

Harrington Park  
**PLANNING BOARD**  
**RESCHEDULED MEETING MINUTES**  
Tuesday, September 19, 2017 @ 8:00PM

Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
Chairman John CAPAZZI (JC)	X	
Vice-Chair Peter ARDITO (PA)	X	
Mayor Paul HOELSCHER (PAH)	X	
Councilman Allan NAPOLITANO (AN)		X
Member Richard McLAUGHLIN (RM)	X	
Member Philip LEE (PL)		X
Member Robert WALDRON (RW)		X
Alt. #1 Jesse BARRAGATO (JB)	X	
Alt. #2 Arnold SEYMOUR-JONES (ASJ)	X	

Also Present: Gail Price, Legal Counsel  
 Anthony Kurus Neglia Engineer, Board Engineer  
 Katie Theilman, PPG, Board Planner  
 Carolyn Lee, Secretary

**INVOICES FOR APPROVAL**

Phillips Preiss Grygiel LLC	COAH Review	\$4,218.00
Phillips Preiss Grygiel LLC	Allegro Escrow	\$2,464.00
Banisch Associates, Inc	COAH Review	\$ 50.00
Price, Meese, Schulman & D'Arminio	Allegro Escrow	\$2,522.10
Price, Meese, Schulman & D'Arminio	Allegro Escrow	\$7,653.40
Price, Meese, Schulman & D'Arminio	COAH	\$1,005.00
Price, Meese, Schulman & D'Arminio	General 2017	\$1,401.62
Hakim Associates	Allegro Escrow	\$ 210.00
Hakim Associates	Pastore Application Escrow	<u>\$ 910.00</u>
	<b>TOTAL</b>	<b>\$20,434.12</b>

<b>Vote to Approve Invoices</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
Chairman John CAPAZZI (JC)			X		
Vice-Chair Peter ARDITO (PA)			X		
Mayor Paul HOELSCHER (PAH)			X		
Councilman Allan NAPOLITANO (AN)					
Member Richard McLAUGHLIN (RM)		X	X		
Member Philip LEE (PL)					
Member Robert WALDRON (RW)					
Alt. #1 Jesse BARRAGATO (JB)			X		
Alt. #2 Arnold SEYMOUR-JONES (ASJ)	X		X		

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**MINUTES FOR APPROVAL**

<b>Vote to Approve August 8, 2017 Minutes</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
Chairman John CAPAZZI (JC)			X		
Vice-Chair Peter ARDITO (PA)			X		
Mayor Paul HOELSCHER (PAH)	X		X		
Councilman Allan NAPOLITANO (AN)					
Member Richard McLAUGHLIN (RM)					X
Member Philip LEE (PL)					
Member Robert WALDRON (RW)					
Alt. #1 Jesse BARRAGATO (JB)			X		
Alt. #2 Arnold SEYMOUR-JONES (ASJ)		X			X

**APPLICATION HEARING**

**Allegro – Final Application**

Allegro is not on the agenda and will not be heard.

**223 Lynn St. (Block 711; Lot 20) – Subdivision**

Mr. Capizzi, the applicant’s attorney of 11 Hillsdale Avenue, Tenafly, NJ was sworn in. The Board accepted his qualifications.

Mr. Capizzi indicates that the land is shy of the 10,000 sf required. He proposed 2 new lots with new single-family dwellings. He is requesting one variance related to bedrooms. The size lot allows for 3 bedrooms and the proposed is for 5 bedrooms. All other aspects comply with the requirements. They will exceed the soil movement and will need a permit. Mr. Capizzi listed his witnesses:

- Mike Hubschman, Engineer
- Joseph Donato, Architect
- David Karlebach – Planner

Ms. Price vet for conflict. She asked for the name of the applicant. Mr. Capizzi replied 223 Lynn St. LLC, primary owner is Vincent Volpe and the property owner is Mr. Chapman. Ms. Price asked if anyone on the board had any relationship with the applicant or property owners or board member lives within 200ft of the property. Phillip Lee recused himself because he lives within 200ft of the property. No other conflicts were mentioned.

Reviewed the notice and it is in order.

Trees are an issue and will address after testimony.

Michael Hubschman, 263 South Washington Avenue, Bergenfield, a licensed engineer was sworn in. The board accepted his qualifications and Mr. Hubschman has testified before.

List of Exhibits:

- A1- Google map of neighborhood area
- A2 – 1963 tax map (shows originally 2 parcels)
- A3 – Subdivision Plan dated 7/26/2017
- A4 – Soil Erosion Plan
- A5 – Site Plan for 217 Lynn St. dated 8/15/2017
- A6 – Site Plan for 223 Lynn St. dated 8/15/2017

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A1 – Description of area around existing house. House is on the east side of Lynn St. (Hackensack Ave. corner).  
A3 – 175 ft x 100 ft. The house is located on the left side of the 17,500 sf lot.  
After the parcel is separated the individual lots would be 875 ft (width) x 100ft (depth). 8,750 sf R-1 zone requires 10,000 sf lot. Side yard is 15ft and back is 30ft. The proposed will meet all other bulk requirements. There is a hydrant across the street and the topography is level.

