

**TOWNSHIP OF SADDLE BROOK
PLANNING BOARD**

Following are the minutes of the Saddle Brook Planning Board's Regular Meeting, held on Monday, July 15, 2024, 2024 at 7:30 p.m.

1. FLAG SALUTE

2. ROLL CALL: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Cook, Mr. Hickey, Mr. LaGuardia, Councilman Gierek, Mayor White and Mr. Camporeale – PRESENT
Mr. Maniscalco, Ms. Barrale and Mr. Vermilyea - ABSENT

Also present were Anthony Cialone, Board attorney, Yasseen Saad, for Board engineer and Gary Paparozzi, Board planner.

3. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT

4. NEW BUSINESS

A.) Area in Need of Rehabilitation Review and Recommendation

Jimmy Homsy, Township Administrator came forward.

Mr. Homsy – As recommended by the town attorney, we have met with a few of the township professionals to guide us on the next steps to proceed with the sale of the old Town Hall site. Nick Dickerson, township planner will present the Area in Need of Rehabilitation Study Report and the steps that follow.

Mr. Dickerson – I authored the Area in Need of Rehabilitation Study report for Block 611, Lot 1.01. This encompasses the 5.1-acre property at the corner of Market St. and Harrison Ave. containing two buildings: the municipal building/ambulance corp and the old police/court/hood and ladder building. There are also monuments on the site. We are looking at whether this site meets the criteria under the Local Redevelopment Housing Law for an Area in Need of Rehabilitation. It's a different standard from An Area in Need of Redevelopment. A property has to qualify under one of six different items: 1.) A significant portion of structures are in a deteriorated or substandard condition; 2.) More than half of the housing stock in the delineated area is at least 50 years old; 3.) There is a pattern of vacancy, abandonment, or underutilization of properties in the area; 4.) There is a persistent arrearage of property tax payments on properties in the area; 5.) Environmental contamination is discouraging improvements and investment in properties in the area; or 6.) A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance. To meet the criteria, you just need to meet one of those items. This is a long process, from identifying the site and saying whether it meets the criteria for An Area in Need of Rehabilitation to the adoption of a Redevelopment Plan and then any development that occurs on the site. Many of the uses on the site have been vacated with the relocation to this facility or the police who moved next door. The court moved from there 10 years ago and the police, prior than that. According to NJDEP, there's no know contamination on the site. It's not located in a flood hazard area and there are no wetlands on the site. It currently has 3 different zones on the site: M (municipal), B1 (business zone) and RA (residential zone). The municipal building is not be used. The police/fire building shows more significant signs of deterioration, such as water damage from the roof, collapsed ceiling tiles, water stains and water damaged rugs. We opine that at least 2 of the 6 items are met. One being that the significant portion of structures therein are in deteriorated or substandard condition. There is also a pattern of vacancy/abandonment or underutilization of property in the site area. It would be our recommendation the property meets the criteria for an Area in Need of Rehabilitation.

Mayor White – The old Police Station has been vacant since 2006.

Mr. Hickey – Where will the police park?

Mr. Dickerson – At this point in the process, we're just seeing if it meets the criteria. The second part of the process, should the township determine this to be An Area In Need of Rehabilitation, would be to create a Redevelopment Plan. There you can iron out how the site is to be used and to accommodate additional space for any other municipal uses. If there is a Redevelopment Plan, it will come back before this Board, as well as Council

Mayor White – Parking for the police will have to be considered. The Council formed a committee, with police representatives on it, who have told us how much parking they will need.

Mr. Pappozzi – Why not do An Area in Need of Redevelopment instead of An Area in Need of Rehabilitation?

Mr. Dickerson – Redevelopment takes just as many steps, if not more. Under Redevelopment, you'd still have to conduct a study, bring it before the Planning Board and then back to Council, have it deemed and then go through the process.

Mayor White – We discussed it with the town attorney, who's also part of the committee and has a bit of experience in this and we opted to go with the rehab.

Mr. Hickey – So you want to take whatever land you need and sell the rest?

Mayor White – Yes.

Mr. Dickerson – If there's concern about parking, it doesn't need to be subdivided. It can be an easement to the town. It can be a requirement when it gets to the Redevelopment Plan.

Mayor White – I think this was one of the reasons why we went with rehabilitation instead of redevelopment. With redevelopment you have to do all those PILOTs and everything else.

Mr. Dickerson – So under redevelopment the two things you get over the rehabilitation are that you're allowed to give long term exemptions and you can use condemnation. Under rehabilitation you have short term tax abatements, but you cannot do a long term PILOT.

Mr. Hickey – Are you talking about knocking down the old police station?

Mr. Homsy – Yes, at the expense of the developer.

Mr. Hickey – What zone would it be classified as?

Mr. Dickerson – When you do a Redevelopment Plan, you can decide whether or not you want to follow the underlying zoning, create a whole new zone or create an overlay zone. A Redevelopment Plan would outline all the standards that could go in there.

Mr. Pappozzi – You don't have to change the zone. You can just accept the plan from the developer.

Mayor White – It's better this way, because if we just subdivide it and sell it, anyone who wants to buy it won't know what they could put there. They would have to get Planning or Zoning Board approvals, which could take a long time.

Mayor White – How long will the process take?

Mr. Dickerson – This goes back to the Council. The area can be designated for rehabilitation. Next, the governing body can authorize the preparation of a Redevelopment Plan. It's prepared and then introduced by ordinance before the governing body, sent back to the Planning Board for consistency with the Master Plan and then back to the governing body for public hearing and adoption. It depends on meeting schedules and time of year. From there, if you have an interested developer, they go through the process of submitting a site plan.

