

REGULAR MEETING

Salute to Flag: 7:10PM

OPENING STATEMENT:

This is the Regular Meeting of the Wanaque Board of Adjustment and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends on January 10, 2024 and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque, on the Borough's website and a copy thereof has been on file in the Borough

ROLL CALL: Chairman Jack Dunning, Members Dana Lynch, Donald Ludwig, Michael Sbarra, Helena Aumenta and Vincent Farinella and Attorney Ronald Mondello and Engineer Christopher Nash

Member Frank Covelli arrived at 7:42pm

ABSENT: Vice Chairman Bruce Grygus and Member Edward Bonner

ENGINEER REPORT: Nothing new to report on

**MOTION TO APPROVE AUGUST 7, 2024 MINUTES: made by Member Sbarra, seconded by Member Farinella. Voting yes were Chairman Dunning, Members Lynch, Ludwig, Sbarra, and Farinella
Member Aumenta abstained.**

VOUCHERS: submitted by Ronald Mondello, Esq. for the 815 Ringwood Avenue LLC Application in the amount of \$1,312.50; and attendance at the October 2, 2024 Meeting in the amount of \$500.

MOTION TO APPROVE: made by Member Ludwig, seconded by Member Sbarra. Voting yes were Chairman Dunning, Members Lynch, Ludwig, Aumenta, Sbarra and Farinella

VOUCHERS: submitted by Boswell Engineering for the 1025 Ringwood Avenue Application in the amount of \$8,795.75; for the 815 Ringwood Avenue LLC Application in the amount of \$699; and for the 937 Ringwood Avenue Application in the amounts of \$932.

MOTION TO APPROVE: made by Member Aumenta, seconded by Member Ludwig. Voting yes were Chairman Dunning, Members Lynch, Ludwig, Aumenta, Sbarra and Farinella

CORRESPONDENCE: Board Secretary will be handing out a new application.

RESOLUTION: ZBA2024-03 – 518 Wanaque, LLC

Attorney Mondello: Applicant came before the Board to convert one of the first floor commercial spaces into a residential one-bedroom unit resulting in maintaining the existing commercial space on the south side of the first floor and convert the commercial space on the north side of the first floor into a residential one-bedroom unit and retain both second floor residential units. There were a number of conditions which I will reading into the record: The Applicant has agreed to several suggestions made by the Board including enlarging “No. 7” parking space to be 10x20 as suggested by Board Member Sbarra; adding a seepage pit to collect excess runoff water from the building; adding a seventh parking space and designating parking “No. 6” as a handicap space; adding low level lighting to the side of the building near the parking space “No. 6” which is an ADA space and “No. 7”; adding greenery around the existing sign as well to the south side of the property behind the parking spaces; garbage cans be located in the rear; and once again additional greenery on the south side of the property. Applicant agrees to provide an updated Site Plan outlining all of the changes agreed upon.

I'll entertain any questions, comments, modifications, corrections, changes at this juncture.

Hearing none, seeing none, I ask for a Motion to Memorialize, followed by a second.

MOTION TO MEMORIALIZE RESOLUTION: made by Member Ludwig, seconded by Member Sbarra. Voting yes were Chairman Dunning, Members Lynch, Ludwig, Sbarra and Farinella

PUBLIC DISCUSSION: Anyone in the public have discussions with the Zoning Board of Adjustment of Wanaque? Hearing none, seeing, none, we close this portion.

Application ZBA2023-07 – 1025 Ringwood Avenue, LLC, Haskell, NJ

Larry Calli, Esq., Attorney for the Applicant, 1025 Ringwood Avenue, LLC, for property located at 1025 Ringwood Avenue, Haskell.

Attorney: Good evening everybody and thank you for having us tonight. We appreciate the Board's time tonight. Mr. Chairman and Members, what we would like to do is I'd like to quickly frame what brings us here this evening and let you know our witness deck that we'd hope to go through this evening and then we can go from there and start with our witness testimony if that's acceptable Mr. Chairman.

Chairman: That's fine.

Attorney: A brief background, and our experts will get into this in far more detail. The Applicants have owned the property for a short time, a little bit over a year roughly. The property is 1025 Ringwood Avenue, County Road 511, Block 408, Lot 14 for the record, and just over 2 acres at about 92,000 square feet. Mixed composition around us. We have a large matured green belt to our west, we have mixed uses to our north, south and across the street. Our Engineer will show you an ariel and walk you around the varied uses in the area. Our property currently is developed with a two-family. Steep topography on these properties as you all know along this corridor right here and our lot is actually bisected into two zones. We are in the B Zone on the front side, street side. The rear of our property is in the R-10 Zone. No development is proposed in the R-10 Zone. All the development, as you'll see on the engineering plans, is proposed in the Business Zone. The proposal is to raise existing structures, redevelop the site for a multi-family structure. 12 units total proposed. 7 – One Bedrooms and 5 – Two Bedrooms. Our Project Architect will walk you through the programming, the plans that were filed. We've got a rendering that we'll show you as to what it looks like and we'll go from there with the Design Program when our Architect testifies. It is roughly a 9,000 square foot box in the footprint, 21,000 square feet floor area. It's not a very large building. It is about 3' taller than an average single-family house at about 38' and change. 21 on-site parking spaces are being proposed, which will include the statutory e.v. make ready spaces that are required. Some are under the structure and some are outside but parking is all captured on site per the code requirements and then your typical accessory uses you would see with a residential building. There will be a refuse area in the building, there'll be green areas it, landscaping, site lighting, walkways and things like that. Our Engineer will walk you through all of that as he testifies.

Attorney: It's a very nice project Mr. Chairman and a part of it actually is sort of a cherry on top. Affordable is not required on this property but there are 2 Affordable Units being proposed.

Attorney Mondello: Why wouldn't it be required?

Attorney: I don't think it is required in code and the reports we saw. I know 15% is the standard set aside and I know 2025 is going to be the re-up, but under the code it doesn't seem any like affordables are required. If it is, great. If it's not, either way we are offering 2 Affordable Units among the 12.

Attorney Mondello: Sometime ago, we got a letter from the Borough Attorney saying make sure there is always an Affordable Housing Component to these applications.

Attorney: We didn't identify it and the municipalities I represent that is a huge item as well but either way, the Applicant, of his own accord, believing that none were required, is still proposing 2 Affordable Units within this project out of the 12 total units, whatever that's worth to the Board. What brings us here to the Board to Adjustment as opposed to the Planning is the Use Variance component where multi-family is not permitted in the zone. It works well on the site. It fits very well on this site and it looks very sharp, but it's not technically permitted by your codes. We are here for a D-1 Use Variance. We have some bulk relief as well and I'll let our Engineer get into that, but there is a few feet above the permitted building height that is required. It's not a D-6 Use. It's a C Variance. It is 3' and change above the 35' that is permitted, and then there are some retaining height and location issues. We have a lot of topography on this site, nothing to really be developed here right in the B Zone without some retaining walls. We've got some and they don't completely comply with the code. Along with that, there is Preliminary & Final Site Plan Review.

Attorney: We are going to have three witnesses present this evening and, for the most part, they are going to be presenting based upon all the documents that were already filed. There was a Traffic Impact Study, full engineering plans, architectural plans, and the like, GEO Tech Analysis. You'll hear testimony for the most part based on all of that. Our Engineer did have the opportunity to respond to your Board' Engineer recently, about two weeks ago, a line item response to everything in the August Boswell Report, which is now nice and cleaned up in the updated Dynamic Civil Engineering Plans that you have. Hopefully, that will address a lot of the concerns and questions that were raised in the August Report. We are also going to show you a few renderings tonight that were recommended in the Board Report to give you an idea of the cross section of the retaining wall in conjunction with the building and the building itself. It is a very nice and we want to show it off to the Board as to what it would look like if this were approved. Three witnesses and we'll start with our Civil Engineer first, following with our Project Architect and then our Project Planner.

Attorney Mondello swore in Tiago Duarte, 50 Park Place, Newark, NJ. Graduated Rutgers University in 2011 with a Bachelors of Science in Civil Engineering and have been practicing in the field of Civil Engineering since then so just over 13 years of experience. I am licensed in the State of New Jersey, among other states, and I have worked in tenure on multiple projects, commercial, industrial, residential similar to the application before the Board tonight.

Attorney Mondello: Have you appeared before any Zoning Boards in Passaic County before?

Engineer: Passaic County Zoning Boards, no. Planning Boards only.

Attorney: You regularly testify before Planning Boards and Boards of Adjustments in the State of New Jersey?

Engineer: Yes.

Attorney: As recently as, I think, about a week ago, representing McDonald's in another municipality in Morris County?

Engineer: Correct.

Attorney Mondello: Any objections from the Board Members admitting Mr. Duarte as an expert in the field of Civil Engineering? Hearing none, seeing none, your witness.

Engineer: To quickly orient the Board with an Aerial Exhibit, and I'll mark this one as Exhibit A-1, and this is very similar to the Aerial Map that was supplied with our Site Plan, Sheet 2 of the package.

Attorney Mondello: How was that created or generated? Was it Google or some other software?

Engineer: It is Google Imagery Background.

Attorney Mondello: What year? Most of the time there is some type of stamp. We've had images that were seven years ago that changed drastically.

Engineer: This one is actually from June of 2024. Basically what this just shows is the property in question, which is again, 1025 Ringwood Avenue, Block 408, Lot 14, and we have that outlined in yellow and we drew a 200' ring around it. The property is on Ringwood Avenue, County Road 511, and the property is split zoned so we have a blue side line running basically down the middle of the property separating the R-10 Zone, which is to the west, and the B Zone, which is along the Ringwood Avenue right-of-way. To highlight the existing nature of the site, everything within R-10 Zone is undeveloped currently. It's a wooded area with steep slopes up to peak and a portion of the area in the B Zone is developed with that two-family residential dwelling. The residential dwelling is currently located on the center of the bottom half of the site. Again, there is steep slopes and the grade difference between Ringwood Avenue and the property is approximately 46', so there is 46' of grade difference between the roadway and the finish floor of the home. There is a driveway on Ringwood Avenue which takes a meandering path up to that existing dwelling. As mentioned, there are other existing multi-family developments north and south of the subject site along Ringwood Avenue and also across the street. Moving onto the proposed conditions which is the subject of the Application this evening.

