

**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**MINUTES**

**Tuesday, May 7, 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 7:35pm and led everyone in the Pledge of Allegiance.**

**ROLL CALL:**

**Present: Mr. Culhane, Mr. Fette, Mr. Teagno, Mr. Lintner, Mr. Vogt, Mr. Stefanelli, Councilmember Cudequest, Mr. Webber and Chairman DePinto**

**Also Present: Mr. Regan, Board Attorney, Mr. Preiss, Borough Planner, and Craig Hermans, Acting Engineer**

**MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD**

**ATTORNEY/BOROUGH ENGINEER:**

**ZONING REPORT:** Mr. Fette gave his report. There are still property maintenance issues with the Culhane property. There was a trial and the judge has initiated a fine of \$2000.00. They need to comply within a week for the front porch. They are trying to get the outside to look respectable. Windows are now being placed in. Coining has requested some speed bumps and he has been working with Chairman DePinto on. Reserved painting is going to be part of a parking lot renovation they will be removed and will be happening this Spring.

Mr. Fette was asked about the complaint for the Porterhouse. The tenants at Alyna townhouse are complaining of the lights that were mounted on the building so at night it looks like a house of ill repute as the lights are so bright stated Mr. Fette. He issued a violation to turn the lights off to return them back to the white lighting. They have not done so. There are some fire egress issues as well. They will be submitting into the board an application for parking on the Orange and Rockland Electric property next door. Chairman requested the applicant

He asked the board members to drive by Porterhouse in the evening. An amended site plan approval the neighbors will be notified of a hearing.

**SITE PLAN REVIEW COMMITTEE:** Mr. Stefanelli stated there was no Site Plan Review this evening.

**ENVIRONMENTAL COMMISSION LIAISON REPORT:** Mr. Vogt stated that there was no meeting. However he wanted to let everyone know that there is an Enclave final inspection this week. He had a call from Florence Court to remove two trees on

Borough property but they need to be removed and they need to be replaced as it is part of a subdivision approved plan.

Alyna Townhouses landscape plans were found and they will replant what was there and they will be changing some species of certain plants that had previously been placed. No major changes.

**CORRESPONDENCE: placed on back table**

**APPROVAL OF MINUTES: none at this time**

**DISCUSSION: Paperless Packets-Ms. Hutter spoke on the process of moving to a paperless packet. It was agreed that big plans will still be needed. All Use permits and correspondence will be scanned in and sent electronically.**

**USE PERMITS:**

**Block 1102 Lot 3-The Veterinary Consultancy, LLC**-110 Summit Avenue-(825 sq. ft.) Ms. Nancy Saccente attorney at law represented the applicant, Carol Therrien. Chairman read the application into the record. They are looking to occupy 825 sq feet. Signatures were identified. 5f needs to be provided. 5e needs to be amended. A letter needs to be sent to the board secretary stating the zip codes and in regard to the parking spaces not being designated. They are contracting survey veterinary consultants for pharmaceutical companies.. No pets will be brought to the office. Ms. Therrien stated that the space will be used for office only. A motion to approve was made by Mr. Vogt and seconded by Mr. Lintner with all in favor stating aye.

- 1.
2. **Block 2701 Lot 3- Solid Benefit Guidance**-85 Chestnut Ridge Road-(2827sqft.) carried to May 21, 2013

**Block 2408 Lot 2-Xin Cheng-Yuki Restaurant**-2-8 South Kinderkamack Road-(200 sq.f.t)- William Schiffman, attorney for Xin Cheng, came before the board. Chairman read the application into the record. Chairman stated the dumpsters needs to be addressed with over flowing garbage. There are 8 parking spaces. Deliveries will be made. No large catering. Employees will all come together stated Ms. Cheng. There will be a part time delivery man. Board of Health needs to be notified. Ms. Cudequest gave the board of health telephone number. Mr. Fette stated that the lights and dumpster, are violations and window signs need to be addressed. The borough limits signs to 20% coverage. Chairman is happy to see a new operator and went over the lighting and neon sign restrictions. Chairman asked that the Christmas lights inside be removed. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Vot with all stating aye.

- 3.

**PUBLIC HEARINGS (NEW):**

**Block 2002, Lot 1-Benjamin Moore 101- Paragon Drive-Amendment Site Plan Generator** –carried to May 21, 2013

**PUBLIC HEARINGS (CON'T):**

**Block 2701-4- AEP- 95 Chestnut Ridge Road- parking reconfiguration- Amended Site Plan-Mr. Andy DelVecchio came forward representing the applicant.**