Site Plan for 217 Lynn St.

Single family home with 15ft side yards and no grading on a flat lot.

- 2 seepage pit for roof run off and drainage
- Planning to cut 528 yards, fill 122, and export 405 yards of soil for the foundation
- 8 trees removed. Required to have 22 replacement trees with a 2.5 inch diameter
- There is no landscape plan – addressed later to show conformity
- a soil permit from the county for fence to protect tree protection plan.

Site Plan for 223 Lynn St.

- minor grade
- 2 seepage pits for run off
- removal of 7 trees, replacement with 13 trees
- cut 356 yards, fill 249 yards, and export 107 yards for the basement and minor grading

Neglia letter recommended swell and drainage on both lots. Applicants will comply. Applicant will adjust landscape plans to fit lot and requirements.

A2 - history of the lots. 1944 the Chapman family owned 1 lot and the borough section lot in later years. 1963 tax Plan shows that it was 2 lots 75 ft and a 100ft lot. House was on lot #20. 175 ft lot will be divided in half to 87.5ft each lot.

Mr. Ardito asked if some trees would remain. Mr. Hubschman indicated that the perimeter trees would remain. Mr. Ardito asked what percentage is evergreen or deciduous. ½ the trees are evergreen. Mr. Ardito would like 1 for 1 replacement. Mr. Ardito asked how many bedrooms are in the existing house. 3 or 4? Mr. Hubschman will look at tax records.

Mr. McLaughlin asked about the prior subdivision application. Mr. Hubschman said that the application was never perfected. 30' piece and title search indicated it was never completed. Mr. Kurus confirmed that this subdivision was not perfected. He asked for current deed to show the subdivision was not perfected.

Mr. Seymour-Jones asked about the zoning ordinance. Are there other lots or houses of similar size? The planner will testify later.

Ms. Price listed additional exhibits:

A7 – drainage report

A8a – Soil reports 217 Lynn St.

A8b – Soil reports 223 Lynn St.

Open to Public

Motion: RM

Second: AASJ

No questions from the public.

Closed to Public.

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Joseph Donato, 14 Route 4W, River Edge, the applicant Architect was sworn in. The board accepted his qualifications.

Exhibits:

A9 – Colored rendering of the proposed 2 structures

A10 – 223 Lynn St. contains - 3 sheets (#1- elevation, #2- basement floor plan, #3- 1<sup>st</sup> and 2<sup>nd</sup> floor plan) dated 7/24/17

A11 – Proposed structure for 217 Lynn St. dated 7/24/17

Corrections on the drawings are needed for the lots numbers that were labeled. Labeled Lot # 20.03 is actually Lot # 20.02. Labeled Lot # 20.02 is actually Lot # 20.03.

Mr. Donato discussed that they would keep the side, front, and rear yards open to meet the intent of the zoning. He described the existing house as non-conforming and on the left side of the property. They will be removing the non-conforming structure. Mr. Donato described the proposed design is for these lots. The left house has a 2 car garage, mudroom, foyer, living room, kitchen, dining room, ½ bath. The living space is 2,165 sf 460 sf for the garage. Living area is 1,658 sf. The second floor has 4 bedrooms, 3 baths and open foyer (1980 sf). Total 3,638 sf.

A2 - The basement has a utility room, open space and an option for 1 bedroom and 1 bath. The basement walls will be finished.

The exterior is stone veneer, composite siding, some copper roof finishes.

Description of the right lot (217 Lynn St.):

The house is not overbuilt on the lot. It meets the requirements for open air and side yard space.

A3 – same as the first house. 2 car garage, mudroom/laundry, foyer, family room, kitchen, living room, dining room, ½ bath. First floor is 2,099 sf (444 sf garage, 1,652 sf). Second floor proposing 4 bedroom, 3 bath 1750 sf with a total of 3,402 sf.

A2- finished basement with a utility room, bath, option for a bedroom and open space.

Exterior – Similar stone veneer, hardy plank siding.

Mr. Hoelscher asked if the basement living space was below grade. Mr. Donato answered that it will be 2’-3’ above the ground.

Non-conforming is the lot frontage area. Frontage must be 85% of lot width.

Mr. McLaughlin wanted clarification if the variance for the bedroom is for 4 bedrooms. The applicant is asking for variance for 5 bedrooms for the new owner to avoid a new variance to build a 5<sup>th</sup> bedroom.

Ms. Price indicated that the plan does not include 5 bedrooms. Mr. Hubschman was recalled to discuss the variance and 5<sup>th</sup> bedroom. The 2 variances requested are for a 8,750 sf lot size and for a 5 bedroom house. 3 bedrooms are permitted for the lot size of 8,750 sf, but 5 bedrooms are requested for both houses.