Attorney: Is there a title on this rendering? We'll mark this as Exhibit A-2.

Engineer: This is a Site Plan Rendering prepared by my office and this is basically a colorized version of the Site Plan, Sheet 4 of the package that was submitted, and we also turned on the aerial imagery in the background just to give reference to the adjacent properties and buildings on our north and south side. As you just heard, what is being proposed tonight is a three story multi-family dwelling with 12 units with 7 – One Bedrooms and 5 – Two Bedrooms for a total of 12 unit being proposed. Associated improvements include a driveway on Ringwood Avenue an off street parking areas. The interesting thing about this development is there is a component of parking that is beneath the building. I'll get into that more when I talk about the topography of the site. Basically, we've got 12 parking spaces inside the building footprint, so underneath the building, and we've got 10 surface spaces in front of the building just to the east of that proposed building.

Chairman: Do we have that Plan in our packet?

Engineer: Not the colorized version.

Attorney: You've got that image, but it is black and white.

Board Secretary: It is Sheet No. 4.

(Engineer gave out handouts to the Board of what he had displayed)

Chairman: The other question I have what is the proper drawing revision number?

Attorney: I can tell you Mr. Chairman with your current Site Plan package, the last revised date is 9/18/2024.

Attorney Mondello: Does that sound accurate Mr. Duarte, 9/18/24? I'm asking the Engineer since he put it together.

Engineer: Yes, that is correct. The last revised date is 9/18/2024 and that is Revision 3.

Engineer: Just to touch upon the bulk standards for the proposed building, the building does comply with the bulk setbacks for front yard, side yard and rear yard. Front yard we have 88.4' proposed, where 20' is required in the B Zone. We have 10.1' for a side yard, where 10' is required in the B Zone for a total side yard is 38.5', where 25' is required in the B Zone. Rear yard required is 25', where we have 294'. Again, it's a development on a much larger parcel and the overall lot is 2.13 acres. We are developing basically just the portion that is previously developed, so all the existing improvements that are out there that I just showed you on the aerial, those will be removed for what we are proposing tonight. There is one bulk variance and that is again for the building height. The code permits 35' and we are proposed 38.36' (38 feet, 4 inches approximately). The function of the height variance is the element to get the parking underneath the building. We are raising up the building to get parking underneath it to work with the slope of the site so that we limit our disturbance where minimizing our surface parking area and working with the grades because our site is stepping up as you move away from the roadway so we are actually building into that slope with this design.

Attorney Mondello: Just to clarify the record, I know you said a height bulk variance. It's a D-6 variance, right?

Engineer: It's a C.

Attorney: It is C since we are under the 10%.

Engineer: The site is accessed by a 24' full movement driveway up from Ringwood Avenue. It is very similar location to the driveway that exists today, except today it's 10' wide and it's only serving 2 units where we are proposing 12. We have 22 surface parking spaces that does include 4 EV Spaces, those are all located in the front of the building and they have an EV charging symbol on them, and there is 1 ADA parking space within the parking area underneath the building. That does comply with the requirement. 21 spaces are required and we are, again, proposing 22. Within the lower level of the parking area and, on the plan that I have up here, the building is transparent so it's orange, but there is a shaded area so you can see through, the ground level amenities include access to the building area, so you have your main entrance, elevators and we also have a trash enclosure area that is underneath the building and screened from outside view. Because it's underneath the building, a trash truck cannot get to it through the clearance of that lower level parking area, but for trash pick-up, the management of the building will bring out the trash bins or trash totes, bring them out to the front of the building at the garage entrance which is on the north side, the trash truck will go there, pick up the trash and the trash truck will then reverse out of the subject site, or into the parking field, and then pull out into Ringwood Avenue. We did that to basically accommodate the trash pickup and keep that off of the right-of-way so we are not impeding traffic.

Chairman: What about recycle?

Engineer: It will be separate and included.

Chairman: Separate containers?

Engineer: Yes. It is one trash room but we can

Chairman: You'll need 3. In Wanaque, one Wednesday is paper and cardboard, and the next one is recyclables-glass/plastic. You have to separate them, and they will be inside.

Engineer: Correct. Yes, all located in the trash room.

Member Farinella: Let's go back to the parking. There is no EV charging under the building in the garage?

Engineer: Correct, all are outside in the surface parking area.

Member Farinella: And the parking for the EVs, can they be the furthest away from the building?

Attorney: I'm not sure where they are located, but I see the logic of what you are saying.

Engineer: So they also have to be ADA compliant, so we do have to come some upfront. There are 2 on the westerly parking bay so closest to the building and then there are 2 on the farthest parking bay from the building.

Attorney: The close ones are because of the Federal ADA Regulations?

Engineer: Correct.

Member Farinella: What's the space area between the EV charging station and the building?

Engineer: Approximately 10'. You have an 8' sidewalk running in front of the building and then there is curb grass strip beyond that so it is at least 10' back from the building face.

Chairman: Your handicap space in the outdoor parking lot, how depth is that?

Engineer: The interior space. There is only 1 ADA spot and it is located underneath the building.

Chairman: The ones outside the building.

Engineer: Those are the EV spaces and all parking spaces are 18' long.

Chairman: Even for the handicap spot?

Engineer: Yes, the length.

Chairman: That doesn't work.

Engineer: Based on?

Chairman: A lot of people have handicap vans.

Attorney: Also there is a standard requirement for ADA spaces and handicap accessible and we followed all those dimension requirements.

Engineer: The requirements are really for the width. So you have 11' wide.

Chairman: It's going to be the same issue for the indoor parking space. It should be 11x20.

The outdoor space is supposed to have a sign with a van outside unload with an outside chairlift on the van. Inside you don't show that.

Engineer: So again, outside there are no ADA spaces; only inside the building. Those symbols are for the EV spaces. They also have to be ADA compliant and that's where the additional lift is provided.

Member Farinella: The one EV space

Attorney: It has to be for both. That's right.

Engineer: So that the facility is accessible.

Chairman: That doesn't make sense. You are saying they all have to be 11' wide.

Engineer: No. The ADA accessible space is 11' wide so it has to be 16' total. Typically what we used to do is 8' and 8' so an 8' wide space with an 8' aisle. They have since changed those rules to be 11' wide space with a 5' aisle.

Chairman: But I'm asking about the depth.

Engineer: The depth on all of them is 18'.

Chairman: Still 18'. That doesn't work.

Engineer: That is the minimum for parking.

Attorney Mondello: Mr. Chairman, if I just might make a suggestion, this is a Use Variance, which is extraordinarily difficult to get. What would you like to see there and perhaps the Applicant can, indeed, increase it, or maybe they can't, but what would you like to see there?
Chairman: Parking is a big issue in this Borough.

Attorney Mondello: Let the record reflect Member Covelli has joined us at 7:42pm.

Attorney: I will say this Mr. Chairman, and I understand what Mr. Mondello is saying maybe there is a mitigating factor, and we can certainly discuss that, but I will say this for the record, there is no relief being requested with regard to parking on this project. Parking is on site, the drive aisles conform in width, the parking stalls size conforms to the local code and the ADA standards apply. But if you are looking for an answer, we can see if we can consider that and apply, but there is no relief being sought in connection with off street parking on this project.

Chairman: Wanaque has an Ordinance that says parking spaces should be 10x20.

Attorney: That's very common for commercial shopping centers.

Chairman: No, it's in our Parking Ordinance.

Attorney: 10x20 is required in connection with a residential project? I know RSIS doesn't follow that dimensional standard.

Chairman: RSIS is 9x18. That's the State standard. We can ask for something stronger. We can't reduce that size but we can enlarge.

Attorney: If there is a pragmatic reason certainly.

Chairman: Yes, because of vehicles. If you look at most towns, especially in North Jersey, how many Ford F150 Series that are 20' long are around?

Attorney: I have a 250. I know. I'm with you Mr. Chairman.

Chairman: It is a problem and if they have those crazy mirrors on it, it's another 2'.

Attorney: We'll see what we can do Mr. Chairman. We want to accommodate it if we can.

Chairman: You see more and more of these trucks. They all make them: GMC, Chevy, Dodge, etc. When you get a tight parking space, it is difficult to get these things in and out of there because they are so tight side-to-side. You try to get that in at 9', there is no room for error there and then you are sticking out into the aisle space because it's longer than 18'. If you measure your truck its 20' and if you have a trailer hitch in the back you've passed that. What we are trying to do in all the developments is make space for people with bigger vehicles. Some of these super vans, there is one down by the Braen Supply, he has a mobile van that I think is longer 20'. I've seen one that long. It is his mobile showroom. I saw a medical van for transporting people the other day on Rt 287. That thing had to be 24' long. They come into town to come service a person here, where do they park. That's the problem.

Attorney: I'll let Mr. Duarte explain that further as to what the standard its designed for. You don't design for the anomaly. Parking on 23 in Riverdale doesn't design for Black Friday; its designed for the standard. Again, I understand your point, I understand your goal, I'll let our Engineer see what can or cannot be conceived.

Chairman: Here's our position now. Since we have the Ordinance that says 10x20. The Ordinance has been around for a while. We would make a trade off for so many 10x20s, so may 9x18s. The handicap vans are definitely bigger than 18', most of them, and especially on the rear of the van some of them have a gate that comes down and lowers it. You've got a tight parking space and under the building is tight too. You showing something where trash trucks are going to come into the building and backup and pickup the trash. Those trucks are bigger than your

F150s. They are very tall and very wide. One of your drawings here show the fire truck going under the building. I don't know why because they are not going to fight a fire unless it is a car.
Attorney: That's standard engineering practice.

Chairman: The access completely around the building for the fire department is another issue. One of your notes said you have talked to the fire department.

