



Borough of Demarest Planning Board Meeting MINUTES

August 7, 2024

7:30 PM

DEMAREST BOROUGH HALL

The Borough of Demarest Planning Board held its regular meeting on WEDNESDAY, AUGUST 7, 2024, at 7:30 p.m. located at 118 Serpentine Road Demarest, NJ 07627.

CALL TO ORDER

Meeting was called to order at 7:30 PM by Ms. Hayden.

FLAG SALUTE

The Board was led in a salute to the flag by Ms. Hayden.

ROLL CALL

MEMBERS PRESENT: Mayor Brian Bernstein, Jodi Brenner, Councilwoman Daryl Fox, Fatemah Mamdani, Lynn Paulison, Marian Hayden

MEMBER(S) ABSENT: Theodore Alevrontas, James Tabacchi, Youngsam Yu, Mary Hamilton

ALSO PRESENT: Michael Greco – Secretary, Douglas Bern – Attorney

APPROVAL OF MINUTES

RESOLUTIONS

Area in Need of Redevelopment Determination Resolution

Chair Hayden stated that the resolution was not ready and would be on the next agenda.

NEW/CONTINUING APPLICATIONS

PB 24-001 – Woodlands Holding Inc.

The application was heard by the Planning Board. The below people gave testimony and or asked questions of the professionals.

- John Schepisi, the applicant's attorney
 - Introduced the application, and gave testimony agreeing to multiple conditions as shown below.
- Mike Hubschman, the applicant's engineer
 - Presented the application showing the many changes in the plan from the original approved site plan. The plan requested the following changes to the original plan;
 - a) Adding one (1) single generator per each townhouse (24 generators in total);
 - b) Adjusted location of the recreation center generator by approximately 5 ft. Generator still located behind the recreation center;

- c) Adjusted location of the generator located near the inside of the main entrance gates by moving it to the rear of Unit A-1, approximately 70 ft.;
- d) Adjusted pool location 5 ft. to the east and enlarged the pool deck by 1,162 sq. ft. A paver walk was added from the road to the pool;
- e) Revised location of the gazebo; moved approximately 5 ft. east to be centered between parking areas;
- f) Revised walkway from ADA space to gazebo to make the walkway ADA compliant;
- g) Revised extended parapet walls connecting to the bridge with revised lighting;
- h) Changing ten (10) townhome patios to decks. All townhomes will now have decks;
- i) Added decorative walls by unit front entrance walkways.
- o The board and its professionals had questions on the application for Mr. Hubschman on the below topics;
 - a) The lack of generators on the original plan, and their time for cycles;
 - b) The height of walls between buildings, and the need for safety railings;
 - c) The heights of various buildings and the changing in their layout and location;
 - d) The interaction of the town home complex and the alpine country club;
 - e) The conservation easement and the disturbance of it through the construction and by the generators located so close to it, and how it will be restored and protected;
 - f) Indemnification for the borough;
 - g) Drainage calculations based on all of the new information;
 - h) Lighting at the entrance to the complex;
 - i) The construction of the monument sign and it's changes from the original plans;
 - j) Trees proposed for planting and the need for a planting plan;
 - k) The change in grading due to the new plan.
- Bob Zampolin, the applicant's architect
 - o Gave testimony about the style of entry gates and the comparative aesthetics of the applicant's amended design. He indicated that the project as he has designed it will comply with the Borough's zoning ordinance.
- Elias Sidique, 9 Apple Tree, member of the public
 - o Asked the applicants about the location of the project in reference to his property, and confirmed that he is okay with the distance.
- Justin Orlando, president of Alpine Country Club
 - o Asked questions about the impact on the country club from a drainage perspective. He also asked about the tree barrier between the club and the complex, and the board suggested a more thorough tree barrier would be needed. Mr. Orlando also requested that the cycle time for generators be in the night to not disturb the golfers.
- Shawn Melamed, 59 Duane Lane, member of the public
 - o Asked questions about the walls being presented and the impact it would have on his property from a drainage perspective. He also requested that the generator cycle be at a time during the day when residents are least impacted and not in the middle of the night.

The board found that several conditions would be required for approval of the application and that the applicant would return at the following meeting with updated plans reflecting the conditions imposed. The plans would include a landscaping plan, and all these plans would be subject to the review and approval of the Board Engineer and the Board Planner. Below is a list of conditions imposed;

1. The entry cul-de-sac roadway known as Duane Lane extension is to be dedicated to the Borough after construction and approval of all improvements by the Borough Engineer.
2. All heights of the proposed buildings shall comply with the zone height restriction and should be no taller than 37 feet in height.