Mr. Ardito mentioned if conforming with lot size 100’x100’, it would allow 4 bedrooms. This lot is undersized. Discussion followed.

Break at 8:55PM

Returned at 9:15PM

Roll Call	PRESENT	ABSENT
Chairman John CAPAZZI (JC)	X	

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Vice-Chair Peter ARDITO (PA)	X	
Mayor Paul HOELSCHER (PAH)	X	
Councilman Allan NAPOLITANO (AN)		X
Member Richard McLAUGHLIN (RM)	X	
Member Philip LEE (PL)		X
Member Robert WALDRON (RW)		X
Alt. #1 Jesse BARRAGATO (JB)	X	
Alt. #2 Arnold SEYMOUR-JONES (ASJ)	X	

Also Present: Gail Price, Legal Counsel  
 Anthony Kurus Neglia Engineer, Board Engineer  
 Katie Theilman, PPG, Board Planner  
 Carolyn Lee, Secretary

Mr. Capizzi listed House keeping items:

- Notation bedroom correction
- Basement bedroom removed from the plan and will have 4 bedrooms not 5 bedrooms
- Landscape Plan will be prepared by Mr. Hubschman's office with a 1 for 1 tree replacement
- Open items addressed may be addressed later.

Mr. David Karlebach, 50 Ridgewood E, Ridgewood, was sworn in. The board accepted his qualifications as planner. He reviewed the application, master plan and had been on site. He believes that the structures are characteristic of some houses in the area. He worked with Mr. McDonough.

Exhibit A12 – 3 pages. Sheet #1 indicates that it is one of the largest lot in the area, 17,500 sf. 1940 tax map indicates that the lot was 2 separate lots. If the lot was divided it would be 13% deficient in lot size. This would be bringing back the lot to the size in the 1940s. Houses in the area are new and old. Lot 21 is an undersized and lot 18 has an unusual configuration. Lot 20.01 is a new house built in 2009 and has 4,028 sf livable area. Along Lynn St. passed Lakeside, the houses are of significant size. It is trending towards developing larger homes in the area. The average size house in the United States is 2,700sf. 8,750 sf is proposed – 10,000 sf is required. The square footage allows 3.5 bedrooms and is compliant in other areas. There is relief in C2 flexible balancing test - Benefits vs Burdens. There are no hardships. There is opportunity for improving and planning. There will be new housing stock. Master Plan houses are old stock. Improved neighborhood harmony; appropriate population density; proposing subdivision to force a smaller homes to fit in with the surroundings; modern architecture; immediate impact to beautify the area; remove the older structure; Not out of scale of the area; no bulk baring variance; originally 2 lots; 4 bedroom home is typical today.

Mr. Ardito asked if 1 of 2 the new homes could be a 3 bedroom for affordability and bring younger families into the area and would meet the requirements of the lot. Mr. Karlebach replied that there would be a trickle down effect where the house sold would be available for other families.

Mr. Barragato asked how far off the property line the house to the south is, the odd shaped lot? Mr. Karlebach answered less than 5ft.

Board Planner, Katie Theilman indicted that everything has been covered and had no comment or questions.

Anthony Kurus, Board Engineer, Neglia Engineering was sworn in.

Page 2 of the report discussed that would provide of the current deed for lot 20.

Testimony about lot sizes

B1 – testimony reviewed pg.3 engineering technical review for 20.03 223 Lynn St.

Requested current deed and correction of numbering of plans.

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- #5 seepage pits – requirements
- #6 Hubsman will provide drainage plans for the adjoining property lines
- #9 better split of trees  
updated
- #11 correction of lots numbering on architectural plans

Board had no questions on Soil Movement.

Mr. Seymour-Jones would like the landscape plans for the next meeting.

Close the meeting

Motion : JB

Second: AASJ

Vote: All in Favor

No questions from the public about the testimony.

Mr. Capizzi indicated they would get the updates to the plans by Thursday.

Mr. Ardito indicated that there are options for varying sizes of trees as well as planting trees in town.

**MEETING OPEN TO THE PUBLIC**

**MEETING CLOSED TO THE PUBLIC**

**OLD BUSINESS**

Mr. Ardito discussed that the landscaping has started at the school to replace the trees that were removed. The school was supposed to work with the neighbors and the Environmental Commission. Work has started without talking to the Environmental Commission. Ms. Price suggested that a letter should be sent to Dr. Fried indicating that work is being done contrary to the testimony provided. The Board of Education has jurisdiction with Health, Public General Welfare. If there are issues from the Board of Education, a letter should go out to the State Board of Education. The resident has been in contact with Dr. Fried. Mr. Ardito is asking the Planning Board to support the Environmental Commission.

Motion: JB

Second: ASJ

Vote: All in Favor

**ADJOURNED at 9:30 PM**

NEXT SCHEDULED PLANNING BOARD  
RESCHEDULED MEETING  
**Tuesday, October 3, 2017**