

**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**Minutes**

**Tuesday, September 2, 2014 7:30pm**

**Council Chambers, 12 Mercedes Drive, 2<sup>nd</sup> Floor, Montvale, NJ**

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 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. Teagno, Mr. Vogt, Mr. Webber. Mr. Stefanelli arrived at 8:40 PM.**

**Also Present: Mr. Regan, Board Attorney, Mr. Hipolit, Board Engineer, Mr. Preiss, Borough Planner, Ms. Hutter, Land Use Administrator**

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

**ZONING REPORT: Mr. Fette**

**Block 2001, Lot 4 – Mid West Portfolio Corp. 100 Paragon Drive**

**Signs at have been removed. Pylons remain in place and may be refaced for future use.**

**Block 3201, Lot 8 – Hughes Environmental Group – 240 West Grand Avenue**

**Potential tenant DDS Dental Supply requires a use permit and has an interest in purchasing this building. They require no changes to be made to the exterior or existing parking. Warehouse space will be required and some minor changes to the front entries may be required. Mr. Fette approves of this use.**

**Block 1903, Lot 6 - Priority Health and Wellness of Montvale, LLC – 136 Summit Ave.**

**Mr. Fette states there have been several complaints indicating the applicant is operating outside the scope of the approved use permit. Mr. Fette further states there are numerous modes of transportation delivering and idling in the parking lot. Chairman requests the applicant, Mr. Renato Cappello and his attorney, Ms. Jennifer Knarich address the Board in response to above said allegations. Ms. Knarich states that her client is aware of only one instance in which a taxi was left idling. Some of his patients are taxi drivers who are in need of chiropractic services and are transporting themselves and/or some patients require transportation as a result of their physical injury. Current code does not limit or prohibit drop off service. The applicant will advise his patients to utilize the parking spaces reserved for his use as indicated in his lease. Ms. Knarich invites Mr. Fette to visit this location during hours of operation to re-affirm that the applicant is operating within the scope of the use permit approval.**

**42 South Middletown Road –**

**Proposed United Way Group Home, still under plan review due to the difficulty in receiving final approval proper sprinkler plans from the client. An additional outstanding item is the accessibility to this facility due to the existing conditions of the driveway. This will be addressed by the applicant submitting a variation to the building code. The Building Department will then request the driveway be widened to 18' and resurfaced to accommodate emergency vehicles.**

**ENVIRONMENTAL COMMISSION LIASION REPORT:**

The Commission did not meet this month.

Chairman Vogt informs the Board of the ANJEC Report for Summer 2014 which references the Borough of Montvale Environmental Commission and its efforts to educate the residents regarding the conservation of wetlands. Chairman DePinto requests the Planning Board Secretary provide copies to Board members.

**CORRESPONDENCE:** placed on back table

**DISCUSSION:**

Letter from Mr. Mancinelli on the vacating of Short Avenue by the Mayor and Council.

Chairman DePinto states the applicant, Rockland Built Homes, Inc. appeared before the Board to further present revised plans in accordance with the Borough’s professionals and has instructed this applicant to contact the Governing Body so that it may consider and approve the process of formally vacating Short Avenue. The subject property is surrounded by three paper streets which prohibit the optimal development of said property. Acquisition of Short Avenue would provide additional lot area to address existing engineering challenges. It is the recommendation of the Borough Engineer to vacate Short Avenue. The Board indicates it has no objection. A motion to have the Board Secretary draft a memo addressed to the Governing Body that the Board has no objection to the vacating of Short Avenue and any questions be addressed to the Borough Engineer by the council with all Board members stating aye.

**APPROVAL OF MINUTES:** August 19, 2014 – carried to September 2, 2014

USE PERMIT:

- 1. Block 1902 Lot 8-Mycell Technologies, LLC-160 Summit Avenue-(3000 sq. ft.)

Chairman read the application into the record. Janice Gatto, Esq. represents the client Mr. Frank Gallagi, both present. Mr. Fette states building permits will be required for all interior renovations as well as a CCO inspection. A motion to approve was introduced by Mr. Culhane and seconded by Mr. Webber. A roll call vote was taken with all Board members stating aye.

PUBLIC HEARINGS (NEW): none

PUBLIC HEARINGS (CON’T)

- 1. BLOCK 1505, LOT 1 – ROCKLAND BUILT HOMES, INC. 6 PENN. AVENUE – Major Subdivision, Major Soil Movement and Variance Application- At the applicant’s request this hearing is carried to October 7<sup>th</sup>, 2014 at 7:30pm

RESOLUTIONS:

- 2. Block 1403 Lot 5- Brandon and Megan Marques- 6 Concord Ct- Variance Application for Rear Deck.

A motion to approve was introduced by Mr. Lintner and seconded by Mr. Culhane. Mr. Regan went over the changes. A roll call vote was taken with Mr. DePinto, Mr. Teagno and Councilwoman Cudequest abstained and all other Board members stating aye.

**3. Master Plan Reexamination Report –Chairman read by title only.**

**Mr. Regan requested the date be changed to September 2, 2014 on the resolution. Mr. Preiss agreed. Ms. Hutter asked about notice to continuous town clerks. Mr. Preiss stated that he has prepared a draft of the Ordinance so Mr. Boggia could put it into final form. It has been placed on the agenda for September 9<sup>th</sup>, 2014 for the Mayor and Council. United Ways concern is the funding and they need to move it forward. The applicant concern is the appeal period to lapse before they file an application. Mr. Regan stated he would speak to Ms. Price on the matter. Date of the adoption is tentatively the 30<sup>th</sup> of September for the Mayor and Council. A motion to introduce was made by Mr. Webber and seconded Mr. Vogt. A roll call vote was taken with Mr. Teagno abstaining and all others present voting aye.**

**OTHER BUSINESS: Mr. Webber stated that one of the concerns that he had heard in regard to Rockland Built Homes was the garbage pickup. Waste Management has little trucks and maybe they could use that down Westmoreland. Secondly, in regard to the plowing of the road he asked if the town would be willing to give an easement or right of way to open up a gate in the back of their property and they pave out a small pad to park their recreational vehicles. This way they could scoot out on to Waverly. Chairman stated it is a good suggestion but it is not of the purview of the planning board they would have to reach out to the governing body. They did not appear before the last mayor and council meeting stated the Chairman.**

**Open Meeting to the Public-no public**

**Adjournment-A motion to adjourn was made by Mr. Webber and seconded by Mr. Vogt and all present stating aye.**

**Next Regular Scheduled Meeting September 16, 2014**

**Respectively submitted:**

***R. Lorraine Hutter***

**R. Lorraine Hutter, Land Use Administrator**