Attorney: Mr. Duarte. I'm just the attorney so he can testify and he should.

Chairman: He should, if he did already, does he have any feedback?

Attorney: I will tell you this. The very thorough Boswell Report that was issued August 1st was responded to by Dynamic Engineering on September 19, 2024 and that is all baked into that response and that report to those items. He has not yet concluded his direct testimony so if he can continue then we can through those questions. I heard you loud and clear on the sought after dimensional size of the parking spaces.

Engineer Nash: While we are on this subject, I thought the rules required, in this case, one of the EV spaces needs to be ADA assigned and I don't see those markings on the pavement for that.

Engineer: On the ADA they are designed to be accessible. We can look at the signage that's required for those and add that to the plan for sure.

Engineer: To go back to the parking, we heard you loud and clear on the parking dimensions. I will say typically what we have is a 24' aisle between a double stacked parking like we have laid out. This is designed with 25' both on the exterior surface parking and the parking area underneath the building. That does give us some more room for maneuverability. And quickly, just looking at the plan, again we have that 8' sidewalk in front of the building so we could take a foot or two out of there making that a 6' sidewalk and make those 5 spaces 20' long and then we can could look at the striped area in front of the 12 parking spaces in the building to see if there is any room to make some of those longer. I don't have the exact number of how many 10x20s we can provide, but we can definitely incorporate some in the plan.

Chairman: Whatever we can get, we want.

Engineer: Will do.

Engineer: To touch upon the grading, which is one of the big challenges on this site. Again, the grades go from 46' from the roadway up to that existing property. What we developed with laying this site out, and originally this was filed as an 18 unit building, we had a longer driveway that wrapped around the building and entered into a rear parking area. There were some comments back from the County and from the Board Engineer so we've since reduced the scope of the project so we are now down to the 12 units and we frontloaded the parking so that's in front of the building. Grading has been a challenge on the site since it's inception but we've come to a design that does work with the elements. Again, we have the parking underneath the building to work with the grade change, we've got walls on all three sides of the building that tier in the back so that it builds up behind the building so it's not a vertical wall there. We do have walls on the north and south side as well to basically get this property suitable for the building that is being proposed. On the grade change, some of the walls that around the building, at it's highest we've got 22' and then we've got tiers of 9' and 8' along the back to make up for that grade difference. A lot of that is the function of the County comments. They didn't want our driveway to be too steep where we connect to the County right-of-way so we were really limited to in how high we can get onsite with our gradings so we were limited to that finished floor.

Engineer Nash: Can we focus on what you are calling the "the walls"?

Engineer: Yes.

Engineer Nash: Are you putting a veneer on the rock or are you keeping them

Engineer: The walls haven't been designed yet. That would come subject to a Board approval. We did complete field testing and additional testing for the walls to understand is it feasible. We envision these are rough face walls so basically we would tear the bedrock that exists, remove that from the site and that would leave a finished face. One of the elements that we'll have to further investigate with the rock face wall is the stability of it. If there is some concern with the face and if that's stable enough there are elements that we can propose to further stabilize it and finishing it with some sort of veneer or finish would definitely stabilize the face.

Engineer Nash : Geotechnical Engineering is not my specialty. It is something that is your specialty?

Engineer: Not much specialty.

Engineer Nash: Unfortunately, I used to be very proud of my engineering experience, now, 43 years, just means that I'm old, but anyway so I've been around a while and if you just look around, and a lot of us are familiar with Route 287 and coming into Wanaque from Oakland, and you see that the rock slopes were cut back on an angle. You see the new Taco Bell in town. The height of the rock is less than 20' but the rock is cut back at least 10' to 12'. Here you are proposing absolute vertical face around this property. I don't see how that is possible. The rock has fractures and when you go down 10' there are fracture lines which dictate the slope angle that the rock is ultimately going to sit on, on it's own. The problem is, not knowing that, because the slope is going to be this way or this way, but if it's sloped towards your building that is bad and the other side, if it's sloped away the neighbor's property, and you are so close to the property line, it could collapse and remove property from the neighbor's side. So there is some outstanding questions and the real problem with there being outstanding questions, because it is almost like a fatal flaw because you could get this approval and you won't be able to build it. It is almost like we need to know ahead of time what you are doing with this wall and how it is going to work and if it's going to work.

Engineer: On that the last submission we did included the additional Geotech testing report that was completed. On the south walls and the west walls it was confirmed that the slopes are away from the building so, again, yes the walls would taper away in a southerly direction and westerly direction on that side. The north side does require some more investigation as to determine where that slope is and, on that north wall, we would envision needing some additional reinforcement to again not impact the building, keep the wall where it is intended to be, but as far as grading back from the property lines, we have set the walls back to where we are comfortable with a design working in that scenario and that was what the biggest intent of our additional Geotech testing was to confirm is this feasible to build. Based on the info we've obtained to date, it is feasible. I do understand the concern of wanting to see more.

Engineer Nash: How is it going to be constructed assuming you don't get permission from, unless you have permission from the neighboring properties, how you occupy the space, drill the holes, and excavate the lot and stay entirely on your property? Or do you have easements from the adjacent properties?

Attorney: With that question we have to assume you never get cooperation from neighbor and that's just the reality so the assumption is we will not get easements and access rights and it would have to be developed fully from our site. I think Dynamic is going to have to work backwards with that conclusion in mind.

Engineer Nash: Because the testimony is almost like the Seinfeld episode, yada, yada, yada, it's like we have this trouble rock problem, yada, yada, yada.

Attorney: What I'm hearing, and its 8pm, the Chairman wants us to look at options with these parking spots. It feels like we are going to be coming back. We'll discuss after this meeting whether or not, Mr. Duarte brings a supplemental witness with us on Geotech and they'll look at whether or not that critical detail is an issue or not so you might see some updates on that in the submission anyway along with further testimony.

Engineer Nash: From a structural engineering and I'm a Structural Engineer, the walls are never vertical, they are always battered to some degree. When you are going up 20' or 30', to some degree is feet at the top; it's not inches.

Chairman: Your terraced wall, do you have a drawing of that or any breakdown of what that's going to look like? Wanaque has an Ordinance on these stepped walls. You must have an engineered drawing submitted to the Borough Engineer and work around that. That area is all rock and there's no doubt about it. That's very critical.

Chairman: One thing we have an issue with, and that's why Chris put in there to contact the Fire Department, is access to the sides and the rear of the building if there was a fire and we have to take precautions.

Engineer: We did submit our plans to Chief Olivieri. He reviewed our plan and we also submitted the fire truck circulation plan (Sheet 16 of the Set) which shows basically the fire truck coming on site and then turning around within the surface parking area that have. First when we discussed it with him, he mentioned that probably if there was an emergency they would deal with it from the road but show us that we can get our truck into and out of the site if we ever have to. So, he saw this plan and he had no further comments for emergency access for us.

Chairman: The south wall, if you were going to cut a rock almost straight down which is kind of impossible, but that's a funny angle. Your dimension, which it doesn't show, is 28.4' but that from the building to the property line, what is the actual opening from the building to the wall?

Engineer: So that front corner, the southeast corner of the building, we've got 9' between the wall.

Chairman: That's if the wall is straight.

Engineer: Correct, but it would batter away from the building so, at it's closest point, it'll be 9' and then it'll open up. So at grade it would be 9' and then it would batter back from there.

Chairman: On the west northern part of the building, you've got a measurement of 6' and another one of 4.2', but it doesn't clearly tell you where they go.

Engineer: Yes, 4' is to the wall and the 6' is the front of the wall to the property line. So you have 6' for the wall.

Chairman: Except when you look at the drawing, it looks like the wall and the fence are split dead in the middle.

Engineer: Correct, the fence would be located at the top of the wall.

Chairman: That would be very tight to get people, a ladder, the fire department in here.

Engineer: They would have the 4.2' between the wall and the building. On the backside to the western, we've got 10' at its narrowest where the building is closest to the lower tier of the wall.

Member Aumenta: You wouldn't get a truck back there. You'd be on feet back there with the hose, water and the ladders and all of that back there.

Engineer: Yes, correct, there wouldn't be no access in a fire truck.

Chairman: How many EV chargers are you putting in that parking lot?

Engineer: 4.

Chairman: And 1 is for the ADA space?

Engineer: 2 are ADA compliant but the ADA space has to be separate from the EV chargers.

You can't have an EV space and an ADA space count as both.

Engineer Nash: EV spaces must be ADA compatible. Actually, the way it is written, it says "they must comply with the Americans With Disabilities Act. Therefore, it has to be signed, ramps, and everything has to comply.

Chairman: You need signage, right?

Attorney: I think he said he would add that to show that to ensure.

Chairman: How do you control that?

Attorney: It's the problem every applicant is having in the State now.

Chairman: Look, the State wrote an Ordinance that we all have to accept these EV charges. You read through it and doesn't make sense.

Attorney: No it doesn't. I see this all the time in Morristown. Very tough when you have a commercial site and you can't control it because you have so much traffic movement right around there. On a small residential, and when I say small, anything under 30 units, something that is visually manageable for management, you can manage it on site and you can enforce it pretty easily with a project this size.

Chairman: You have to put signage there "EV Cars Only".

Engineer: That is there, yes. We agreed to add ADA signage for the 2 ADA EV spaces.

Chairman: Okay, so nobody else can park there in a gas powered car?

Member Aumenta: No supposed to.

Chairman: That's basically what the state said.

Engineer: Yes.

Chairman: Here is my problem with all these units, you have 12 units and technically you need 2 cars per unit. That's 24 cars and you are not proposing 24 cars. Then we have this other problem that crops up all the time, how about a visitor's parking spot?

Attorney: A visitor is theoretically baked into the Ordinance when it factors in how many units. That's factored in when figuring the parking spots.

Chairman: In numbers, where is it showing?

Attorney: It's not. The requirement for parking relative to a use in the Municipal Code factors in all anticipated categorical uses. Visitors are factored into the number in the Code.

