well.

There was much board discussion regarding the signs the applicant wishes for the property. There are several variances needed. The memo from Bob Byrnes, Construction Official, dated 8/12/10, was reviewed by the board.

Mr. Anthony DeCarlo, the applicant, was sworn in to give his testimony. He advised the board that he wanted to purchase this particular site in Tenaflly because signage could be seen on the front of the building as well as the side of the building. Signage is there presently. He reviewed with the board the business plan for the site noting that he will store 4-5 trucks on site. Trucks would most likely leave around 7:30 a.m. and return between 5:30 p.m. – 8:30 p.m. There will be no trailers hitched to the trucks.

There was much discussion on truck traffic. Mayor Rustin was concerned that this plan is presented with the title "Contractor's Yard". Mr. DeCarlo testified that there will be no gasoline, chemicals or plants stored on site. There will be no outdoor storage of any kind. His business is usually landscaping, changing over to snowplowing in the winter. There will be routine vehicle maintenance and repair in the building. It was noted that building was not equipped with a sprinkler system.

There are no letters in the file from the Police Chief or Fire Chief. All applications are forwarded to them for review. The board would like to have written comments from these individuals. Mrs. Nicolosi will follow up on this matter.

Mr. M. Hubschman explained that the site lighting would remain the same. There are gooseneck lights on the front of the building.

The meeting was open to the public to question both Messrs. Hubschman and DeCarlo. There being no one from the public with questions, this portion of the meeting was closed to the public.

The meeting was open to the public for comments on the entire application. There being no one from the public with comments, this portion of the meeting was closed to the public.

There was some board discussion about the dumpster location. This dumpster is actually accessed from the neighbor's property. There was a suggestion that the dumpster could be stored inside the building on pick up days; however, it was decided that the dumpster should stay at its present location and the pick up in place now should remain with access from the neighbor's property.

Concerns were raised about the site being a contractor's yard and that too many commercial vehicles would be parked there overnight. Mr. Zenn advised the board that this is a permitted use for the area and that commercial vehicle parking is allowed.

Mr. R. Hubschman gave his summation to the board members.

A motion was made by Mr. Marcantonio and seconded by Mr. Toonkel to approve this application as presented with all borough stipulations, the following conditions and all conditions outlined in the memorializing resolution:

1. Truck parking will be limited to five (5) trucks overnight
2. The applicant will comply with the sign ordinance; the board will permit two (2) signs on the site
3. The applicant will be in compliance with Mr. Hals' letter dated 9/2/10
4. The dumpster will be used for office trash only
5. Both the Police Department and the Fire Department must sign off on the use for this property
6. There will be no backing out of the site onto County Road
7. There will be no trailers at any time
8. The applicant will install granite block curb along the rear of the property

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The roll was called and the motion was carried. Voting YES: Mr. Allen, Mr. Tremble, Mr. Toonkel, Mr. Zinna, Mr. Harrison, Mr. Greene, Mr. Marcantonio, Councilman Warms and Mayor Rustin.

The board took a short recess and returned to council chambers after ten minutes.

PB#1-10-16 – Site Plan/Variance

Block 1303, Lot 2, Block 1210, Lot 2 – 153 Grove Street
Applicant: Open Range Communications, Inc.

Mr. Warren Stilwell is the attorney for the applicant. Ms. Sheri Lamphere was sworn in and gave her credentials to the board. She was qualified as an expert in the field of engineering.

Mr. Stilwell explained that Open Range Communications is proposing to co-locate wireless telecommunication antennas on the existing 158 foot high monopole located at 153 Grove Street. The proposed antennas are to be located the approximate heights of 113 feet and 128 feet. Equipment cabinets are to be located within the existing fenced compound. There is no expansion to the existing facility. All of the work is to be contained within the existing fenced enclosure.

Ms. Lamphere reviewed plans previously submitted to the board--Z-1A, Site Plan, last revised 7/9/10 and Z-2, Tower Elevation, last revised 7/9/10.

Mr. Eshwar Haraba, who works with Open Range Communications, was sworn in to give his testimony. He noted that the satellite is pointed to a site in Fairview.

Mr. Hals commented that there is no expansion to the site; and the applicant will be utilizing the existing monopole.

The meeting was open to the public to question both Ms. Lamphere and Mr. Haraba. There being no one from the public with questions, this portion of the meeting was closed to the public.

The meeting was open to the public for comments on the entire application. There being no one from the public with comments, this portion of the meeting was closed to the public.

A motion was made by Councilman Warms and seconded by Mr. Zinna to approve the application as presented this evening. The roll was called and the motion was carried. Voting YES: Mr. Allen, Mr. Tremble, Mr. Toonkel, Mr. Zinna, Mr. Harrison, Mr. Greene, Mr. Marcantonio, Councilman Warms and Mayor Rustin.

The board reviewed a letter from Paul Keyes Associates dated 9/28/2010 seeking to waive the preliminary or final site plan requirements for his firm's vehicle parking. He will be contacted by Mrs. Nicolosi and asked to submit a site plan waiver application. This application will be scheduled for November 10, 2010, at the Work Session if the application package is received in a timely manner.

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A motion was made by Mr. Tremble and seconded by Mr. Zinna to adjourn the meeting at 9:42 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary