

**BOROUGH OF DEMAREST  
PLANNING BOARD**

**IN THE MATTER OF THE APPLICATION OF  
WOODLANDS HOLDING COMPANY, LLC  
(ALSO KNOWN AS THE WOODLANDS IN DEMAREST)  
FOR AMENDED, PRELIMINARY AND FINAL SITE PLAN APPROVAL  
RELATING TO BLOCK 119, LOT 1.51 AND BLOCK 120, LOTS 1.31, 1.32,  
1.41, AND 1.42**

**BOROUGH OF DEMAREST, BERGEN COUNTY, NEW JERSEY**

**CASE NO. PB 24-001**

**WHEREAS**, WOODLANDS HOLDING COMPANY, LLC, with its mailing address at 270 Sylvan Avenue (Route 9W), Englewood Cliffs, New Jersey 07632 applied on June 24, 2024 to the Planning Board of the Borough of Demarest, for amended site plan approval for an amendment to the previously approved site plan providing for a development project comprised of a twenty-four (24) unit townhouse development with a recreation center, outdoor pool and gazebo in the Residential Multifamily-2 R-MF-2 overlay district; and

**WHEREAS**, a public hearing was conducted on August 7, 2024, upon proper notice, certified by the Applicant's proof of service upon the property owners within a 200-foot radius of the subject property and proof of publication in the official newspaper of the Borough; and

**WHEREAS**, John A. Schepisi, Esq. of the firm Schepisi & McLaughlin, P.A., 473 Sylvan Avenue Englewood Cliffs, New Jersey 07632, appeared on behalf of the Applicant; and

**WHEREAS**, the inter-departmental communication and advisory reports of municipal departments and agencies were:

1. Review memorandum of Colliers Engineering and Design by Nick Chelius, P.E. dated July 17, 2024, listing the following:

- a. Site and Grading Plans consisting of twelve (12) sheets, prepared by Michael J. Hubschman, P.E., P.P., of Hubschman Engineering, P.A., dated March 15, 2019, with revisions summarized by the following:
    - i. Site Plans, sheets 3750-1 through 12, last revised June 24, 2024;
    - ii. Cross Sections & Soil Moving, sheets 3750-14 through 18, last revised June 24, 2021;
    - iii. Miscellaneous Drawings, sheets 3750-20 last revised July 11, 2023;
    - iv. Miscellaneous Drawings, sheets 3750-21 through 24 last revised June 24, 2021;
  - b. Application for Site Plan & addendum dated June 24, 2024;
  - c. Woodlands Holding Co, LLC W-9;
  - d. Attorney Submission letter signed by John A. Schepisi, Esq. dated June 24, 2024;
  - e. Ownership Disclosure Statements;
  - f. Proof of Taxes paid for the subject property; and
  - g. Consent of Property Owners forms, signed by Sylco Investments (#6,8,9,10) LLC, dated June 20, 2024.
2. Review memorandum of Colliers Engineering and Design by Nick Chelius, P.E. dated August 1, 2024, listing the following:
- a. Site and Grading Plans consisting of twelve (12) sheets, prepared by Michael J. Hubschman, P.E., P.P., of Hubschman Engineering, P.A., dated March 15, 2019, with revisions summarized by the following:
    - i. Site Plans, sheets 3750-1 through 12, last revised June 24, 2024;
    - ii. Cross Sections & Soil Moving, sheets 3750-14 through 18, last revised June 24, 2021;
    - iii. Miscellaneous Drawings, sheets 3750-20 last revised July 11, 2023;
    - iv. Miscellaneous Drawings, sheets 3750-21 through 24 last revised June 24, 2021;
  - b. Foundation Location Survey Map consisting of one (1) sheet, prepared, and signed by Robert J. Mueller, PLS of Hubschman Engineering, dated May 25, 2022;
  - c. Architectural Plans consisting of thirty-seven (37) sheets, prepared and signed by Robert E. Zampolin, A.I.A. of Zampolin & Associates, dated March 28, 2021;
  - d. Landscaping Plan consisting of two (2) sheets, approved by Bradley A. Meumann, dated July 6, 2020;

- e. Drainage Report prepared by Hubschman Engineering, dated July 16, 2020;
  - f. Snow Storage Area Plan consisting of one (1) sheet; prepared and signed by Michael J. Hubschman, P.E., P.P. of Hubschman Engineering, P.A. dated November 24, 2020;
  - g. Duane Lane Bridge Construction Plan consisting of one (1) sheet, prepared and signed by Michael J. Hubschman, P.E. P.P., of Hubschman Engineering, P.A. dated November 24, 2020;
  - h. Lighting Plan consisting of one (1) sheet; prepared and signed by Michael J. Hubschman, P.E. P.P., of Hubschman Engineering, P.A., dated March 3, 2019;
  - i. Soil Moving Report prepared by Michael Hubschman PC, dated August 18, 2020.
3. Review memorandum of Colliers Engineering and Design by Darlene Green, P.P., AICP dated July 18, 2024, listing the following:
- a. Plans entitled "The Woodlands in Demarest; Proposed Condominium Development," prepared by Michael J. PE, PP of Hubschman Engineering, PA, dated March 15, 2019, revised through June 18, 2024, consisting of 13 sheets. It should be noted that Robert J. Mueller, PLS has also signed Sheets 2 and 13
  - b. Site Plan Application dated June 24, 2024; and
  - c. Document entitled "Addendum to Amended Site Plan Application," unknown author no date, consisting of 2 pages;
4. Review memorandum of Colliers Engineering and Design by Darlene Green, P.P., AICP dated July 29, 2024, listing the following:
- a. Plans entitled "The Woodlands in Demarest; Proposed Condominium Development," prepared by Michael J. Hubschman, PE, PP of Hubschman Engineering, PA, dated March 15, 2019, revised through June 18, 2024, consisting of 13 sheets. It should be noted that Robert J. Mueller, PLS has also signed Sheets 2 and 13;
  - b. Site Plan Application dated June 24, 2024;
  - c. Document entitled "Addendum to Amended Site Plan Application," unknown author no date, consisting of 2 pages; and
  - d. Letter entitled "Woodlands Holding Company, LLC," prepared by Michael J. Hubschman, PE, PP of Hubschman Engineering, P.A. dated July 24, 2024, consisting of 3 pages.

**WHEREAS**, submitted into evidence without exhibit references were the following:

1. Site Plan prepared by Michael J. Hubschman, P.E. PP, of Hubschman Engineering, P.A., 263 South Washington Avenue, Bergenfield, New Jersey 07621 dated March 15, 2019, last revised July 24, 2024 consisting of 12 sheets:
2. Prior Resolutions of the Planning Board dated February 3, 2021 and May 5, 2021; and

**WHEREAS**, submitted into evidence with Exhibit references were the following:

1. A-1, colorized version of Sheet 2 of the site plan dated July 24, 2024, depicting proposed changes to the site plan; and
2. A-2 Enlarged Version of Sheet 3 of the site plan.

**WHEREAS**, testimony in support of the application was given under oath by Michael J. Hubschman, P.E., PP, applicant's engineer, and Robert E. Zampolin, AIA, of Zampolin & Associates Architects, 187 Fairview Avenue, Westwood, New Jersey 07675 and Planning Board Engineer Nick Chelius, P.E. and Board Planner, Darlene Green, P.P., AICP; and

**WHEREAS**, members of the public questioned the witnesses or gave testimony on the application; and

**WHEREAS**, the Planning Board after considering the testimony and evidence presented, makes the following the findings of fact and conclusions:

1. Applicant is seeking to further amend the Amended Preliminary And Final Site Plan Approval that was originally memorialized by the Planning Board on January 6, 2021 and subsequently amended on April 7, 2021 to construct a twenty-four (24) unit townhome development with associated amenities at Block 119, Lot 1.51 and Block 120, Lots 1.31, 1.32, 1.41 and 1.42, which property is now known as Stonebridge Court in the R-MF-2 overlay zone.
2. Applicant is requesting the following amendments to the previous site plan approval:
  - 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;
3. The prior approval does not include provision for generators for each of the townhomes. During the course of the hearing, the applicant's counsel indicated that a decision had not been made initially to include generators and additional considerations had arisen in the course of constructing the project that provided the impetus to return to the Board to request to amend the Amended Preliminary and Final Site Plan Approval to add the changes desired by the developer.

**WHEREAS**, the Planning Board considered the testimony and evidence presented, the following are the findings of fact and conclusions of the Board:

1. The subject parcel consists of a total of 18.18 acres of which a significant portion - 14.38 acres - is earmarked for conservation pursuant to NJDEP requirements to safeguard wetlands, riparian zones and groundwater recharge areas.
2. The site is located at the southern end of Duane Lane and is in the residential multi-family 2, R-MF-2 overlay district.
3. The site is surrounded by residential use to the north, east and west, and the Alpine County Club is located to the south.

4. The property is currently under construction.
5. The Board heard the applicant's testimony and found that the amendments would not create any new variances and will improve the project.

