

**BOROUGH OF WOODCLIFF LAKE
PLANNING BOARD
JANUARY 10, 2011
MINUTES**

Call to order:

The meeting was called to order at 8:00 p.m. at the Borough Hall by the Chairman.

Adequate Notice Statement:

The Chairman announced that the Meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, was announced at the Reorganization Meeting held on January 11, 2010 in the Municipal Building. Notice of this meeting was posted and two newspapers, The Record and The Ridgewood News, were notified. Notice was also provided, in accordance with the Open Public Meetings Law, of the Planning Board's intention to conduct formal business at this Meeting.

The public was advised of the Planning Board's rule that the meetings will be concluded by 11:00 p.m.

Flag Salute

Roll Call:

Minutes:

The **minutes from September 27, 2010** were approved, as amended, on a motion from Mr. Glemby, seconded by Mr. Glaser, and carried by all.

2011 REORGANIZATION

The following Board Members were sworn in by Attorney Paul Kaufman. Oath of Office forms were filled out and will be filed with the Clerk.

Mayor LaPaglia, Class I Member, term expires 12-31-2011

Frederick Singer, Class II Member, term expires 12-31-2011

John Glaser, Class III Member, term expires 12-31-2011

Willford Morrison, Class IV Member, term expires 12-31-2014

Joseph Langschultz, Class IV Member, term expires 12-31-2014

Peter Michelis, Alt. Member #1, term expires 12-31-2012

A motion to appoint **Paul Kaufman, Esq.** of the firm Kaufman, Bern, Deutsch and Leibman, LLP as **Planning Board Attorney for the year 2011** was made by Mayor LaPaglia, seconded by Mr. Morrison and carried by all except Mr. Singer, who abstained. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

A motion to appoint **Boswell Engineering – Elliot Sachs**, as **Planning Board Engineer for the year 2011** was made by Mr. Singer, seconded by Mr. Morrison, and carried by all. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

A motion to appoint **Burgis Associates – Donna Holmqvist**, as **Planning Board Planner for the year 2011** was made by Mr. Glemby, seconded by Mayor LaPaglia, and carried by all. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

A motion to appoint **Jacobs, Inc. – John Pavlovich**, as **Planning Board Traffic Consultant for the year 2011** was made by Mr. Morrison, seconded by Mr. Dattoli, and carried by all. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

A motion to appoint **Kathy Rizza** as **Planning Board Secretary for the year 2011** was made by Mayor LaPaglia, seconded by Mr. Morrison, and carried by all. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

A motion designating **Boswell Engineering** as **the responsible party for Planning Board Application Completeness for the year 2011** was made by Mr. Glaser, seconded by Mr. Morrison, and carried by all. There were no other nominations. A resolution memorializing this was signed by the Vice Chairman and the Board Secretary.

George Fry was nominated for Chairman of the Planning Board for the year 2011 on a motion from Mayor LaPaglia, seconded by Mr. McDonough. Being no other nominations, **Mr. Fry was named Chairman of the Planning Board for the year 2011** with all members in favor.

Robert McDonough was nominated for Vice Chairman of the Planning Board for the year 2011 on a motion from Mr. Singer, seconded by Mr. Morrison. Being no other nominations, **Mr. McDonough was named Vice Chairman of the Planning Board for the year 2011** with all members in favor.

The 2011 Schedule of Planning Board Meetings was approved on a motion from Mr. Glaser, seconded by Mr. Morrison, and carried by all.

Board Discussion – Shed Height

Vice Chairman McDonough questioned the need for this discussion. Mayor LaPaglia stated that Nick Saluzzi, Construction Code Official and Zoning Official, gave as an example, a shed on Werimus Road. A 15' high shed was put in the side front yard of this property and gives the appearance of being way too large. Borough code presently allows for a 300 sq. ft. shed at a height of 15'. Mr. Saluzzi would like this lowered to 200 sq. ft. with a maximum height of 12'. Nick has surveyed other towns in the area and feels that 200 sq. ft. with a 12' height maximum is more than sufficient. Mr. Singer stated that a shed that large should only be permitted in the rear yard. A discussion took place among all present members regarding locations of sheds on residential properties, and the definition of rear yard. Attorney Kaufman read the definition of rear yard from the Borough Code Book. It was decided that Donna Holmqvist of Burgis Associates will research this and contact Mr. Saluzzi. Mayor LaPaglia will also speak with Mr. Saluzzi on this issue.

Board Discussion – Russo Acquisitions – 360 Chestnut Ridge Road

Attorney Kaufman stated that a letter had been received from the County stating that Russo Acquisitions had withdrawn their application for the office building at the corner of Glen Road and Chestnut Ridge Road. Mr. Kaufman wrote to the Board and to their Attorney, Mr. DeVecchio, stating that this is to be considered abandonment of the approval given by this Board. Mr. DeVecchio responded regarding the Permit Extension Act. Mr. Kaufman will write an additional letter and this matter will be discussed at a Planning Board meeting scheduled for the 28th of February. There was no Board discussion on this matter at this meeting.

Mr. Glaser asked Ms. Holmqvist the current status of COAH. Donna stated that the growth share method has been thrown out and that we are presently in a state of limbo. Mayor LaPaglia had spoken with Thomas Van Dam earlier today and was informed that there is proposed legislation but there is a chance that Governor Christie may veto it. Attorney Van Dam suggests that we wait and see what transpires. Mayor LaPaglia informed all that a resident of our affordable housing units has over mortgaged his unit by \$40,000.00 and is now in foreclosure. The last time that this happened, the Borough purchased the unit. Mayor LaPaglia feels that abuse is taking place and that the regulations need to be firmer. The Mayor also spoke regarding the COAH development fees that are charged for both residential and commercial properties. Attorney Kaufman and Mr. Michelis both stated that the commercial fee has been eliminated. Mr. Kaufman will consult with Mr. Van Dam on this matter.

A motion to open the meeting to the public was made by Mr. Glaser, seconded by Mr. Langschultz, and carried by all. With no one from the public wishing to be heard, the meeting was closed to the public on a motion from Mr. Singer, seconded by Mr. Michelis, and carried by all.

The meeting was adjourned on a motion from Mr. Morrison, seconded by Mr. Singer, and carried.

Respectfully submitted,

Kathleen S. Rizza, Secretary