Chairman: But it doesn't balance out.

Attorney Mondello: So Mr. Calli, you are doing a fantastic job and so is Mr. Duarte. To the extent possible, let's see if he can answer some of these questions and I'll see if I can chime in. Mr. Chairman, what Mr. Calli says and I believe Mr. Duarte is going to confirm, is that these 2 parking spaces that you are looking for each particular unit that includes a visitor. There aren't separate requirements and we know what the RSI is and the Applicant and Mr. Duarte and Mr. Calli have already indicated they understand that a D-1 Use Variance, according to some Appellate Division Judges, don't even exist, they know it's difficult, but they are willing to work and see if they can modify the plan to increase some of those spaces. How many parking spaces do you have right now?

Attorney: Right now we have 22.

Attorney Mondello: Mr. Chairman I don't know if they can get the 24 but they'll take a look at it.

Chairman: Here is the problem, if they don't get to it, and you have 12 units each with 2 cars, that's 24.

Attorney: There are several one-bedroom units. It's relatively unlikely that every one-bedroom unit will actually have 2 units.

Chairman: In today's world, some have three cars, let's face it. We live in a crazy thing with these parking spaces, apartment uses, kids are staying longer with their parents and as soon as they hit 17, your son or daughter is getting a car, which means in a two-bedroom unit

Attorney Mondello: Mr. Chairman, there are quite a few one-bedroom units and maybe we should do is let Mr. Duarte continue and come back perhaps with a revised plan that incorporates some of the concerns that Chairman has. If it is okay with you, perhaps we can move on.

Member Ludwig: Is it possible you could park cars to the right as you are going into the place for extra people? On the driveway as it comes in, looks like there is enough space there that you could vehicles there.

Attorney: We are certainly going to explore our design options. On top of that Mr. Chairman, we have in-house Traffic Consultants at Dynamic, and we've heard a lot of discussion on parking demand, stall sizes, and needs. We might certainly bring back an Engineer, with traffic expertise, to testify to eliminate any concerns.

Attorney Mondello: You won't be able to allay his concerns. If you are able to some how increase the parking and increase some of the sizes, that will allay his concerns and we understand that this is not required under the RSI, but it is a D-1 Use Variance.

Chairman: Here's the problem. There is no other place for people to park if they can't find a parking space.

Attorney: It's on site or that's it.

Chairman: That's the big problem. You can't park on Ringwood Avenue, there's nothing down the street or up the street really where you can park. Plus, we have Snow Ordinances that you can't park in the street when it is going to snow anyway. It is a tough thing as more and more people have more cars and it creates problems at all these places.

Engineer: Stormwater, as part of the project, we are going provide a stormwater detention system that will comply with the State requirements for major developments so basically, beneath the parking area at the front of the building, there is an underground basin and it is sized to detain the two ten and hundred year storms to meet the DEP reductions and also comply with the Borough of Wanaque's requirements for stormwater.

Engineer: As far as utilities, the building will be serviced by all new utilities. Everything that's there servicing the current property will be removed and the current building will be removed. We'll then have new sewer line, water line, and gas line if required, and electric. There is a mechanical room on the ground floor to the west of the building so in the parking area behind the trash room. Additional improvements on site include site lighting. We are going to have 3 LED area lights in the parking area to provide illumination meeting the requirements there for safety and pedestrian movements. There is also 10 building mounted lights on the building to again provide additional illumination. These are all LED lights so they are cut off, they are directionalized in nature.

Chairman: They don't show up on the plan where they are though.

Engineer: They are shown on our Lighting Plan (Sheet 8). It identifies where all the lights are going and the proposed fixtures that we are proposing to use here along with descriptions.

Engineer: Additionally, beyond the lighting, we have landscaping proposed. We do propose landscaping to screen the parking area from the right-of-way. We have a total of 4 shade trees being proposed, red maples, along the right-of-way. We have 63 shrubs along the sides of the parking areas to focus on reducing any headlight glare spilling off site. 33 ornamental grasses and those are provided around the front of the building.

Engineer: We touched upon traffic and again heard the Board's concerns so we will definitely involve the Traffic Engineer at the next hearing to talk more about the layout that we are going to try to get some more parking in there, about the demands and the typical vehicle sizes that they are seeing as far as their analysis.

Engineer: I think that covers everything that I can touch upon today. Again, the revised plans submitted earlier this month did address I believe a majority of the comments from the August 1st Review Memo.

Attorney: I think you covered most of them but if you missed any, we can go by line time through the Boswell Report that was submitted.

Engineer: I do think we hit everything. The walls obviously, we will have to take another look and provide additional room just to anticipate a potential batter on those walls to again give the Board more comfort as to the design that is being proposed, not only functional but feasible.

Attorney Mondello: It is my understanding that Boswell was satisfied with your response or reply to this letter with respect to draining comments. I read it three times and I still don't understand it but as long as the Engineer is comfortable with those four pages of comments on drainage, I'm sure the Board is satisfied as well.

Attorney Mondello: Any questions of Mr. Duarte and then we will open it up for questions, and questions only, from the public with respect to the testimony that Mr. Duarte has given thus far.

Chairman: Do you have an Architect tonight?

Attorney: We do.

Member Sbarra: I have a question on something I just saw on the handout you just gave me. I am looking at one of the parking spaces which is proposed to be a ride-share and deliveries only space.

Engineer: Correct.

Member Sbarra: Giving kind of everything that was said from the dais here, as we are trying to increase space size, do you think that is something you believe is something that needs to be designated?

Attorney: That was actually something that was recommended by the Board Engineer.

Engineer Nash: That came from me. There is so many deliveries these days with Door Dash, Pizza One, Amazon, they need a place to park and this way they don't park in a spot.

Chairman: As we see on Ringwood Avenue, when they're in your lot, they won't care what they're blocking.

Attorney: That's why I think this was a good suggestion. Hopefully they will use it, otherwise they are blocking cars.

Attorney Mondello: And Chris realizes that there are adjoining towns that have opted into cannabis and now you can deliver cannabis 24/7 to residents.

Engineer Nash: That was not on my list.

Engineer: Yes, whatever revisions we make to add more parking, we will definitely still maintain that space as designated.

Attorney Mondello: Other questions from Board Members with respect to Mr. Duarte's testimony thus far?

Member Aumenta: The slope of that driveway right now is very, very steep.

Engineer: Correct.

Member Aumenta: Is that slope going to continue to stay the same?

Engineer: No, again the existing house is about 46' off the property line elevation and our first design tried to mimic that and the County didn't want it be that way. They want the first 25' basically flat, like ADA parking level flat, so we brought the building way down and in the redesign and relocation of it. It'll be similar to the use to the north actually where it is a flat parking area.

Member Aumenta: Where are you going to put the snow?

Attorney: The parking area right now is about 5,000 square feet so we envisioned the green space between the sidewalk and the wall will do our best. If anything is not able to be accommodated, if it's a really tough year or something, management would have to work to remove it from the site.

Engineer Nash: Given the question that the Board Member just asked, is the Architect going to explain how the site is through cross sections, the walls.

Attorney: Yes, the Project Architect and we'll have him show you that cross section and the walls and the elevations.

Engineer: I'm up here so I can introduce that just to give reference of where the walls are in relation to the building. This is Exhibit A-3 entitled Elevations prepared by the Architect with the date of 9/30/2024. The architect will go through the elevations and materials and the details of that. On this plan, we have the limits of the wall shown in relation to the building height so that we can get a reference for it, and it's being passed around because it is a tougher to see up here. So the top image we have the south elevation so that is if you are standing on the south of the building look north what you'll see there is a red line that denotes the top of the wall that we are envisioning with our grading plan. Along the front of the building, it's about 6' or so, where you can see that red line and you can see the parking area in relation to that. As we move again up slope where we are fighting the grade of what is out there today and the top of the wall is about 14' off of the top of the roof at it's highest point and then it gradually decreases from the west side to the east side. On the north elevation, pretend we are standing on the north of the building facing south, we see the elevation of the wall at the far south side that is about 4' off of the roof at its further point, or the worst condition where the building is most tucked back into the slope and then that increases as we move forward towards the parking area.

Engineer Nash: They have provided these elevations, but I had asked to put in the red line because you are never going to see the elevation of the building because it is blocked. You won't see the building because it's going to be down buried behind the rocks.

Chairman: It is going to be much lower.

Engineer Nash: And likewise on the other side. You are just going to see the top of the building. If you are the next door neighbor, that is what you are going to see. They are carving all the rock out and putting this building basically at the street line where they solve the steep driveway by

carving, taking all of the rock out, and putting the building way down at the street line. It's like a normal entrance 2% going into the site.

Member Sbarra: By any chance would have an elevation from the front and I guess that would be the east side?

Engineer: The architect will provide that. She is up next.

Attorney Mondello: Any other questions from the Board Members with respect to Mr. Duarte's testimony? Hearing none, seeing none, do any members of the public have questions, and questions only with respect to the testimony that Mr. Duarte has provided thus far. There will, of course, be a portion for you to comment; I like this application or I hate this application and here's why. Come on up if you have questions for Mr. Duarte.

Christina Fullam – Owner of 1019 Ringwood Avenue

Ms. Fullam: One of the things that I was concerned about, and I'm trying to understand, is how tall is the wall going to be here, this wall (pointed to a wall on the plan). I guess that's the north side. How tall.

Engineer: It is going to range.

Ms. Fullam: Start down at the street level and go up if you wouldn't mind?

Engineer: So the eastern side of the wall, the wall is 0' tall there. As we go up, it will match the grade so if the grade that's out there today is the grade that we would see from your side. We are carving the side of our property. Envision the property line staying the same as it is today, we are creating carving out all that rock to plop the building down.

Ms. Fullam: Okay, so it's not going to be any higher. So then my concern is when you go to cut out this property, the stone, how are you cutting that out?

Engineer: That is something that has not been designed yet. There are different methods depending on a few different things that can happen as far as jackhammering, using excavators to dig it out, or just chemical mixtures you can fuse into the stone, we can drill holes into it and then jackhammer from there to create notches and bring basically the stone out. It hasn't been fully designed yet but there are various methods that can be used.

