

**Harrington Park  
PLANNING BOARD  
MEETING MINUTES  
Tuesday, April 11, 2017 @ 7:00PM**

Chairman Capazzi brought the meeting to order at 7:02PM

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
Chairman CAPAZZI	X	
Vice-Chair ARDITO	X	
Mayor HOELSCHER	X	
Councilman NAPOLITANO	X	
McLAUGHLIN	X	
LEE	X	
WALDRON	X	
Alt. #1 BARRAGATO	X	
Alt. #2 SEYMOUR-JONES	X	

Also Present: Jennifer Knarich, Legal Counsel, Michael Hakim, Planner  
Anthony Kurus, Engineer, Florence Savoye, Board Clerk

**March 28 Minutes Approval tabled until a later date – waiting for Allegro transcript.  
No invoices for approval.**

**MAJOR SOIL MOVEMENT APPLICATION**

41 Lee Street Block 203, Lot 9  
Jerry O’Brien of O’Brien Signature Homes, LLC  
Proposed construction of a single dwelling home

Mr. Hubschman of Hubschman Engineering, 263 S. Washington Avenue Bergenfield, NJ was sworn in by Board counsel, Ms. Knarich.

Exhibit A-1 Site Plan Revised 3-10-2017

A single-family dwelling is proposed. Soil movement needed to build the basement. 489 cubic yards to be removed, 117 re-used for fill, 395 cu. Yards to be exported.

In addition, there is a tree removal permit application to remove 3 trees. The applicant will follow the town’s ordinance for replacement trees.

Exhibit B-1 Neglia Engineering Review dated March 8, 2017 by Anthony Kurus, Board Engineer who stated the applicant must perform the percolation test prior to building. All downspout connections must be aimed away from any adjacent neighbors. There is no need for a Bergen Soil Conservation waiver because the property has been vacant for more than one year. Mr. Kurus states that the Borough would like to see half of the replacement trees used be deciduous, the other half evergreens.

Mr. Hakim, of Hakim & Associates, 68 Dean Street, Planning Board Planning Consultant, was sworn in by the Board counsel, Ms. Knarich.

He specified that the Borough does not prefer Dogwood or Magnolia trees. He asked where the exported soil will go. Mr. Hubschman offered the applicant would be open to placing the soil within the Borough if it would be useful.

Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to open the meeting.

7:09PM Open to the Public

With no residents wishing to speak, Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to close the meeting.

7:10PM Closed to the Public

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With no more questions or comments from the Board, a vote was taken.

<b>41 Lee Soil Movement</b>	Move	Second	YES	NO	Abstain
Chairman CAPAZZI			X		
Vice-Chair ARDITO	X		X		
Mayor HOELSCHER			X		
Councilman NAPOLITANO			X		
McLAUGHLIN		X	X		
LEE			X		
WALDRON			X		
Alt. #1 BARRAGATO			X		
Alt. #2 SEYMOUR-JONES			X		

**RETURNING APPLICATION:**

**AnnaLisa Pastore Conditional Use Application**

347 Parkside Avenue Block 1401, Lot 14

HP Code 350:41 Off-street parking

Mr. Richard Angowski, the applicant's counsel, introduces a new, amended plan to locate the required parking off the existing driveway. He called the applicant's Engineer, Mr. Tom Donahue, to testify.

Mr. Donahue was reminded he is still sworn in by Board counsel, Ms. Knarich.

**Exhibit A-8 Site Plan** (2 sheets) revised date 3-31-2017

The new plan eliminates the second drive way, and places the parking area closer to the proposed office space. Three trees will need to be removed, a two foot tall retaining wall will be added, and eight to ten Green Giant Arbor Vitaes will provide a buffer to the East neighbor. There will be a two foot tall planter separating the ADA parking spot from the home, a 10" Maple tree will be protected with curbing, and the existing two A/C units will be re-located near the parking area. The driveway will be a 24 ft. aisle with room to back up. The parking spaces are proposed at 9 x 18ft. except the ADA spot, which will be 8 x 18ft. with a side loading area. Soil logs will be done for the driveway and parking areas and all R-1 Zone requirements will be met.

Mr. Anthony Kurus, Board Engineer, is reminded he is still under oath by Board counsel, Ms. Knarich.

