

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, April 16, 2013 at 7:30PM

Municipal Complex, 12 Mercedes Drive in Council Chambers

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

Chairman DePinto opened the meeting at 7:50 pm and led everyone in the Pledge of Allegiance.

ROLL CALL:

Present: Mr. Culhane, Councilmember Cudequest, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Vogt and Chairman DePinto, Doreen Rowland, Acting Secretary

Also Present: Mr. Regan, Borough Attorney, Mr. Hughes for Mr. Preiss, Borough Planner, Mr. Hipolit, Borough Engineer.

OATHS OF OFFICE: Mr. Regan swore in the following appointments:

Dante Teagno - Class IV expiring 12/31/2013

Chet Webber - Mayor's Designee expiring 12/31/2013

MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER: None at this time.

ZONING REPORT: Mr. Fette stated that 100 Phillips Parkway is proceeding with the resurfacing of the entire parking lot. Property improvements are underway. Mr. Fette refers to a use permit for this applicant and prior discussion regarding this condition of this property and is pleased with the work in progress.

Mr. Fette anticipates Mercedes Benz requesting an amended site plan. They would like to add electrical charging stations at various locations in the parking lot at the Mercedes Drive location. The Glenview site a variance and amended site plan will be necessary as they would like to install a 10' fence, which exceeds Borough ordinance, within the back property to secure certain automobiles from view.

Mr. Fette further states the property at 2 Windsor Road may be sold. The dwelling on this property was destroyed by fire.

SITE PLAN REVIEW COMMITTEE: Mr. Stefanelli states that Ali Enterprises came before the Board for site-plan review this evening lighting has been reduced 50% a bus shelter has been added with a pull-in bus stop which comes off of Kinderkamack Road, longer queing lines for stacking, entrance driveway has been moved further north. Mr. Stefanelli anticipates this applicant coming before the Planning Board shortly.

ENVIRONMENTAL COMMISSION LIAISON REPORT: Amazing Grace came before the Environmental Comission on April 15, 2013 seeking approval for their landscape

plan, which was not approved. As built plans have been received from The Enclave. Many changes to the approved plan have been made without the consent of the Environmental Commission. Chairman DePinto suggests Mr. Vogt request the help of the Borough Engineer due to the enormity of time this project will incur. Mr. Hipolit states that The Enclave has been notified of all necessary changes to be made in order to have their bond released.

Mr. Vogt made a property inspection at 69 Woodland Road regarding tree removal. This property is in the buffer zone of wetlands therefore restrictions apply regarding tree removal. Undesirable trees on Borough property have been marked for removal by Mr. Vogt. Applicants desire to remove trees within the wetlands were not approved by Mr. Vogt. Applicant must refer to the DEP for permission to remove per Mr. Vogt. Mr. Vogt questions whether a soil movement application has been made due to the enormity of work at this site. Mr. Fette to follow up.

CORRESPONDENCE: placed on back table

APPROVAL OF MINUTES: April 2, 2013

A motion to approve the minutes of April 2, 2013 was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call was taken with Councilmember Cudequest and Mr. Fette abstaining and all other members stating aye.

DISCUSSION: Ordinance 2013-1374

USE PERMITS: None

PUBLIC HEARINGS:

Block 3303 Lot 2 – Life Time Fitness - 10 Van Riper Road, Amended Site Plan (Formerly known as 1 BMW Plaza)

Gail Price, Esq. came forward representing the applicant. Variance relief is requested regarding exterior signs (number of signs, height, and number of colors). Updated plans were submitted to the Planning Board Secretary, Borough Planner and Borough Engineer. This submission shall eliminate the variance for colors the applicant was seeking.

Mr. Hughes and Mr. Tobia were sworn in by Borough Attorney Robert Regan

Revised amended plans provided as handouts exhibit A1
3 sheet set of nighttime photographs depicting back lighting of signs A2
Applicant proposes 5 wall signs. First will be the main sign on the front façade facing Van Riper Road 121.5 square feet. Sign two designed and permitted by ordinance to face the Garden State Parkway on the rear of building measuring 170.7 square feet. Three smaller signs. One over the poolside bistro labeled Life Café Poolside. Fourth and fifth signs will be small market style signs. One will read Life Café (22 ½ square feet mounted to the right of the main entrance) and one will read Life Spa (22 and ½ square feet mounted to the left of the main entrance) Each will be mounted on a canopy that mounts to the main wall to the front of the building. Mr. Tobia refers to the Borough Planner's report dated April 15, 2013 identifying variances are in agreement. Excess colors have been removed from the plan. All signs are two colors. First variance

proposes the main sign 6.7 feet in height. Sign on rear of building facing the parkway is proposed to be eight feet in height. Proposed signs have been designed proportionally (building measures 317' in length, 35' high,) ordinance allows for signs to be 3' in height. Second variance is for the number of signs. 5 wall signs and one free standing monument sign are proposed. Mr. Tobia states the lighting and illumination details of signs. Mr. Tobia states the proposed sign package with variance relief is consistent with the architecture and design of this sight. Chairman De Pinto questions the copy of all primary signage, Mr. Tobia states all primary signage will read Life Time Athletic, with the exception of the three smaller signs reading: Life Spa, Life Café, and Life Café Poolside.

Board exhibit 1 Report to the Board from Borough Planner dated April 15. Chairman requests Mr. Hughes provide a summary. Variance relief due to number of signs is appropriate. Proposed height appropriate acknowledging visual identification. Mr. Hughes states the sign package to be reasonable and appropriate. Chairman DePinto defers to Mr. Hipolit who states the Board should request from applicant what the maximum illumination will be. Ms. Price states the applicant will supply the data for the foot candle illumination. Any action the Board will take will be contingent upon the Borough Engineer and Planner's review of same in regard to illumination and foot candle review.

A motion to prepare a resolution of approval was introduced by Councilmember Vogt and seconded by Mr. Stefanelli. A roll call was taken with all members stating aye.

**Block 2701 Lot 4, 95 Chestnut Ridge Road, AEP Industries Inc.
Amended Site Plan (Parking Lot Reconfiguration)**

Antimo DelVecchio, Esq. came forward representing the applicant. Applicant seeks amended/final site plan approval to permit the restriping and reconfiguration of existing parking areas. Significant interior and exterior renovations. Currently 169 parking spaces exist (10x20 configuration) applicant proposes 221 spaces. 206 spaces proposed at a configuration of 8 ½ x 20 using a hairpin stripe, 8 visitor and 7 handicap. Applicant requests three variances as follows. Parking space size, 9x18 is currently permitted, applicants proposes 8 ½ x 20 using hairpin striping. A second variance regarding maximum permitted impervious coverage in the front yard of this site, and landscaping islands should not exceed more than 5% of the total parking area. Current ordinance reads one loading space required in this zone. Applicant proposes no loading space for this building due to the fact that this site is office space only with a single tenant and therefore will not require loading space. Third regarding maximum impervious coverage. 45% maximum permitted. Applicant is currently nonconforming at 53.54% and proposes an increase of 1.91% for a total 55.45%.

The following exhibits are marked for the record. Exhibit A-1, Affidavit of Public Notice; Site plans consisting of 4 sheets marked A -2 revised March 4, 2013.

Waiver letter prepared by R.L. Engineering dated April 16, 2013 marked A-3. Mr. Eichenlaub, P.E. is sworn in by Borough Attorney, Robert Regan and gives his report. Hairpin striping is proposed to increase the number of parking spaces and reduce the percentage of impervious coverage. Existing lighting will be upgraded to reflect current code lighting standards. Landscape plans have been submitted, Mr. Vogt has made an inspection of the site and made several recommendations. Reference is made to the Borough Engineer's report (submitted and documented as B-1). Mr. Hipolit states there are several nonconforming conditions at this site and further recommends a STOP bar be installed at the exit to Chestnut Ridge Road. In addition, Mr. Hipolit requests the

existing 20' easement be re-dedicated and referenced 25' Sanitary Sewer-Garden State Parkway Access Easement. Mr. Eichenlaub states on record that applicant will comply with all requests/comments made hereto.

Chairman DePinto requests the plans be revised to reflect item number 21 on exhibit B-1 25' Sanitary Sewer - Garden State Parkway Access Easement.