Attorney Mondello: The Board Engineer had suggested that there be no blasting. Isn't that correct?

Ms. Fullam: That was going to be my next question.

Engineer Nash: It was in their last report and now I don't see it in the current report.

Engineer: It is noted as an option, but that's something being worked on.

Engineer Nash: It was noted in the previous report that you recommend no blasting and now it has been revised.

Engineer: Yes.

Engineer Nash: The methodology is, even when you blast, there are provisions that have to be made to monitor, pre-blasting, post-blasting, but you are rolling the dice if you go the blasting route.

Attorney Mondello: I am somewhat confused. If you initially took the position of no blasting and now it is an option, where do we stand with respect to blasting and let Mr. Duarte testify.

Engineer: Again, it hasn't been done. We don't have a contractor or anybody on board to do the work.

Attorney Mondello: So, in other words, the Applicant is not agreeing to no blasting whatsoever?

Attorney: Correct.

Engineer: The way it's listed in our Geotech Report that was submitted, blasting is an option for this scenario.

Engineer Nash: And that's a change from the original position.

Ms. Fullam: Is there a reason why that was changed and that you took it when there was no blasting initially? Did something come about that changed your mind about that and that's why you removed it?

Engineer: No, so when we did the initial boring tests, just based on the findings, they said blasting is an option to get rid of this, but there is also chemical blasting that is another option listed in there.

Engineer Nash: Can you look into it further and then say "this is how we intend to remove the rock"?

Attorney: We'll have more clarity for the Board and neighbor at the next meeting.

Member Covelli: I think the concern is that, for starters, the projects on either side of your project is Board approved. So the one is on top of the mountain up the hill and theirs is north where there is really not much rock there at all. I would certainly think that south of you with his 36 units would be very concerned if you start rocking and rolling on that rock because his whole foundation is predicated on that rock standing the way it is on his side. Kind of thinking about blasting makes cracks in other places.

Attorney Mondello: It certainly would be a reasonable condition if the Board was inclined to grant this D-1 Use Variance that there should not be any blasting.

Member Covelli: We also have to be concerned that there were other projects in this municipality that I can think of where hammer drilling was used and they ended up hammer drilling for, I don't know, ten years and ran a quarry out of there. The difference is, like this area, it was residential but they were not on Ringwood Avenue. When you kind of come to the Board with this, with the amount of volume, and I would actually like to hear what kind of quantities we are talking about, and putting that in a perspective where we could understand how much can be moved in an average day. With that said, how long it would take and the method that will be used, not that we have several different options, but the method that will be used. You're in center stage, it's called Ringwood Avenue. In this town, Ringwood Avenue is center stage.

Attorney Mondello: You can see Mr. Duarte's taking copious notes.

Member Covelli: I've heard how eloquent he is with the English language and I'm glad to see him taking notes. That's a good thing. With that said, both Counselor and Mr. Engineer, I think we need a lot more specificity on that. I also think that, when we did the project south of you, we actually went to the top of that hill and that Applicant floated a balloon for us to see how high that was.

Attorney: We certainly can do that. I the Board Members are all there, we'd have to notice.

Member Covelli: And the reason we did that, and I said this at that time to that developer, and I'll see this to you, that's our main street, that's our show case and what is out there is the fabric of this community so at the end of the day somebody riding through town says one of two things: wow isn't that a nice little thing as they drive by, or they say "who the hell approved that". You are the artists, you are the creators, and that will be the response of the passersby, the motorists, the residents of this community so we need with specificity what it is you propose and how we get to your finished product because the journey will be as important as the end.

Chairman: Looking north of the property, right next to the property to the north there are some buildings that are very close to the property line. How close are they and what's the difference in elevation? When you remove the base rock, of whatever it is when you start digging, how close is that hole that you are creating going to be to those houses/condos next door? There are no measurements.

Engineer: It is 6' and it's on the Site Plan. It's 6' from the property line. It doesn't have the measurement to the building but we can add that.

Chairman: What about the elevation from your property when you strip it down to whatever level you are going to get, how does that affect those houses/buildings next door?

Ms. Fullam: Yes, and the parking lot?

Chairman: I mean you're showing a wall on that side with a fence on top of it.

Engineer: So standing on the property line today all you would see the woods.

Chairman: Your pictures here, looking north, you cut this step up to unfinished elevation to the rear, between your building and those buildings next door to the north, what's the difference in the elevations? Is it 2', is it 20', what is it?

Engineer: We'll get that information.

Chairman: Basically what it looks like. You got a lot done, but you didn't finish it in detail.

Attorney Mondello: I think they hear you loud and clear Mr. Chairman.

Chairman: We are trying. It's just that you're presenting something to the Board and the Board is trying to work with it but you are not giving us the things we need to work with it. Nice pictures, but they don't tell us anything.

Attorney Mondello: I am confident the next time Mr. Duarte returns, he will be able to answer those questions.

Attorney Mondello: Do you have any additional questions? I'm sorry that you had to stand there?

Ms. Fullam: It's quite okay. So one is we have families with small children, so they are home during the day, the amount of noise that it's going to make as you get rid of the 25' of stone/rock and then my concern now is, because there is such, what 6' you said, I'd like some sort of guarantee or something that isn't going to impact my driveway and my black top and to add cracks and stuff that I'm going to have to fix, the macadam, for our parking area.

Attorney Mondello: I think that might be for Mr. Calli. I don't think it's for Mr. Duarte.

Ms. Fullam: It might be for somebody else, but those are my things.

Attorney: If site work causes damage to your property that will require restoration the tortfeasor, the person who caused the problem, so your guarantee is State Law protecting you on that. When this is inspected by the Municipal Engineer, it'll be in the field and I'm sure you can be there as well, you do live next door, if there is an issue that's happening offsite that you can document, the Applicant is going to have to address.

Ms. Fullam: But I don't live there.

Attorney: Then I don't know how you can speak to that property. As far as small children, the Applicant when the start construction, they have to follow Borough Ordinance requirements related to construction mandates on times, noise standards, pollution standards, what can emanate from the property and what can't, those are Borough Ordinances that apply no matter which Board you go to or if you just get a straight building permit, so those will apply and they are enforceable by the Borough Code Official.

Attorney Mondello: Noise Ordinances are typically very, very difficult to enforce. Why, because towns don't typically have the equipment to measure the appropriate decibel level but I can tell

you it will be louder than one of those leaf blowers. Mr. Calli just explained that if there is some type of damage, you do have recourse. Hopefully, the Applicant would work with you and you don't need to run into Superior Court to enforce those types of rights. I'm sure that they would be good neighbors and hopefully take care of any problems that they have created.

Attorney: We certainly would. The Applicant on this project is a very, very good person, a small developer and long time property owner in the Borough. The Applicant will certainly work with any neighbors if there is any damaged caused by the Applicant's project. That goes without saying.

Attorney Mondello: Ma'am do you have any additional questions?

Ms. Fullam: I do not, but my mother does.

Nancy Anderson – Partner in 515 Piermont LLC, Owner of 1019 Ringwood Avenue (Townhouses)

Ms. Anderson: I think we are the only people that could really impacted.

Attorney Mondello: Ms. Anderson, there will be an opportunity for you to comment. This is a very specialized period where, if you have specific questions for Mr. Duarte on the testimony that he has provided thus far, do you have questions for Mr. Duarte?

Ms. Anderson: Basically my question was going to be if we could be kept informed of what you are doing and how you are doing it. I don't want to interfere. I just want to be kept aware of this because it runs the full side of that property and there are four townhouses that are occupied.

Attorney Mondello: Ms. Anderson, there will obviously be another hearing that you will attend but how else, what else would you like from the Applicant in order to be kept into the loop? What have you envisioned?

Ms. Anderson: I hadn't envisioned anything. I came tonight since I'm just concerned that we will be made aware of, and kept up to date, with what is going on.

Attorney Mondello: All right, let me ask Mr. Calli, any suggestions because I have none.

Attorney: I don't either. I know we are not going to be blasting here, but you would get a separate notice as a neighbor if blasting were contemplated. When structures are composed for demolition, you would get a notice of demolition that is a State requirements. The other thing I can offer is I can have you meet the Applicant, the gentleman who is the owner of the LLC, and keep open a line of communication. Like I said, he is a very, very pleasant person and I'm certain he would like to work with you and accommodate you as best he can reasonably, within reason, and you will be apprised. Once workers are on site mobilizing and site work is ongoing, they'll know what is happening. They are there, their working and assume they are working toward the finish line.

Attorney Mondello: I think the latter was a splendid suggestion.

Ms. Anderson: I think that's excellent. I'd also like to make sure that when this is coming up before the Board that we are apprised of that so that we can be here.

Attorney Mondello: We are going to tell you when the next meeting is. All right, it appears you don't have any other questions, I'd ask you to please sit down. There will be at the conclusion, which will not be tonight. Sir, did you have any questions?

Gentleman: I was concerned about the blasting.

Attorney Mondello: All right, thank you. Any other members of the public have questions, and questions only, for Mr. Duarte's testimony. Hearing none, seeing none, next witness Mr. Calli.

Attorney: I call our Project Architect.

Attorney Mondello swore in Karen Luongo, Principal in Kapuscinski Luongo Architects, 66 Laurel Avenue, Murray Hill, New Jersey. I graduated from NJIT with a Bachelor of Architecture. I am an AIA Member in good standing. I also a National Council of Architectural Registration Board License Holder. I have a License in good standing with New Jersey as well as several other states. I have experience with multiple building types, which include multi-family, commercial, health care, institutional, educational, some municipal. I've made expert appearances in municipalities in 12 Counties, although I have never appeared before in Passaic County. I have appeared recently in Morris County in Morristown, Mount Arlington, Pequannock, and East Hanover.

Attorney Mondello: Any objections admitting Ms. Luongo as an expert in the field in the Architecture? Hearing none, seeing none, your witness.