**Exhibit B-9 Neglia Engineering Review dated 4-10-2017**

Mr. Kurus testifies that the new plan has eliminated most of the engineering concerns, and all the variances.

Still of concern:

Pg. 3: he recommends pavers for the driveway apron.

Pg. 14 Percolation tests – gravel area has been significantly reduced.

Ps. 18 Trees to be removed – Mr. Kurus will defer to Mr. Hakim

Pg. 20 Additional landscaping may be needed in front of the parking spaces closest to Parkside Road.

Pg. 21 Sign details to be provided before construction – must conform to Borough Ordinance.

Mr. Hakim is reminded he is still under oath by Board counsel Ms. Knarich.

**Exhibit B-10 Hakim Associates review dated 4-6-2017**(The italicized and underlined portions are new.)

The new site plan has addressed all issues, and non-business use throughout the property.

The adjacent home is actually larger than shown on the plan, and it would be good to provide a landscaping buffer, especially for the second story window.

Pg. 4, #8: 15% has been resolved

Six parking spaces are being proposed, even though only five are required. Five would be preferable.

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Mr. McLaughlin asks about the ADA space, and the comments made by Mr. Napolitano at the previous meeting regarding use of the ADA space when not needed by a patient with disabilities.

Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to open the meeting.

**7:34PM Open to the Public**

Mrs. Margaret Lorenzo, of 382 Parkside, asks if she may approach the plans as she can’t really see from where she is seated.

Mrs. Linda Mickels of 154 Norma asked if all the variances had been eliminated by the new plan, and asked if all patients were by appointment only.

Mayor Hoelscher motioned, Mr. McLaughlin seconded, and the remaining Board members agreed with “Aye” to close the meeting.

**7:37PM Closed to the Public**

Mr. Angowski asked Mr. Scott Greer, of Greer Landscaping, 500 Lafayette, and Harrington Park, to testify. He was sworn in by Board counsel Ms. Knarich. Mr. Greer specializes in sustainable gardening. His credentials were accepted by the Board.

**Exhibit A9 Landscaping Plan**

Deer resistant plantings are the # 1 priority of any plan in this area. Mr. Greer did not feel the existing landscaping was provided much screening on the east side of the property. He explained that the Green Giant Arbor Vitae, about 6 feet wide at the base, and growing to 30 feet tall, would provide the best landscaping buffer. If the deer do not leave them alone, they can be treated twice a month with a deer repellent.

Mr. Capazzi mentioned his own misfortune with the Green Giant Arbor Vitae on his property. Mr. Greer stated that deer, like any living thing, will eat anything if they are truly starving. Viburnum is proposed in front of the 3 ft. decorative retaining wall, pea gravel to be used in the driveway. A buffer of ground cover around the property at the curbside is proposed. Greer Landscaping will warrantee and guarantee every plant used.

Mr. Hakim reminds the applicant that the HP Ordinance requires a specific percentage of deciduous trees be used for replacement trees; when the plan is finalized, the calculations will be done and potentially a waiver can be requested from the Planning Board.

Mr. Hakim also questioned the use of bamboo. Mr. Greer stated that the “Heavenly Bamboo” species he uses is non-invasive. Mr. Greer understands the necessity in providing a buffer, or adequate screening for the neighbor’s second story window.

Mr. McLaughlin motioned, Mr. Napolitano seconded, and the remaining Board members agreed with “Aye” to open the meeting.

**8:08 PM Open to the Public**

Mr. John Taranto of 387 Parkside Road remarks on what a beautiful proposal it has become. He is in favor.

Mrs. Lorenzo, of 382 Parkside Road states that her home faces the side of the property, where there is now a wide swath of landscaping that has been removed. She would like it replanted. She has photos for the Board to view

**Exhibit O-1 Photos taken 4-10-2017**

Mr. Greer assures her the area will be replanted.

Ms. Linda Mickels questions the “fall detail” proposed by Mr. Greer, who restates he will be happy to work with the applicant, board, and neighbors to make everybody happy with the landscaping.

Mr. George Gallos, also an owner of 347 Parkside Road, states his intention to make the property beautiful. They have gone beyond what has been asked at every stage of the process.

Mr. Angowski states that the area being discussed has nothing to do with the application.

Mr. Waldron states that the Landscaping Plan and the beautification efforts will keep the property looking residential, which is important to the application.