3. Applicant shall add evergreen trees at least 12 feet tall trees at planting with sufficient density southeast of the pool area to provide a barrier of at least 12 ft in height and which shall be depicted on a revised landscaping plan subject to the Board Planner's review and approval.
4. The conservation area which may be disturbed during the course of construction shall be restored to the condition that existed prior to construction and such restoration shall be documented and submitted to the Board's engineer for review and approval.
5. The Developer's Agreement by and between the Borough, the Planning Board and the applicant shall be amended to provide the foregoing, if deemed necessary.
6. Applicant shall file a revised site plan reflecting all final modifications and it shall be a condition precedent to the issuance of any additional building permits and/or Certificate(s) of Occupancy for the proposed improvements.
7. Applicant shall comply with Mr. Chelius' review letters as well as further compliance with the oversight and requirements of the engineering consultant for the Borough during the construction phase, as field conditions may warrant.
8. Sheet 4 of the Site Plans shall be revised to eliminate the pillar sign and change the monument sign letter height from 12 to 14 inches.
9. The generators on site will exercise for a maximum of five minutes per week and said exercise schedule shall be staggered. A schedule should be provided for review and approval. No testing shall occur before 8:00 am or after 6:00 pm Once approved this could be included in the HOA documents.
10. A landscape plan schedule shall be submitted for review and approval by the Board Planner. Said landscape plan shall only enhance the prior Board approved landscape plan; no plants will be eliminated.
11. The condominium association will indemnify the Borough of Demarest and it's Planning Board from any lawsuits, damages, and claims arising from residents and/or their guests, invitees or occupants being injured by golf balls. The condominium shall name the Borough of Demarest and it's Planning Board as an additional insured, if obtainable.
12. All retaining walls and garden walls on the site will be constructed as shown on the Site Plans.
13. The Site Plans shall be revised to depict all required safety guardrails and/or required safety handrails.
14. The Site Plans shall be revised to depict the location and sign detail for the conservation easement signs.
15. The Applicant shall prepare a building condition comparison to illustrate any changes in the shape and size of the buildings since the prior Board approval. This analysis shall include an updated building coverage calculation and demonstrate compliance with the height limitation.
16. The landscape plans shall be revised to add evergreen trees along the south side of Duane Lane west of the bridge.
17. The Site Plans shall be revised to reflect any modifications to grading. Elevations related to stormwater infrastructure, roadway profiles, bridge cross sections, utilities and any associated details should be revised accordingly.
18. The Site Plans shall be revised to reflect light poles on the southern side of the Duane Lane Bridge. The lighting plan shall be revised to include adjusted illumination intensities along Duane Lane substantially similar to those depicted in the original approval. Details shall be provided of the same.
19. The Site Plans shall be revised to include the locations of pins and signage delineating the limits of the conservation easement. Details of any signs shall be provided.
20. The Applicant's Engineer shall submit a revised drainage report for review and approval accounting for all proposed changes in impervious coverage and any revisions to grading and/or drainage patterns.
21. All fire hydrants shall be tested and approved by the Fire Department and Water Company prior to issuance of a CO or dedication of the road.
22. All fees, costs, bonds, and escrows shall be paid when due or becoming due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary.
23. All representations made by Applicant, or its Agents shall be deemed conditions of this approval and any misrepresentations by Applicant contrary to the representations made before the Board shall be deemed a violation of this approval.

- 24. The action of the Board in approving this application shall not relieve the Applicant of responsibility for any damages caused by this project, nor does the Board, and the Borough or its reviewing professionals and agencies, accept any responsibility for design of the proposed improvement or for any damages that may be caused by this development.
- 25. Applicant shall comply with all applicable federal, state, regional, county, and local rules, regulations, and requirements.
- 26. This approval is conditioned upon the truthfulness of the testimony of the Applicant and Applicant’s witnesses. In the event that said testimony is found to be false, this approval may be voidable and may be nullified by the Planning Board.

For more detailed information on the hearing please review the official Court Reporter Transcript.

A motion was made to approve the applications with the conditions set forth by the board and the professionals by Councilwoman Fox and was seconded by Ms. Brenner.

On roll call, the vote was recorded as follows

Mr. Alevrontas:	Absent	Mayor Bernstein:	Yes	Ms. Brenner:	Yes
Councilwoman Fox:	Yes	Ms. Mamdani:	Yes	Mrs. Paulison:	Yes
Vice Chair Tabacchi:	Absent	Mr. Yu:	Absent	Mrs. Hamilton:	Absent
Chair Hayden:	Yes				

Motion passed

NEW/OLD BUSINESS

PUBLIC COMMENT PERIOD – CORRESPONDENCE

ADJOURNMENT

With no further business presented, a motion to adjourn the meeting was made by: Ms. Paulison and seconded by Mayor Bernstein.

All in Favor – Motion Passed

The meeting was adjourned at 9:56 PM.

Respectfully Submitted,
Michael Greco
Planning Board Secretary