Attorney: We heard a lot of testimony and we are coming back on a lot of the design issues. With that, I'll turn it over to you so you can walk the Board through the drawings and if anything is different we will have to note it and mark it as an Exhibit on the record.

Architect: First before I talk about the specifics of what we have here, I would like to give a little history of how we ended up with this solution. This a very, very, very challenging site. There so many issues that we had to weigh against each other to be able to develop something that met the program requirements that our client was looking, obviously multi-family, and a very steep slope on the site. Our original plan actually looked to put the building about at the level where the structures are now because that is sort of the flattest level of the site and we tiered the parking down to be able to work with the terrain a little bit better. Our problem was we couldn't comply with the County requirement of having a 2% slope on the 25' coming in. The solution we have now with the amount of clearing that we have to do to nestle this building on this site really was something we worked our way back to and again put all those perimeters in place and we reduced the size of the building. We had a bigger building originally. There have been a lot of compromises that have been made to get to the project that we have here and feel is a reasonable proposal for really, really tough site.

I won't repeat the details that have already been put into the record. You know the site and you know the way the zoning is. We do have multi-family uses on both our north side and our south side. I will mention the site to the north of us is relatively flat compared to our site. There will not be a change at the property line to the grade that exists there now. Whatever that grade and that slope is, that will be the same when we're finished. As Mr. Duarte had earlier testified we're clearing out inside of the walls. The property lines are going to stay the way they are, and the slopes and the grade changes that exist there.

It has already been described that we are doing a 3-Story, 12-Unit Apartment Building. The building totals 24,000 square feet. Each level is approximately the same at about 8,000 square feet. Our ground floor, which is visual on A-101 and is indicative of what submitted with our package, indicates that we have parking below the building, there is an entrance to the parking garage that will come directly from the driveway. There is 1 spot here, a total of 6 along the back wall and, right now, we have a total 4 along the front wall with a handicap spot. I heard the conversation about the 10x20, we certainly can increase a number of these spots to 10x20. We may not be able to all of them, but I think we can get more than 50% of them. I think one of the things we will also look at is potentially relocating the accessible spot to the on-grade scenario as

well. However, the spot the way did have it laid out did meet the height for the ADA van and the width as well.

In addition to the parking spaces underground, we have a small building lobby that is accessible from the parking area as well as the surface parking. We have an elevator there and we have an exit stair. There is also access to a second stairway in the back that will allow you to go up to the first main level, exit at that point if you needed to, or continue up to the third floor.

Drawing A-102, revision date 9/20/24, also a duplicate of what of what was submitted. The building has a total of 7-One Bedroom Units and 5-Two Bedroom Units. I do want to note one correction, it's a typo that I did not notice until today, our Chart which says Building Data Unit Types indicates 4, when clearly it should be 5. We will correct that when we resubmit.

The Second Floor has 6 Apartment Units, 4-One Bedrooms, and 2-Two Bedrooms. It also has access to the western elevation and, in the back area, an outdoor recreation space to the rear of the building.

The Third Floor has 6 Apartment Units, 3-One Bedrooms, and 3-Two Bedrooms.

Each Floor has a Common Area, Utility Storage, Access to Stairs and Elevator.

Both Residential Floors have access to the Outdoor Area at the Back of the Building.

All of our Units are generously sized. The One Bedroom Units range from 813 square feet to 1000 square feet, which is big for a one bedroom unit.

The Two Bedroom Units range from 1100 square feet to 1400 square feet.

All of the units have an Open Floor Plans. The Kitchens are open to the Living and Dining Area. Most units also have access from the Living Area to a Balcony and all of the Residential Units have 9' Ceilings.

The Kitchens are outfitted with a modern suite of appliances, which will include a dishwasher, range, refrigerator and ample cabinet storage. There is seating available at either an island or a counter and there is also room for a small dining table. The large windows with transoms, I'll show you that when we get to the elevations, and there is ample light in these units.

The Windows will have transoms above, give a lot of light, they are oversized units and the living area has doors to the balcony, where provided. The windows will also be operable.

Units all have Coat Closets and In-Unit Laundry and Mechanical Closets.

The Full Bathrooms are equipped with vanities and tub/shower combinations.

2-Bedroom Units have 2 Full Baths.

The largest 2-Bedroom Units, there is one on each floor, also have a space for a Home Office.

The Unit Finishes will be quality materials, including luxury vinyl planked flooring throughout, fully tiled bathrooms and all the Units will be Adaptable for Accessible Needs.

Just so you can reference, the "pink" units are the 2-Bedroom and the "blue" are 1-Bedroom. They are similar Layouts on both floors.

The Exterior of the Building – The east front elevation, which is at the top of the page on Drawing A-201, original date of 4/5/24, which was submitted to you in the original package, which faces Ringwood Avenue is really the primary façade of the building where you fully see the three stories. As you work your way around the building, the grade will slope and by the time you get to the back of the building, only two stories is out of the ground.

The Exterior has been designed to include elements that are traditional, yet also updated, and we have varied material and texture to provide both visual interest and to modulate the massing of the façade. We did not want one blank wall that was a 100' plus long.

What we've done is we've stepped sections back, we changed the roof profile over parts of the sections, we changed the materials at the first floor, at the ground floor level. All of those things

have been intentional to modulate the mass of the building and to provide shadow and visual interest.

The lowest level, which is the garage level, is stone veneer. The openings to the garage are vertically aligned with the window units above so that it is well organized.

The stone base will be capped with a water table trim element, which you see running horizontally just below the floor level. That will allow us to make the transition to different materials.

The second and third floors are combination of brick and composite horizontal siding.

We have this rhythm of setbacks at the material changes so we've aligned the material changes where we've stepped a section back, or popped a section out.

All of the materials are carried along all four (4) faces of the building. We've not provide a façade only on the front level and then changed it around the sides and back. They continue completely around the side. If you look at the north elevation, you see how the stone base disappears as it comes up the hill, and yet we still have the brick and we have the siding and the same is true on the other side.

Member Sbarra: Is that true of the western as well?

Architect: All sides. Here is the west elevation, which is the two-story section, because all of the garage now is underground and this also the south elevation that you would see.

Architect: We are seeking a variance for the roof height, but before we talk about the specifics of that, I'd like to explain what we're doing on the roof because it is a little misleading. We actually need the roof height variance for a very specific location, not the entire building height. On the exterior, we have multiple roof elements. We have sections that have a gable and they pretty much located at the corners and align with the brick section of the façade. They do not run continuously front to back. They do not run continuously side to side. They are interrupted by a mansard parapet, which disguises our flat roof behind it. So, we do need the variance but the variance essentially is only a calculation that occurs at this corner of the building. We have a height at that corner of 38.36', where a maximum of 35' is required. The Ordinance requires us to take the average grade along the front of the building and then take it to, in this case, because I have a gable roof, the mid-point of that slope. This corner is where that calculation occurs. The calculation to our roof deck, which is where it would have to be taken at the mansard sections of the roof, actually is conforming at just under 35'. It's more of a point situation rather than a continuous height around the building.

This gable is the highest. The other gables are all about 6" shorter. Even though we have to apply the same height calculation here as here, clearly the side elevations and the back elevations, visually, are significantly less than that. The only place you see that extra height, is really right in that corner of the building.

The other thing to consider about that is it is a gable roof so that slope is moving away from your eyes. It is very different than if we were asking for a height elevation where I had a flat wall with a parapet on top. That is a very different perception of height than what we are proposing at this location.

The other thing I will say is the sloped roofs help modulate this building and it was also done intentionally to try and be respectful and contextual with the area around us. There's many sloped roofs. The apartment building next to us has them. It is more residential in character so there were many reasons why we added it and felt that it would, perhaps, be viewed as a reasonable request for the extra height.

That actually is my testimony. I'd be happy to answer any questions.

Attorney Mondello: Anything from the Board Members?

Chairman: On one of your layouts here you show a third bedroom.

Architect: We updated that and that was updated on the 20th, I believe.

Attorney Mondello: A-102?

Architect: A-102 has a date of 9/20/24 plan review.

Chairman: Originally, you had 3 Bedroom.

Architect: We had One 3-Bedroom.

Chairman: Now you show a unit, Unit 203, with an Office.

Architect: Correct.

Chairman: That could be a bedroom.

Architect: Potentially.

Chairman: So why don't you show it as a bedroom?

Architect: Because there was a desire by the Applicant not to have a 3 Bedroom Unit.

Member Covelli: Is there a closet in the room because it isn't adding up?

Architect: There is.

Member Covelli: If it looks like a duck, does it quack like a duck.

Architect: The intention is it will be marketable as a 2 Bedroom. If the Board wants to ensure that, we would take the closet out.

Chairman: The problem is it goes back to the parking.

Attorney: It wasn't eliminated to finesse the parking.

Architect: It was not.

Member Aumenta: If it has a closet, for tax purposes and other, it is a bedroom.

Attorney: It wasn't fudging numbers. That was not the intent.

Chairman: But the problem we have in this Borough is very simple. Parking is a major issue everywhere you look. So whenever we can corral things, we try to keep it within reason. Look, it's very simple. You have a tight piece of property. If somebody comes to visit, like I said before, where do they park? You don't have a visitors parking spot. Under the E.V. standards, the charging space counts as two (2) spaces, which I still don't understand and can't figure it out.

Architect: We don't either.

Attorney: It's a wash. We have to provide it whether we need it and they'll give us credit so it hurts both sides of the table.

Architect: I have an easy solution; let me suggest this. I actually could relocate, I have one center hall closet, so I could potentially relocate another one and I could open that and make it an alcove for the office with no demising wall. We could easily do that and I suggest that might be a good solution for your question.

Chairman: It's a good solution.

Architect: Thank you.

Member Covelli: Did I miss something about affordable units?

Attorney Mondello: Yes, they are giving two (2) and I'm glad you brought it up Frank.

Member Covelli: There's that math thing again. Isn't it a 20% set aside.

Architect: No and actually if you let me grab my notes.