Mr. Hakim requests the Landscaping Plan be expanded to show the species, genus and locations of proposed plantings.

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Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to close the meeting.

**8:16 PM Closed to the Public**

Mr. Angowski calls Mr. David Novak, of Burgis and Associates, 25 Westwood Avenue, Westwood, NJ to testify. He is sworn in by Board counsel, Ms. Knarich. His credentials are accepted by the Board. After a brief description of the property, proposal and neighborhood, he reads from Mr. Hakim’s previous review, page 3, item #5, which addressed the home occupation intensity in Harrington Park, as was requested at the previous meeting.

Limited to 450 sq. ft., 46% of the space is reception area, the single examination room is 32% of the space. With patients only coming by appointment and the parking spaces 68 ft. from the property line, there will be almost no visibility of the home occupation.

Mr. Hakim acknowledges and appreciates that his comments were addressed, but with the new plan, all planning concerns have been satisfied. He thanked and commended Mr. Novak on his presentation.

Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to open the meeting.

**8:26 PM Open to the Public**

With no residents wishing to speak, Mr. McLaughlin motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to close the meeting.

**8:27 PM Closed to the Public**

Mr. Waldron noticed there are two signs proposed on the plans. The applicant acknowledges the HP Ordinance for only one sign, and that sign will be near the street, not on the building.

Mr. Waldron motioned, Mr. Ardito seconded, and the remaining Board members agreed with “Aye” to open the meeting.

**8:28 PM Open to the Public** for comments

Mr. Anthony Fuhrman, of 260 Florence Road, has a fundamental concern about the town’s ability to control the home occupation once it is approved. He fears additional traffic and strongly urges the Board to deny the application.

Ms. Linda Mickels of 154 Norma notes that the home occupation may start out small, but worries that with time the doctor’s practice may expand.

Ms. Margaret Lorenzo, of 384 Parkside Road, agrees with the previous comments, and fears future owners may expand the home occupation use. She is counseled that any future home owner would have to come before the board again.

Mr. McLaughlin motioned, Mr. Napolitano seconded, and the remaining Board members agreed with “Aye” to close the meeting.

**8:35 PM Closed to the Public**

Mr. Angowski makes his final remarks: He thanks the Board and their professionals for acknowledging the current plan is appropriate to the town of Harrington Park and the landmark property that Dr. Pastore owns. He notes that the Board Planner mentioned the home occupation of a medical professional is a “benefit” to the town. He urges the Board to approve the application.

The Landscape plan will have calculations and will comply with the applicable Borough ordinances.

Mr. McLaughlin thanks Mr. Hakim and Mr. Kurus for steering the application to this improved plan. Mr. Ardito, as the Environmental Commission Chairman also thanks Mr. Hakim and Mr. Kurus for their work.

Mr. McLaughlin makes a motion to approve the application – no bamboo, and with 6 parking spaces. A vote was taken. Board clerk Ms. Savoye mistakenly polled the Alternate Board members, which resulted in a bad tallying of

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the votes. First, it seemed the application was approved. After removing the Alternate votes, and then re-confirming the tally with the Board counsel, the application was denied. The applicant's representation had to be asked back into chambers for proper notification of the change in outcome. Mr. Angowski was counseled that he can request re-consideration at the next meeting. He replied that with both Board professionals supporting the application, and the use being a benefit to the community, he will be returning.

<b>Pastore Application</b>	Move	Second	YES	NO	Abstain
CHAIRMAN CAPAZZI				X	
ARDITO		X	X		
MAYOR HOELSCHER				X	
McLAUGHLIN	X		X		
LEE				X	
WALDRON				X	
COUNCILMAN NAPOLITANO			X		
Alt. #1 BARRAGATO					
Alt. #2 SEYMOUR- JONES					

**RETURNING APPLICATION:**

**Allegro Development Company, LLC**  
**SITE PLAN/SOIL MOVEMENT/SUBDIVISION APPLICATION**  
 200 Old Hook Road  
 Block 1601, Lot 1

**(Testimony)**

**ADJOURNED @11:00 PM**

**SPECIAL MEETING FOR ALLEGRO APPLICATION TUESDAY APRIL 18, 2017 @7:00PM**

**NEXT SCHEDULED  
 PLANNING BOARD  
 REGULAR MEETING  
 Tuesday, May 8, 2017**