

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Minutes

Tuesday, December 2, 2014 7:30pm

Council Chambers, 12 Mercedes Drive, 2nd 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 7:30pm and led everyone in the Pledge of Allegiance.

ROLL CALL: Mr. Culhane, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Vogt, Mr. Webber, Chairman DePinto

Absent: Councilmember Cudequest

Also Present: Mr. Regan, Board Attorney; Mr. Hipolit, Board Engineer; Ms. Hutter, Land Use Administrator

MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/

BOROUGH ENGINEER: Mr. Stefanelli asked to go into close session to discuss personnel matters. Mr. Vogt seconded the motion. Board members proceeded to go into close session.

Chairman reopened the meeting at 7:45pm

ZONING REPORT: none

SITE PLAN REVIEW COMMITTEE: Mr. Stefanelli stated 2 applicants came forward. Super Value on Railroad Avenue, they are looking to redevelop the entire site. They will be coming back to us with a revised plan. Mr. Bruno and his homeowners came to speak in regard to a variance application for Middletown Road for an individual home for a front yard setback. The applicant will be moving forward.

ENVIRONMENTAL COMMISSION LIASION REPORT: The environmental commission has not met since their last meeting. Tonnelli property did not pass their inspection they denied the release of any escrow. Another final landscaping is scheduled for this Thursday at 98 E. Grant Avenue, the Sulzer property. The next meeting is scheduled for January 19, 2015.

CORRESPONDENCE: placed on back table

DISCUSSION:

1. **Montvale Development Associates, LLC and Mr. and Mrs. Edward DePiero Request for Interpretation pursuant to NJSA 40:55D-70b-**Mr. Del Vecchio came forward requesting the interpretation of the NJSA 40:55D-70b. They did file a request from the Construction Code Official and they have not received a response. They have proceeded to the board for the interpretation. The sites being zoned AH6, 7, 8 and 9, which the set aside all have an 80% to 20% density permitted to be market rate units. They are all referenced in all of the Fair Share Plans and Master Plan documents since 1993. They need something in writing for the lending company stated Mr. Del Vecchio. They thought it was specified in the ordinance. They were not aware of it until they went to the lender that it was not. Mr. Del Vecchio stated when dealing with the lender they need to deal with the worst case scenario in case they lose and it went back to the original zoning. Mr. Del Vecchio stated he believes that Montvale has always done and does support the 20/80 split. The requirement of the lender is this interpretation.

Chairman DePinto is not in agreement. They are asking for a conformation from the planning board. The lender needs a board resolution to conform. Mr. Regan will prepare a resolution of what has happened in the past. There is to be included in the history of how the Borough has dealt with it in the past.

2. **Resolution No. 152-2014- A resolution Authorizing the Execution of a Stipulation with United Water NJ in Connection with the Pending Application before the Board of Public Utilities, PBU Docket NO. WO-0902115**-no comments from board members.
3. **Tree Ordinance**-Chairman asked if there was anyone here in regard to the item listed on the agenda where as the Mayor and Council has asked the Board to review. Many people raised their hands. Chairman stated that even though he is not obligated to open it to the public for comments, he is going to elect to open to the public to hear what they have to say. To prevent clear cutting of properties throughout the borough Chairman spoke in regard to the first draft of an ordinance. The board had passed a recommendation to the Mayor and Council, and that ordinance had different requirements for different sized properties as we all do not live on the same size lot. They had felt it was reasonable. It complied with zone requirements; 40% is commercially zoned and 60% residentially zoned. The council elected to not go with that recommendation ordinance from the planning board. They came up with this ordinance which was from another municipality, New Providence. However when it landed in Montvale it doesn't resemble the New Providence ordinance or doesn't resemble the ordinance that the planning board had wanted Chairman DePinto stated. He doesn't think it addresses the concern and it is deficient in many respects. He doesn't know how the other board members feel but he opened it to the public first. Susan Haymeyer 64 Summit Avenue. Came forward-she believes it is a better. She likes the terminology in this ordinance. She feels that "Unregulated" tree removal is a better term.. She doesn't see the clear cutting happened. That would be the removal of every tree from the property. She hasn't heard anyone identify any piece of property specifically. She doesn't think anyone is "custom" clear cutting. It isn't a serious threat to the entire community she believes. She believes they need to balance it. We are trying to protect the environment. Two sections of the measuring of the tree is difficult according to Ms. Haymeyer. It is difficult to get the measurement off the ground. She would like to see the 4 ½ ft standard. The other issue is this ordinance covers all the properties as one where the other one did. Ms. Haymeyer objects to not having a time limit. Chairman stated he agrees with many of her concerns. Chairman stated that it is about 10 pages shorter. When they eliminated 6 or 7 pages they eliminated conditions that were required in order to control, for there to be enforcement, for provisions. To have the borough engineer due these inspections who is going to pay the engineer. Do all of the tax payers have to pay for this asked the Chairman? It needs to be included in the ordinance stated Chairman DePinto.