Attorney Mondello: We did go over this Frank and you missed it.

Member Covelli: This is very important. You guys are talking more about how cars live than people. I'm a little bit concerned about affordable housing components and requirements that never cease.

Attorney Mondello: I'm going to read Mr. Fiorello's letter on affordable housing.

Member Covelli: Really, I'm saying this because I want this on the record that everybody comes to us with a song and dance as to why the laws that Trenton passed don't apply to them. Yet, Trenton is very aggressive with their suits of municipalities that are not meeting, what they consider, the requirements of affordable housing. I don't want to be in a position on this Board to contribute to any problems this Borough may encounter because we're viewed by Trenton as not following that. With that said, I yield to you Counselor and to the Architect to do your thing. But I want this on the record.

Attorney Mondello: We were all around on May 4, 2016 when this letter was written to Mr. Veltri by Anthony Fiorello, who is, of course, the Borough Attorney. (Attorney Mondello read this letter into the record, which letter is attached to these Minutes.) So although our Ordinances don't spell it out, this is pretty much what we have tried to adhere to.

Architect: We are offering 2 Units. We did believe, after we researched your own Ordinances, that we were exempt; however, our Applicant agreed to offer the units.

Attorney: Still proactively wanted to offer the Units.

Architect: But just to be clear so that I understand going forward what the rule is, in your Chapter 11 under Presumptive Density Asides, it was based on the number of units per acre. We are going to be rental property and that required a minimum presumptive density of 12 Units per acre with a 15% set aside for affordable rental. We are at a density of 5.86 on this site. In reading that and I was unable to find anything else that countered it, nor was it included in the Engineer's Report, we submitted the Application with that it was not required of our project. However, we are asking for a Use Variance and we are asking for a Height Variance, we would be good Applicants an offer the units anyway. That was our methodology.

Member Covelli: Here is the concern I have, Mr. Mondello read you an eight year letter, and you are referencing Ordinances that older than eight years, and the State of New Jersey has not been silent or dormant in last eight years on this topic. So with that said, I don't know, I believe everything your reading me, the problem is I don't know if it is current.

Attorney: Current is the current law, right.

Member Covelli: Current law is dictated by the State of New Jersey, not by the Ordinances of the Borough of Wanaque.

Attorney: The next round is in 2025 and right now every municipality in the State that has an Ordinance on the books, after the third round became defunct and the DCA took over COAH, went to a 15% set aside. Everything is at 15% now. There is nothing in the Borough Code that mandates a set aside. When a municipality doesn't have an affordable set aside, you can have all units be fair market rate. That is in almost every town in Union County I see that now, half the ones in Morris County, and so on and so forth. I see it in Passaic County as well. There is no requirement in your Code but notwithstanding, we filed the Application, not to give or take, not that we want relief, so we'll give you that, the filed the Application always offered a set aside meeting what the State typically wants, which is 15%, notwithstanding the fact that it was not required here. It has always been in the Applicant's programming. The Applicant could have sought 12 Units Fair Market Value Rental and he did not. The Applicant sought 2 set asides for affordable as has been testified to as a sort of a mitigating factor, in part, for the relief we seek because we are very mindful of the balance of that. The age of these documents are irrelevant.

The Code isn't there right now and yet we are still offering something gratuitously, I think is the appropriate word there, with 2 Set Aside Units.

Attorney Mondello: Let me just jump in real quick Frank. So to boil it down in less than 30 words, our Ordinance needs updating. However, we still have an Affordable Housing Requirement that the State has shoved down our throats. So although it is gratuitous, and they are right, our Ordinance needs to be updated.

Member Covelli: You are sitting next to the Chairman of the Ordinance Committee.

Attorney Mondello: We still have an Affordable Housing Set Aside Number that Wanaque must meet.

Architect: If I could just reiterate, we are meeting the 15% with the offer of the 2 Units. Because if I recall the math it was 12 Units, 15% was 1.8 and we rounded it up to 2. We are offering the compliant accommodation.

Attorney Mondello: And Mr. Fiorello wants more. He wants 20%. I have no idea what a Judge would do with this. Our Ordinance doesn't spell out, yet Wanaque gets crammed their throat a number that they must meet. I'm sure that the Chairman will address that with the Ordinance Subcommittee.

Member Covelli: It's the Applicant's testimony that the units, I don't like the word offered by the way, because we are not offered anything from the State, everything's being jammed down our throat. You are including 2 Units.

Attorney: It's on our filed plans that are on the record.

Member Covelli: I am just reiterating you are including 2 Units.

Architect: Yes we are.

Attorney: It's in the testimony and on the plans.

Chairman: In the flat part of your roof, what's that deal?

Architect: We haven't fully designed the mechanical systems yet, but we have been seeing on similar type projects, is we are doing sort of package units and they go on the roof, mounted on the roof.

Chairman: What about venting for your dryer?

Architect: The same thing. We are taking them up through the roof typically.

Chairman: And you're putting a hood over the kitchen stove, I would assume?

Architect: Yes.

Chairman: Normally, they go through the roof somewhere.

Architect Yes.

Chairman: What about a fire suppression system?

Architect: There will be a sprinklered system in this building.

Member Covelli: I am surmising what you about to say, there will be a fence there where you won't see those mechanicals from below?

Architect: You will not see the mechanicals at all because the level of the roof is aligned with

Attorney: Karen, you've potentially created a belly in the center to obscure the view of the mechanicals.

Architect: Yes. Actually, today I have a little exhibit that I can pass around that I literally did today before I came. It is a Sketch of the Roof Plan, not to scale. It was actually prepared by me.

Attorney: We'll mark it as Exhibit A-4. Please pass them around.

Attorney Mondello: Mr. Calli what as A-1, 2 & 3 because I thought we had said we weren't marking things unless they were not included in the package.

Attorney: A-1 was the Aerial Exhibit from June 2024.

Attorney Mondello: But that was included in his submissions, right?

Attorney: We marked it as a separate one and the Site Plan Rendering was filed, but it had the color patterns on there.

Attorney Mondello: I'm sorry A-2 was?

Attorney: A-2 was the Site Plan Rendering. It was a colorized version of the Site Plan. A-3 was the Elevation cross section that was board mounted as well as a handout to all Board Members.

Attorney Mondello: Thank you.

Attorney: I can see you my notes Mr. Mondello if it helps you as well moving forward.

Architect: What you have there is the yellow area is the flat roof.

Chairman: How about outdoor active recreation area?

Architect: I would defer to Mr. Duarte, but typically that back area coming off the western elevation.

Chairman: There's almost no space.

Architect: There is about 20 some odd feet there all along the back of the building that can be developed for outdoor recreation and that's why we have the door that exits out there so that people can enjoy it.

Chairman: You may have children here and it's something we you need in today's world.

Architect: I have to be honest, we've done a number of these units and the typical renter is, surprisingly, not families with children. We've either seen empty nesters, we've seen singles, we've seen divorced parents, but we are not generally seeing family units.

Attorney: We can certainly explore and Mr. Duarte indicated he'll look at it. We certainly can explore putting a rec area.

Chairman: You'll have a sidewalk that children will walk down and up Ringwood Avenue, the school is only up a few blocks.

Member Covelli: So was it your testimony that the mechanicals, by the way the roof is designed, will not be seen?

Architect: They would not be seen.

Member Covelli: Are you as high as the Haskell School?

Architect: I don't know.

Member Covelli: Because the Haskell School is pretty tall. You can see them. Would you consider fence as shielding?

Architect: I think they will be shield. First of all they are small package units so they're not very big.

Attorney: They are being shielded by your roof lines.

Architect: They are being shielded by our roof. So the trim line in the center that is gray siding that trim line at the edge of the mansard is about where our deck line is. You can see there is a height there about 8' and that's the lowest part.

Member Covelli: You're saying that yellow area is 8' below the area around it?

Architect: Approximately, yes.

Member Covelli: Okay, that's your shield.

Attorney: It was designed like that on purpose.

Architect: We designed it that way on purpose.

Chairman: They way it is laid out, it has created a hole there to hold all the mechanical units, fence, whatever.

Chairman: Another important question, who big is the elevator?

Member Covelli: He wants to know if a gurney fits in there from an ambulance.

Architect: We're showing a standard commercial elevator size. I literally just got done detailing one for a 35,000 pound unit in a three-story building like this and that fit a gurney and it was up to 35,000 in capacity. I believe we used that a model here.

Chairman: We've had issues in town where some of these newer units a gurney doesn't fit in the elevator.

Architect: Believe it or not, the standard size to the one that fits the gurney is only a few inches bigger.

Chairman: I measured this thing it out and its approximately 5' deep and 6' wide. If it was 6' deep and 5' wide it might work out better. It's about 6.3' from the back and to the doors you have about 5'.

Architect: It's about 6.6' wide and about 5' deep.

Chairman: I've asked the Ambulance Squad to give me some information on what they need.

Architect: If we are going to be back, I'd be happy to bring that information.

Chairman: I asked them to be here tonight, but they must have forgot.

Architect: We truly have just finished detailing for a project exactly for that.

Chairman: They've explained that they've had problems getting people in this one building.

What happens is when they go to a site to pick up somebody and they can't use the gurney, they actually have to them in some kind, almost like a wheelchair, and they have to carry them out.

We've had a lot problems and that puts the Police Department at risk because they end up being the carriers and then they hurt their backs and then they're out on sick leave. It's a revolving issue we've had in Wanaque for a long time.

Architect: I believe what we have shown here does accommodate a gurney. I will confirm it.

Chairman: Please do.

Member Covelli: They have Stryker brand.

Engineer Nash: Are you proposing an emergency generator?

Architect: We haven't considered that at all.

Member Aumenta: That's important because we have another unit in town where every time the power goes out they get stuck in the elevators. Our infrastructure here has not been updated in a long time. We've had a lot of power problems recently and it continues to happen.

Architect: We'll discuss that with our client.

Engineer Nash: It'll just be for life safety components of the building.