Borough Planners report submitted as B-2. Mr. Hughes summarizes. Existing impervious coverage exceeds code. Parking exceeds limitations for office space in the Borough. Suggests retaining some of the landscaped area in the rear of the parking lot and adding porous pavement to reduce the impact of the increase of parking spaces.

Mr. Vogt states in his report several issues with the applicant's landscaping plan. (Board Exhibit 3) Any approval by the Board will require approval of the landscaping plan by the Environmental Commission.

Board Exhibit 5 – DPW report, no issues.

Board Exhibit 6 - Fire Department report requesting signage for fire zones be provided.

Board Exhibit 6–Police Department report indicating concern regarding the hairpin striping and reduced width to parking spaces. Lt. Bowman further states in his report this change will lead to increased reports of motor vehicle accidents and require additional police response. At this time Chairman DePinto requests further investigation into this matter and states this application be carried to the next regular scheduled meeting of May 7, 2013.

At this time Chairman DePinto turns the Chair to Board Member Teagno.

BLOCK 1703, LOT 2, 3 JOHN STREET, JARED AND KIMBERLY ARCIDIACONO, ZONING VARIANCE APPLICATION.

Jared Arcidiacono appeared with his architect Joseph J. Bruno. Mr. Bruno states the existing home is a 1950's ranch with three bedrooms and one bath. Exhibit A-1 submitted and marked, depicts four photos with various elevations of the property. Applicant proposes additions to north and south sides and second story addition over the existing dwelling that would contain four bedrooms and two bathrooms. The proposed addition on the north side is a two car attached garage with the second story contain a master bedroom suite. The proposed plan will require three variances. First variance required for the addition of the front covered porch front yard setback. The second variance relates to north and side yard setback requirements. The combined side yard will be 34.17' which exceeds the 30' minimum. The third relates to the total building coverage at 22.27% which exceeds the 20% maximum permitted.

The following exhibits were marked and entered:

Exhibit A-2 , architectural plans last revised 2/15/2013

Exhibit A-3 Correspondence from Christopher Lantelme, P.E., applicant's engineer dated 4/15/2013 and,

Exhibit A-4 Correspondence from Christopher Lantelme, P.E. dated 3/27/2013 regarding drainage calculations.

Mr. Bruno states the following regarding the variances required. The front porch provides an aesthetic quality and is open on three sides. The proposed coverage of 22.27% is seen as insignificant and overall the proposed new dwelling is properly proportioned and will offer an aesthetically pleasing benefit to the site and neighborhood.

Marked and entered B-1, Borough Engineer's report dated 4/11/2013.
Mr. Hipolit gives his report. A minor soil movement permit is required. Requests confirmation to two seepage pits with half of the roof area being directed to each. Grading on the north side must be revised due to runoff and requests all grading information for the site be provided.

Entered and marked:

Exhibit B-2, Borough Planner's report dated 4/12/2013.

Exhibit B-3, Police Department report dated 4/2/2013.

Exhibit B-4, Environmental Commission report dated 3/27/2013.

Exhibit B-6, Fire Department

Mr. Vogt gave his report and suggests Norway spruce along the north property boarder and further states no appearance before the Environmental Commission will be necessary .

A motion to approve was made by Mr. Vogt and seconded by Mr. Stefanelli. A roll call was taken with all others stating aye.

PUBLIC HEARINGS (CON'T): None

RESOLUTIONS:

Ordinance 2013-1374

Chairman DePinto requests Mr. Regan to provide an overview.

An ordinance of the Borough of Montvale amending and supplementing chapter 128 zoning of the Borough of Montvale code to establish a new AH-PUD zone to establish the standards thereof and to implement changes and revisions consistent with the Master Plan.

A motion to approve was introduced by Councilmember Cudequest and seconded by Mr. Teagno. A roll call was taken with all members stating aye.

Other Business - None

Open Meeting to the Public – No one from the public present

Adjournment – A motion to close was made by Mr. Vogt and seconded by Mr. Stefanelli. A roll call was taken with all others stating aye. The meeting ended at 11:05 pm.

Next Regular Scheduled Meeting: May 7, 2013

Respectively submitted by:

Doreen Rowland, Acting Secretary