This covers any property in the borough. Section 12.4 it permits the removal of three trees after that it would have to go the borough engineer. There is no time limit set on it and they believe it should be a time limit. Removal of dead trees counts as part of the three trees and she believes it is a problem and shouldn't be counted. Different size properties shouldn't have the same standards the last version did try to solve that issue. Chairman asked who is going to pay for the borough engineer to do these inspections. Different size properties should have different requirements.. What bases are there for an appeal asked Chairman DePinto. Chairman gave examples of properties that have done clear cutting; Cameron Court, excess of 10,000 sq. ft.; Locust Avenue, a builder clear cut the property; Chairman stated that there are many items that are silent in this ordinance. There is another part to the New Providence ordinance which was not part of this ordinance and you need that to make it complete stated Mr. Hipolit. Ms. Haymeyer would like a permit not having to go before the planning board. John Wirth 66 Spring Valley Road-He has problems with this ordinance. He needs to cut a lot of trees. Three trees cumulative over a lifetime will not help homeowners. You need to get someone else to agree that the trees are dead. One thing it doesn't address is over grown property he will still have a jungle.

Mr. Stefanelli stated he is not in agreement he wants to protect the borough for homeowners or developers who clear-cut. Either draft would work with revisions.

Mr. Vogt this ordinance was not reviewed by our tree ordinance committee had in the past had supplied the Mayor and Council with 3 ordinances and none were approved. He stated that the New Providence was plagiarized and it needs to be revised. He would not recommend the passing of this ordinance. He believes that the committee should have been formed including the environmental commission and planning board.

Mr. Webber it still needs work. Mr. Lintner stated that they need to take what was provided by the planning board and merge this with the new one.

Mr. Teagno stated that there has been no evidence of clear cutting that would need this ordinance. The ordinance states three trees and that is not fair as it doesn't give the length, property size is not taken into account. The board engineer time for these inspections who is paying for that. Forms and fees are not clear stated Mr. Teagno. It infringes on the right of the property owners and it opens up the law suits and they deny the removal of a tree and it falls and does damage.

In trying to simplify the ordinance they have made it too simply. There are a number of deficiencies that have already been noted.

He would like to know what the mayor and council is trying to achieve. Is it too much of an over reach stated Mr. Culhane. Mr. Fette stated that the council is wasting their time even considering it. There are a number of items that are important that they have left out;

Utilities exception isn't listed. The Utilities Companies want their exemptions for their properties.

Definition of the dead tree is not clear. He listed a lot of addresses who have cleared cut; 17 Terkuile, 1 Terkuile, 45 Hering; corner of Hering and Akers; several houses on Foxhill; and the list goes on. The enforcement process is in his office and a lot is determined by having an accurate survey. There is not a day that goes by that someone isn't calling and asking if we have a tree ordinance and that they want to remove trees stated Mr. Fette. An accurate survey is critical stated Mr. Fette. Escrow monies and who is going to pay for Maser's time is not answered. Emergencies and storms are not addressed stated Mr. Stefanelli.

Chairman stated based upon the comments and concerns from board members that we should convey to the governing body we are not supportive of the ordinance as it was introduced on first reading by the governing body. There are a number of areas that are not addressed stated the chairman.

We have heard from board members who are property owners in this borough and that it isn't fair to them or to any of their neighbors. Recommendation would be to establish a tree ordinance committee with representation by the planning board as well as Mr. Fette's office to meet in cooperation that they could come up with something between the planning board version and this version that would be better to address the concerns of the council and the concerns of Mr. Fette and the enforcement issues that are not addressed, with the lack of the ordinance. A motion was made by Mr. Teagno and seconded by Mr. Stefanelli to have the board secretary relay the concerns of the board to the governing body. A roll call vote was taken with all stating aye.

APPROVAL OF MINUTES: March 4, 2014, July 16, 2013, August 20, 2013, October 21, 2014 minutes were carried.

USE PERMIT:

1. **Block 2401 Lot 2-SSNA Inc.-28 West Grand Avenue (2700 sq. ft.)** –Mr. Barry Bendes, Esq. came forward with his applicant Edward Beller, representing the corporation. Chairman read the application into the record. General office, sales and marketing. No warehouse or distribution.

Room count will be 10 existing rooms and nothing changed. 5e was amended to state none. No retail sales will be conducted. The Montvale zip code and Police Department report was not received. Applicant stated he could give a copy and board secretary made a copy for the file. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Teagno with a roll call vote wherein everyone stated aye.

2. **Block 1001 Lot 2 -Café Amore at Montvale, LLC- 155 Chestnut Ridge Road-(1800 sq. ft.)-** Michael Baer, Esq. represented the applicant, Mr. Rhau. Chairman read the application into the record. Mr. Baer stated it would be supplying food and beverage to the employees of the building. 5c was amended to read n/a. It is in the OR1 zone. Signatures were identified. No catering, no outside soliciting. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call was taken with all present stating aye.