Attorney Mondello: I'm glad you brought it up and I'm the Applicant was indeed agree to such a condition.

Attorney Mondello: Any other questions for Ms. Luongo? Any other questions from Board Members?

Member Aumenta: I have a question for Frank. Any concern with all the 2-Bedroom having 2-Bathrooms with regard to the sewage and all?

Member Covelli: No.

Member Covelli: I'm not understanding something in the very beginning which when it was stated that you had to move this project to this rocky grade level because the County would not allow anything bigger than 2% slope to the first 25'. I think of the project directly south of you.

Architect: We thought of that too.

Member Covelli: Which is not that old. We didn't approve it 30 years ago. We approved that in 2017.

Engineer Nash: They meet that requirement.

Architect: I've looked at that site a few times because that was one of the first questions I had and they come in relatively flat and then it starts to slope up and around.

Member Covelli: And you can't achieve that on this project?

Architect: No, because the existing driveway, just the existing grade, we don't.

Member Covelli: The existing driveway is not 100% on your property.

Architect: The problem is, if we were to come in at a 2% for the 25%, it is already steep as you go up and that would just exacerbate the steepness that we would have to bring to the site.

Chairman: It's a very difficult site.

Architect: It was a very difficult site.

Member Covelli: I'm just trying to envision how this is going to look if this building is nestled in this rock. I'm trying to get my arms around. Your depiction looks nice here, but it doesn't show, as someone held up before, maybe it was you, when you held how much you're actually going to see the building because it's within this cavern of rock.

Architect: First of all, our elevations were completed before the rock wall was fully detailed and the height of it was fully detailed that's why our elevations don't illustrate it that way. Had we known that from the beginning, that would have been included in the elevation. Is it an ideal scenario, no it is not an ideal scenario. But it would also proffer it there is not an ideal scenario available to this site. There are so many competing issues equally valid ones. The elevation of these walls and the carving out of this site became, believe it or not, most logical one. After the County commented on the 2%, we looked a variety of solutions on this site. This was not a one and done. I mean we probably have five or six other concepts, including townhouses, apartments, a building that kind of grows with the grade around the site, and we just could not get anything to work.

Member Aumenta: Is there any way to provide renditions as Frank is mentioning that kinds of show that.

Attorney: My client will provide a full render which will show the surrounding areas and conditions.

Member Aumenta: That would be really helpful to us and the neighbors as well.

Member Covelli: I understand what you are trying to achieve and I applaud you for your creativeness but, at the end of the day, when it's built and your gone and your back in Murray Hill and Counselor is wherever he is, we are all here with this thing.

Attorney: I'm down the block in Kinnelon.

Member Covelli: I think at the end of the day we do need to see how you arrived at this as the best alternative. As I said, we struggle with the property south of you. Ironically, that project ended up much lower, Chris, than we thought at first after they removed the unstable material on the property.

Engineer Nash: Yes.

Member Covelli: It was 6' or 8' lower than we thought. It's an absolutely beautiful project that was built. I'm not thrilled with him on the front but that's a whole other story, but on the top,

what he did was magnificent if you saw what it was before. Counselor I don't know how long driving through here, but they used to dump logs and wood debris up there and the like. The way the cleaned up the site is good. The Chairman had some very valuable input as to the ramp going up there. Anyway this isn't about their property, this is about your site. But a lot went into getting us to take a very difficult piece of property, one that had a lot of challenges also, and the result was a positive one.

Architect: I fully appreciate the comment. If I had the width of their site, we wouldn't be here with the walls the height that they are, if we had an opportunity to do more coming up the 25' to come up and around. We are not only challenged by an incredibly steep slope, we only have one access point on the site and it happens to be the narrowest point on the site. We have been very locked in.

Member Covelli: What is behind that property?

Architect: It is wooded all the way up to the top and it's inaccessible from up there.

Member Covelli: I understand that there are woods at the top, but I'm saying behind the lot, this parcel?

Architect: I don't know exactly what the use is.

Attorney Mondello: We have to stop. We have a Member that has left the dais and probably needs to use the restroom so if we could just hold off for a couple of minutes. Can we take a five minute break Mr. Chairman?

Chairman: Five minute break.

Chairman: We'll restart the meeting with all Members being present.

Architect: I believe the question was what was above the property.

Member Covelli: Actually, during the break I had an opportunity to look and with the help of my fellow colleagues we got it all figured out. But I do think that there is awful lot of merit, I guess it has been said before, if you could make arrangements with the property owner to the south of you, you'd be able to use the top of the hill and the whole front would become a non-issue. I see how narrow it is to your point. Everything you said is very clear in this picture.

Attorney: It doesn't seem to be a viable option what it's worth and adding a third party equation to this is just something beyond anything that we want to bring to the Board and I'll leave it at that.

Chairman: The sad part is when The View was here for their approval, they offered to buy that house on your property. The owner wouldn't sell it, and The View would have been a little bit bigger.

Attorney: I think that may be part of the ongoing lingering difficulty with the neighbor now under current ownership.

Chairman: Your property's driveway was on his property, which he said leave it there.

Attorney: I read the Minutes of that record on that meeting. But the relationship has lingered with new ownership, notwithstanding how pleasant my client is and current ownership is, and it is not something we can do. It's an easier design solution. It would be easier for us. It is just not viable so we're dealing with a solution on our site and our site only.

Chairman: Your property is what it is and you're trying to make it work.

Attorney: Exactly right Mr. Chairman.

Chairman: And it's going to take a lot of work. It's a difficult site.

Attorney Mondello: Any other questions for Ms. Luongo from the Board Members? Any Members of the Public have any questions, and questions only, on the testimony we have heard thus far? Hearing none, seeing none, next witness.

Attorney: I think that's all we have tonight Counsel. Our next witness would be our Planner. I don't want to put planning testimony on before we know exactly what our relief is. We have a lot of homework and marching orders and good recommendations from the Board and your Consultants so we are going to take those and see what if we can address some, if not all of them. So we'd be looking for a new date to continue our application. You probably going to be seeing all of witnesses again that you heard from tonight as well as additional.

Attorney Mondello: November 6th Jenn?

Attorney Mondello: So the next meeting will be November 6th at 7pm. There will no further notice. Will that give you sufficient time to do what you have to do?

Attorney: If it doesn't I'll reach out to Jenn and we'll ask to carry to a new date.

Attorney Mondello: No, because we have folks in the audience that need to know.

Attorney: That's our target and, if not, we'll send a letter to carry with a request to announce it at the November 6th meeting. That's a standard request. So we are targeting a month and I think its doable but I can't speak for the engineer.

Attorney Mondello: You understand what the attorney had said that they think they can get everything done by November 6th, you should show up. If they can't, no we won't call you, you can call us, but if you do show up we will make an announcement that it has been adjourned to either December or some subsequent date.

Attorney: I will let Jenn know as soon as possible and as soon as I know.

Attorney Mondello: Back to you Mr. Chairman. Motion to Carry this Application to the November 6th Meeting?

MOTION TO CARRY APPLICATION ZBA2023-07 TO THE NOVEMBER 6, 2024 MEETING:
made by Member Covelli, seconded by Member Lynch. Voting yes were Chairman Dunning, Members Covelli, Lynch, Ludwig, Aumenta, Sbarra and Farinella

Attorney Mondello: I don't think we need an extension, you guys just got on.

Attorney: We did and if we do, we'll certainly request one.

DISCUSSION:

Chairman: We have an Ordinance Committee that is trying to redo a lot of the Ordinances because they are from the Stone Age, but it's very difficult. We put together a Snow Ordinance and it's still in limbo.

Member Lynch: Why is it still in limbo?

Chairman: Frank had stuff from the Sewer Authority that got kicked around.

Member Covelli: No, they passed all three of ours.

Chairman: We have a lot of issues that we are trying to work out. The problem is we've got three from the Zoning Board, and not everybody shows up, we have three from the Planning Board that don't always show up, and I have the Attorney from the Planning Board, Steve Veltri, who is very good at this, Councilman Cortellessa, Councilman Leonard has missed the last couple of meetings and sometimes the Mayor shows up, Police Chief Spillane and DPW Supervisor, Tad Skawinski. We meet the last Wednesday of the month at 12pm at Borough Hall.

Member Covelli: They meet at 12pm in the middle of the day so when you work in Carlstadt and live in Wanaque, so I could make a suggestion to you if you would like more participation.

Member Aumenta: Make it in the evening.

Member Covelli: Well that was one but that already got shot down. Go to Zoom. Make a Zoom option and I can Zoom into the meeting from my office but when you make me drive 45 minutes home and then drive 45 minutes back.

Member Lynch: Who picked 12 in the afternoon?

Chairman: Basically here is why. The Police Chief, Tad of the DPW, Mack the Zoning Officer, and Mike Hafner, Construction Official, they all work here. We're making it part of their job. We also get the Mayor from time to time. We get the Borough Administrator once in a while.

Member Covelli: If you had a Zoom component, I could much easier and Jennifer said the Borough doesn't have a Zoom account but my company does and I'd be more than happy to donate it to the cause.

Chairman: I don't like Zoom. If I move the time of the meeting, I'm going to lose the employees.

Member Covelli: They work during the day and they're not coming here afterward. They are not volunteers.

MOTION TO ADJOURN AT 9:40PM: Motion made by Member Covelli, seconded by Member Sbarra. Voting yes were Chairman Dunning, Members Covelli, Lynch, Ludwig, Aumenta, Sbarra, Farinella and Bonner

Jennifer A. Fiorito, Board Secretary

Application ZBA2023-07 - 1025 Ringwood Avenue, LLC, Haskell, NJ

Exhibit List

October 2, 2024

- A-1 Aerial Map - Google Imagery Background
Sheet 2 of Package
Imagery Taken June of 2024**

- A-2 Colorized Site Plan Rendering
Proposed Conditions
Sheet 4 of Package**

- A-3 Elevations
Prepared by Architect 9/30/24**

- A-4 Sketch of Roof Plan (Not to Scale)
Prepared by Planner**