



# **Zoning Board of Adjustment**

February 22, 2012

**\*\*\*Special\*\*\*  
*Hearing*  
(Minutes)**

Prepared by:

**Paul Demarest**

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◇ **OPENING REMARKS** (Commenced at 8:25pm) ◇

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◇ **PLEDGE OF ALLEGIANCE** ◇

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◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman  
Steven Freesman, Esq.- Vice Chairman  
Theodore West, DDS- Secretary  
Antranig Ouzoonian, PE  
Thomas Hennessey  
Heena Dhorajia, EIT  
Andrew Shyong, DDS- Alternate #1  
Joan Marks- Alternate #3  
John Galluccio, Esq.- Alternate #4  
Leonard Sinowitz- Zoning Officer  
Michael Kates, Esq.- Board Attorney  
Jeffrey Morris, PE- Board Engineer  
Paul Demarest- Board Coordinator

Absent

Mitchell Monaco  
Evan Elias- Alternate #2  
Arthur Dolson- Council Liaison

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◇ **OPEN TO THE PUBLIC** ◇

n/a;

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◇ **MEMORIALIZATION OF RESOLUTION(S)** ◇

A motion was made by Secretary West and seconded by Mr. Hennessey, to memorialize the Resolution for 94 Alpine Drive (Case #Z-2011-19) with noted correction to spelling errors. The motion passed (5-0-1):

**YES-** Dhorajia/Hennessey/Ouzoonian/West/Bianco;

**NO-** n/a;

**ABSTAIN-** Freesman;

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◇ **CASELOAD** ◇

<p><b>Case #Z-2011-17</b> <b>TD Bank, NA</b> <b>597 Piermont Road</b> <b>(Block 1608/Lot 1)</b> <b>District #1- Residential Area A</b></p>
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### Case History

The applicant is seeking Use Variance and Site Plan Approvals for the construction of a new commercial/retail bank (detached drive-thru canopy inclusive) at the subject property; the application was received October 7, 2011 and scheduled for the October 26, 2011 Work Session, at which time, it was perfected; due to the Board's heavy caseload, the applicant was granted, pending the Board's receipt of requested items and public noticing requirements, an appearance at the January 25, 2012 (Special) Hearing; the applicant's engineer completed initial testimony and the case was adjourned, pending the Board's receipt of requested items, to the February 22, 2012 (Special) Hearing.

### Representation

- 1.) Paul Conciatori, Esq., Price, Meese, Shulman & D'Arminio, PC, 50 Tice Boulevard- Suite 380, Woodcliff Lake, New Jersey;

### Witnesses

- #1: Bradford Bohler, PE, Bohler Engineering Co., 35 Technology Drive, Warren, New Jersey;
- #2: John De Luca, Security Expert, TD Bank, NA, 9000 Atrium Way, Mount Laurel, New Jersey;
- #3: Mark Cahill, RA, Bergmann Architectural Associates, Inc., 1040 First Avenue- Suite 100, King of Prussia, PA 19406;

### Exhibits

- A-4: colorized version of pre-filed engineering plans prepared by Witness #1's firm dated September 28, 2011 and last revised February 9, 2012;
- A-5: pre-filed architectural (floor plans) prepared by Witness #3's firm dated September 29, 2011;
- A-6: colorized version of pre-filed architectural (elevations) prepared by Witness #3's firm dated September 29, 2011;
- A-7: three-dimensional site perspective prepared by Witness #3's firm dated January 24, 2012;

### Relief Sought

(DISCUSSED AT JANUARY 25, 2012 (SPECIAL) HEARING)

### Response to Prior Board and/or Subcommittee Requests

- 1.) applicant provided centerline of Piermont Road (35' county road-widening easement);
- 2.) applicant increased front yard setback from approximately 30.0' to 39.7';
- 3.) applicant modified grading and drainage plans;
- 4.) applicant updated and improved diversity of landscape plan;
- 5.) applicant recalculated front yard setback requirement to include previously-omitted flag lot (639 Piermont Road) and confirmed correct average is 122';
- 6.) applicant stated there are at least 7 to 8 TD Bank, NA locations in New Jersey having detached drive-thru canopies;
- 7.) applicant confirmed transformer(s) to be utility pole-mounted with underground connection to bank building;

### New Board Requests

- 1.) provide \$2,000.00 payment (<2> \$1,000.00 fees) for appearances at February 22, 2012 and March 28, 2012 (Special) Hearings.

- 2.) reconsider alternate layout of detached drive-thru canopy to alleviate safety and visibility concerns pertaining to its distance from Piermont Road (approximately 200') as well as its isolation in rear yard (hidden behind bank building);
- 3.) consider having Witness #'s 2 and 3 visit site to enhance credibility of their testimony;
- 4.) consider alternate architectural design to better suite site and compliment its residential surroundings;

Public Questions

- 1.) Marie Hartwell, 1 Bradley Place, Closter, New Jersey;
- 2.) Steven Isaacson, 97 Columbus Avenue, Closter, New Jersey;
- 3.) Michael Brown, 24 Arcadia Court, Harrington Park, New Jersey;
- 4.) Jesse Rosenblum, 65 Knickerbocker Road, Closter, New Jersey;

Public Comments

n/a;

Decision

The case was adjourned to the March 28, 2012 (Special) Hearing.

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**◇ ADJOURNMENT OF HEARING ◇**

A motion was made by Vice Chairman Freesman and seconded by Mr. Hennessey, to adjourn the meeting at 11:00pm. The motion passed by acclamation.

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