Mayor White – We have had a lot of interest in the property. Our goal to get something there that looks nice and conforms with the area, that the neighbors approve of and that gives us a good ratable. I'm hoping it's something like across the street. The war monument will be moved to the VFW. The police memorial monument will be moved too.

Mr. Cialone – This falls under N.J.S.A. 40A:12A-14, specifically conditioned for determination for need for rehabilitation. Where it's rehabilitation as opposed to redevelopment, the duties of the Planning Board are different. Specifically, you see that with the report there is a draft resolution that's going to be adopted by the governing body under the statute. It's the Planning Board's responsibility to determine whether they want to submit any recommendations/modifications regarding the proposed resolution to the governing body. They do not have to accept them. I

would ask that the Board authorize my firm to send a letter to the governing body in lieu of any other resolution or report.

Mr. Browne made a motion; seconded by Mr. Camporeale to authorize Anthony Cialone to send a letter to the governing body, recommending the study area meets the criteria of an area in need of rehabilitation.

VOTE: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Cook, Mr. Hickey, Mr. LaGuardia, Councilman Gierak, Mayor White and Mr. Camporeale – YES

B.). Minor Subdivision Application

Tomasz & Izabella Kowalski, 475 Dewey Ave., Block 703, Lot 14

Joshua Levine, attorney for the applicant came forward.

Mr. Cialone – The applicant has made the required notice. The Board has jurisdiction to hear this application.

Mr. Levine – The property is situated in the RB – Two Family Residential District. This will result in two oversized lots for the immediate area. A buyer has approached them for the property that has a house on it.

William Buchok, engineer for the applicant came forward.

Mr. Buchok – The surrounding properties are approximately 50' in width. The subject property is 100' wide. The subdivision line results in the lot being divided roughly in half. Reviewed the zoning schedule:

	Lot 14	Lot 14.01	Lot 14.02	Required
Lot Area	23,318 sq ft	11,750 sq ft	11,568 sq ft	6,500 sq ft
Side Yd Setbk	7.5 ft			10 ft
Front Yd Setbk.	49.1 ft			25 ft
Garage Setbk		3.5 ft* (variance req.)		5 ft
Lot Cov Bldg.	10%	20.36%* (variance req.)		26%
Lot Cov Access.	9.97%	19.79%* (variance req.)		18%

The plans are compliant with all requests from the Board engineer.

Mayor White – So what do you need the variance for?

Mr. Levine – The garage has over 117 feet to the rear yard, which is the front yard of Hobson. When we make a new line, it will be less than the required 5 feet. The other issue is the garage itself is an accessory structure, so the accessory coverage is 19.79% (over the 18% allowed).

Mayor White what is the depth of the new lot?

Mr. Paparozzi – One lot is 117' and the other is 114'.

Mr. Levine – If we moved the lot line off center, we wouldn't need the variance.

Mr. Saad – The proposed subdivision line would continue the joining rear lines of all the lots.

Mr. Paparozzi – I had to do a lot of scaling because the subdivision map does not have the dimensions of the garage or the house. I don't know if their numbers are correct. There may be a de minimus difference. Lots numbers will be at the determination of the Tax Assessor.

Mr. Saad – Do you intend to memorialize by recording the deed or filing the map?

Mr. Levine – The goal will be to file new deeds.

Mr. Saad – If there's a structure proposed with another variance, you would have to appear before the Zoning Board.

Mr. Levine – We recognize that on this application, we are coming before the Board with no proposed structure on lot 14.02. One of two things have to happen. Number one, whoever builds that lot is fully compliant with all codes or they will have to go to the Zoning Board.

Councilman Gierak made a motion; seconded by Mayor White to open the meeting to the public. All in Favor – YES

No public participation.

Councilman Gieriek made a motion; seconded by Mr. Browne to close the meeting to the public.
All in Favor – YES

Mr. Browne made a motion; seconded by Mayor White to approve the application.
VOTE: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Cook, Mr. Hickey, Mr. LaGuardia,
Councilman Gieriek, Mayor White and Mr. Camporeale – YES

APPLICATION APPROVED

5. MINUTES

Mr. Hickey made a motion; seconded by Mayor White to adopt the minutes of the June 17, 2024 meeting.
VOTE: All in Favor - YES

6. COMMUNICATIONS

Mr. Hickey made a motion; seconded by Mayor White to accept and file the communications.
All in Favor – YES

7. VOUCHERS

Mr. Hickey made a motion; seconded by Mr. Browne to pay the following vouchers, provided funds are available:

- Neglia Engineering Associates, 06/10/24, MOM NJ, \$1,110
- Neglia Engineering Associates, 06/10/24, NJ Patients Care, LLC, \$410
- Neglia Engineering Associates., 06/10/24, Saddle Brook Urban Renewal Assoc., \$2,047.50
- Basile Birchwale & Pellino, 06/18/24, Signs CAD, Corp. \$31.25
- Neglia Engineering Associates, 07/05/24, Lovelace, \$205
- Basile Birchwale & Pellino, 07/08/24, Lovelace, \$250

All in Favor - YES

8. OPEN AND CLOSE THE MEETING TO THE PUBLIC

Mr. Browne made a motion; seconded by Mr. Camporeale to open the meeting to the public.
All in Favor - YES

Steve Mariconda, 24 Harrison Ave. – Whatever is done with the old municipal property, I ask that the lighting is addressed.

Mr. Browne made a motion; seconded by Councilman Gieriek to close the meeting to the public.
All in Favor - YES

9. ADJOURN

Mr. Browne made a motion; seconded by Mr. Camporeale to adjourn the meeting.
All in Favor - YES

Meeting adjourned 8:29 p.m.

Respectfully Submitted,

Jayne Kapner
Planning Board Secretary