### August 7, 2024 Hearing

1. At the hearing on August 7, 2024, the Board heard the applicant's engineer, Michael J. Hubschman, P.P., P.E., of Hubschman Engineering, P.A., 263 South Washington Avenue, Bergenfield, New Jersey, 07621, who was sworn in and qualified as an expert in engineering and testified to the site plan amendments and all engineering plans and reports submitted. Mr. Hubschman explained several of the site plan changes to the Board, including that the cul-de-sac located at the bridge at the entrance to the project has been modified so as to enhance the aesthetics. Originally, the bridge was constructed with metal or wooden guardrails and the developer is now going to have stone veneer on the bridge. Mr. Hubschman further described that the project signage at the entrance has been modified to provide for 14-inch letters in place of the 12-inch letters previously approved. However, the signage in total will remain compliant at less than 20 sq. ft. Mr. Hubschman added that the sign on the pillar will be removed. In response to Board questions, Mr. Hubschman described that the generators will be placed on pads and the transformers for the development will be placed on box pedestals that are 4 inches above grade. The transformers will be installed by Rockland Electric and the generators will be installed by a licensed electrician.
2. Mr. Hubschman described that the generators in certain locations may be accessed via the conservation easement for repairs and replacement only. He indicated that the generators will be exercised five (5) minutes per week and the schedule will be staggered. Referring to Exhibit A-1, a colorized version of Sheet 2 of the site plan dated July 24, 2024, depicting proposed changes to the site plan, he described that the entrance way gazebo has been slightly moved, the ADA parking spaces have been graded, the pool location is proposed to be moved 5 ft. and the developer is proposing adding 1,162 sq. ft. of patio around the pool, which will not cause the impervious calculation to exceed the zone requirement.
3. Mr. Hubschman indicated that all townhomes will now have decks and ten (10) patios will, therefore, be eliminated as the decks are easier to maintain and do not require drainage. The decks will be one to six feet off the ground.

Mr. Hubschman indicated that pocket lights have been added to the bridge. Additional landscaping will be provided around the generators and transformers, and the landscaping plan will be submitted to the Board Planner for her review and approval as a condition of approval, should the application be approved by the Planning Board. Mr. Hubschman described that all retaining walls shown on the amended site plan amended August 20, 2024 will be constructed on site and indicated that the east wall between buildings F and G will be a maximum of 4 ft. in height. The two walls along the south side between buildings D and E and E and F along the Alpine Country Club border will be a maximum of 6 ft., and the 42 inch guards fencing will be at least 3 feet back from the retaining walls. Landscaping of retaining walls will be shown on the landscaping plan. Mr. Hubschman stated that the retaining walls and garden walls will be constructed in accordance with the plans dated August 20, 2024 submitted to the Board. The applicant stated that railings will be added to the plans and installed where required by code and subject to review and approval by the Construction Official.

4. With regard to the height of the units, the units will not exceed 37 ft. in height, which is in compliance with the R-MF 2 zone requirements. Mr. Hubschman agreed to submit a building condition comparison for height to confirm Ordinance compliance and to recalculate building coverage due to the changes that have occurred during construction.
5. In answer to Board questions regarding interaction with Alpine County Club, which is contiguous to the property, the applicant indicated that the project will provide an indemnification by the Condominium Association for costs incurred by golf hazards, and same will be incorporated into the Condominium Governing Documents which are to be submitted to the Board's attorney for review at the conclusion of the construction phase. The Borough and the Planning Board will be added as additionally insured.
6. Robert E. Zampolin, AIA, the project architect, of Zampolin & Associates, 187 Fairview Avenue, Westwood, New Jersey 07675, was sworn in and testified about the style of entry gates and the comparative aesthetics of the applicant's amended design. The Board questioned Mr. Zampolin briefly and he indicated that the project as he has designed it will comply with the Borough's zoning

ordinance. At that time, the Board's professionals and members were satisfied. No members of the public had questions for Mr. Zampolin.