Mr. Hermann and Mr. Preiss were sworn in. Mr. Hermanns stated that Mr. Hipolit had a telephone conversation with the police department and that it was mostly dings on the door. No other problems. Revised plans dated 4/16/2013 was marked as A4. Transformer Location Sketch was marked as A5. Mr. Eichenlaub went over the changes. The two changes are the landscaping. Two additional landscape areas and added dogwoods with some barberry. Mr. Eichenlaub went over the revisions of the landscaping. The lighting was discussed. There are 16 recessed fixtures in the cantaliever. There was no light before. One parking space has been removed due to the Orange and Rockland requirements of the transformer. It reduces it to 26.6. The figure is now changed. Additional changes will be detailed of the ADA requirements. The replacement of catch basin heads was discussed. They are not changing the free light standing they are just changing the heads. The three in the back parking lots will be double headed. They will be increasing their occupancy. The building will be painted and new windows. There will be no added or reduction in floor space. They were able to gain an additional 20 spaces. They have taken the impervious area and stripped the pavement. The final set of plans will not show phases it will be done in one phase. The sanitary easement needs to be co-existed and granted to the borough for a 25 foot wide easement. AEP as the applicant is the intended occupancy.

Mr. Preiss stated that there will need to be changes to the final plans. The list of variances needs to be reflected. A variance is not required for the 8 ½ foot width of the hairpin parking spaces to be utilized by the employees at the premises. The existing windows are being replaced stated Mr. DelVecchio. The change from the SED to the OR4 district the intent to provide shade and green space. The light pole with river rock is not what he would recommend. Ground cover was recommended by Mr. Vogt. The façade was discussed. It will be painted and new windows. The lighting was discussed. Coverage was discussed it is at 55.3% they can get down to a little below 55%. It's current lot coverage is 53.54%. It was stated that Rockland Electric has an issue with the proposed transformer, which is needed to service the building, which will result in the loss of one parking space.

Mr. Vogt stated that the engineers were very accommodating. If the board acts favorable they will resubmit a plan with all the revisions. There was a discussion of the easterly most traffic aisle, which on the plan is reflected to have a width of 22.3 feet. Mr. Culhane inquired as to whether the 20 ft stalls along the easterly parking bank could be reduced to 18 feet, as permitted by ordinance. This would increase the aisle width for additional landscaping. Mr. Eichenlaud indicated that landscaping within the area could reduce impervious coverage by about 800 sq. ft. and that the coverage would be reduced from 55.23% to just under the 55%. It was discussed in length by board members, with a number opposing to the landscaping strip being not practical. The application's attorney also stated it was too costly. No other alternative is being offered stated Mr. Del Vecchio adding for curbing is not a cost and drainage factor for them. They are afraid of freezing over. They are concerned also with snow removal. Mr. Preiss asked about the cost. 480 linear feet it is over \$9,000 stated Mr. Eichenlaub.

The board members were polled and it was agreed that the length of parking spaces in the easterly parking bank would be reduced from 20 ft. to 18 ft., allowing an increase in the aisle width to 23.4 ft. and no landscaping would be added to the aisle. It was agreed that the parking would be increased to 218 parking spaces. Seven would be handicapped and eight for visitors. Relief would be granted for maximum impervious coverage in the front yard as well. Other improvements to the site will be replacement of windows, painting and other upgrades, to the existing structure. The restriping of the parking area, new landscaping, lighting and other improvements will, in the aggregate, result in a more attractive-looking property. Open meeting to the public was made by Mr. Vogt and seconded by Mr. Stefanelli. No one from the public wishing to be heard a motion to close the meeting to the public was made by Mr. Vogt and seconded by Mr. Culhane. Chairman asked to have the board polled. A waiver was also granted for an EIS. The site is fully developed. The new plan will show a 35 ft. wide sanitary sewer easement across the rear of the property and adjoining the GSP shall further reference that an access easement is to be dedicated to the Borough of Montvale for a ramp onto the Garden State Parkway in the future. They will need approval of the Environmental Commission for their landscaping as well. A motion to have the board attorney prepare a resolution was made by Mr. Lintner and seconded by Councilwoman Cudequest. Mr. Culhane abstained and all others voting aye.

**RESOLUTIONS:**

- 1. Block 3303 Lot 2 -Lifetime Fitness-Amended Site Plan**
- 2. Block 1703- Lot 2-Jared and Kimberly Arcidiacono-3 John Street-Zoning Variance Application**

**Other Business**-Councilwoman Cudequest asked about the Lifetime Fitness and how the pool is being filled. Ms. Hutter stated that she was asked that months ago and reported to the Board of Health secretary that she spoke to Ms. Price attorney for the project and that it is being done through the municipal water. Chairman asked Mr. Fette to have himself and Mr. Hipolit do some research on the water flow.

**Open Meeting to the Public**- A motion to open to the public was made by Mr. Vogt and seconded by Mr. Lintner. No one from the public wishing to be heard a motion to close was made by Mr. Teagno and seconded by Mr. Stefanelli.

**Adjournment**- A motion to adjourn was made by Mr. Stefanelli and seconded by Councilwoman Cudequest with all stating aye.

**Next Regular Scheduled Meeting May 21, 2013**

**Respectively submitted by:**

**R. Lorraine Hutter  
Land Use Administrator**