7. At the conclusion of Mr. Hubschman's testimony, the Board had questions about drainage and the function of the water quality basin, which questions were answered to the satisfaction of the Board.
8. At that time, the meeting was opened to questions from the public. Among members of the public, Mr. Justin Orlando, of 39 Fifth Avenue, New York City introduced himself as president of the Alpine County Club, one of the properties adjoining the development site. Mr. Orlando noted that a retaining wall on the west side of the development is being omitted from the revised plans to which Mr. Hubschman indicated that the wall was deemed unnecessary, and the area is being graded "back into the units." In questioning by Mr. Schepisi, Mr. Hubschman indicated that the fact that the retaining wall is not being built will not adversely impact the Alpine Country Club with respect to drainage. Mr. Hubschman indicated that there are 60-inch diameter pipes that store the stormwater runoff. The development is designed to reduce runoff by 50% for a 2-year storm and the drainage as it affects the Alpine County Club should be improved over what is presently in the area. Mr. Orlando also questioned the change to the pool area where it is being moved 5 ft. to the east. Mr. Orlando indicated that he felt that the pool would be vulnerable to golf balls without additional protection of trees. Mayor Bernstein asked if an additional tree barrier could be required so that the density of the trees and the height would provide a meaningful barrier to address the problem of protection against golf balls and a visual screening. The applicant agreed to add additional evergreen trees of approximately 12 ft. in height at planting to the area where the pool will be located.
9. A number of Board members and neighbors questioned Mr. Hubschman regarding the height of the buildings, potential stormwater runoff to neighboring properties, and the proposed landscaping, which the applicant indicated would be provided as a revised landscape plan and which would be subject to the review and approval of the Board's planner.
10. At the conclusion of Mr. Hubschman's testimony there were no further questions from the Board or from members of the public.
11. At that time, Board Chairwoman Hayden requested closing comments from Mr. Schepisi. Mr. Schepisi concluded with a brief summation. The Chairwoman called for a motion and a second and the Board voted to approve the

amendments to the Amended Preliminary and Final Site Plan Approval, with conditions, both specific and general to this application.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Demarest, that the within development application be, and the same is hereby approved, subject to the following conditions:

**CONDITIONS SPECIFIC TO THE APPLICATION:**

- a. 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.
- b. All heights of the proposed buildings shall comply with the zone height restriction and should be no taller than 37 feet in height.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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.

- h. 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.
- i. 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.
- j. 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.
- k. 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.
- l. All retaining walls and garden walls on the site will be constructed as shown on the Site Plans.
- m. The Site Plans shall be revised to depict all required safety guardrails and/or required safety handrails.
- n. The Site Plans shall be revised to depict the location and sign detail for the conservation easement signs.
- o. 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.
- p. The landscape plans shall be revised to add evergreen trees along the south side of Duane Lane west of the bridge.
- q. 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.

- r. 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.
- s. 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.
- t. 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.
- u. 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.

#### **GENERAL CONDITIONS:**

1. 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.
2. 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.
3. 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.
4. Applicant shall comply with all applicable federal, state, regional, county, and local rules, regulations, and requirements.

5. 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.

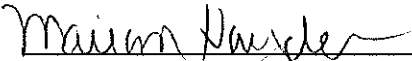
This Application was approved by the Borough of Demarest Planning Board at a meeting held on August 7, 2024 upon motion of Councilwoman Fox, and seconded by Ms. Brenner upon roll call as follows:

	Alevrontas	Bernstein	Brenner	Fox	Mamdani	Paulison	Tabacchi	Yu	Hamilton	Hayden
Offered				√						
Seconded			√							
Aye		√	√	√	√	√				√
Nay										
Absent	√						√	√	√	
Recuse										
Eligible To Vote										

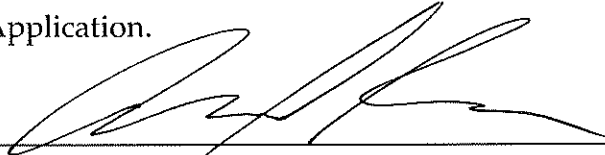
This Resolution adopted this 4th day of September 2024 memorializes the action taken at a meeting of the Borough of Demarest Planning Board on August 7, 2024, by a vote of four ( 4 ) ayes and Zero ( 0 ) nays as set forth herein.

**As Follows:**

	Alevrontas	Bernstein	Brenner	Fox	Mamdani	Paulison	Tabacchi	Yu	Hamilton	Hayden
Offered			√							
Seconded						√				
Aye		√	√			√				√
Nay										
Absent				√	√					
Recuse										
Eligible To Vote		√	√	√	√	√				√

  
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 MARIAN HAYDEN, Chairwoman  
 Demarest Planning Board

**BE IT, FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the Applicant, Borough Clerk, Construction Code Official and Zoning Officer of the Borough of Demarest. I do certify that this is a true and correct copy of the Resolution as adopted by the Planning Board of the Borough of Demarest, County of Bergen, and State of New Jersey in the within Application.



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MICHAEL GRECO, Board Secretary

**DATE APPROVED: AUGUST 7, 2024**  
**DATE RESOLUTION APPROVED: SEPTEMBER 4, 2024**