PUBLIC HEARINGS: (CON'T)

1. **Block 2203 Lot 1–Bruce Hackett-1 June Lane-**Variance Application- to construct an addition onto the existing detached garage to provide for a 3rd garage bay along with the construction of a covered deck to connect the existing house on the lot to the garage addition., expansion of the existing driveway and installation of seepage pits. It is a continuation and Mr. Teagno chaired this application. The architectural plans were marked as A5. Revised drainage plan was marked A6. Mr. Hackett stated he submitted an elevation plan of what it would look like from the street. The revised grading plan was also submitted. Mr. Lintner asked about the shed removing. He would like to keep the shed stated Mr. Hackett. The concern is the coverage issue would help to get to an allowable coverage. It is his intention to leave the shed. Question was asked are these garages going to have lifts. There will be none done now stated Mr. Hackett. It was stated there was no loft or seconded floor. The garage interior is tall with the roof line coming across to the matching house. Mr. Culhane was in agreement that he would like the shed removed as well. Mr. Fette is in agreement to get rid of the shed. Fire code with the existing building. Mr. Stefanelli asked about the fire code. He asked if there was smoke detection and Mr. Hackett stated yes. Mr. Vogt asked if the shed could be moved behind the garages. Mr. Hackett stated that is the only place there is a garden. Mr. Hipolit stated that he would still be over with the shed. It is on property line and Mr. Webber would like it removed. Mr. Teagno stated by removing the shed the coverage would be less, even though it is still over it is more in compliance than before. Mr. Hackett stated he would remove the shed. A motion to open to the public was made by Mr. Stefanelli and seconded by Mr. Webber. A motion to close was made by Mr. Vogt and seconded by Mr. Culhane. A motion to approve was made by Mr. Lintner and seconded by Mr. Vogt. It was noted that the approval was granted as long as the shed was to come down. A roll call vote was taken with all present stating aye.
2. **BLOCK 1505, LOT 1 – ROCKLAND BUILT HOMES, INC. 6 PENN. AVENUE –** Major Subdivision, Major Soil Movement and Variance Application-**applicant has requested this application be carried to December 16th - no decision has been made by the governing body on the vacating of Short Avenue.**

PUBLIC HEARINGS (NEW):

1. Block 1703- Lot 8-Bryanne Corra-6 Joan Terrace-Variance Application-Mr. Bruno, architect and the applicants engineer Chris Statile, and the applicants Gabriel and Bryanne Caporasso. A1 were marked a set of six photos. The plans dated July 10, 2014 were marked as A2. Mr. Statile's plans were marked as A3. Mr. Bruno gave a brief summary of what the applicant intends to do with the property. Applicant is proposing to construct a 2 story addition on to the south east and west sides of the existing dwelling. The applicant is proposing to construct appurtenances associated with the dwelling including, but not necessarily limited to an expanded paved driveway, cover porches paver patio paver walkway and two seepage pits. No trees are to be removed. The variances requested stated Mr. Bruno is front yard where 55 feet is required and they are proposing 43.9 feet; and maximum building coverage where maximum of 20% building coverage is required the proposed construction will result in 23.65%. Calculations for soil movement will need to be done. Mr. Statile stated that they are below the 500 cubic yards. Mr. Fette stated pictures number 5 and 6 both of those houses have been done in the last two years. What they are proposing here is not out of the line with the neighborhood stated Mr. Fette. Mr. Stefanelli stated why we have 20% coverage and why are we not trying to make them comply. Mr. Stefanelli stated that we should be looking into changing the coverage percent in this zone and he would like to make a recommendation to change. It was noted that two (2) seepage pits are proposed to address storm water runoff. The report of Borough Engineer Andrew Hipolit of Maser Consulting dated November 24, 2014 was marked into evidence as Board Exhibit 1, and Mr. Hipolit advised the Board that most of his comments had been addressed. He requested that the items in his report be made as a condition of the approval and described the plan as a "good application". He requested that soil movement calculations be provided, and Mr. Statile said same would be furnished and will reflect that movement of soil will be less than five hundred (500) cubic yards. Also marked into evidence as Board Exhibits 2, 3 and 4 were reports of the Police Department, Environmental Commission and Fire Department, respectively, all of which had no comments on the application. It was noted that two (2) seepage pits are proposed to address storm water runoff. The report of Borough Engineer Andrew Hipolit of Maser Consulting dated November 24, 2014 was marked into evidence as Board Exhibit 1, and Mr. Hipolit advised the Board that most of his comments had been addressed. He requested that the items in his report be made as a condition of the approval and described the plan as a "good application". He requested that soil movement calculations be provided, and Mr. Statile said same would be furnished and will reflect that movement of soil will be less than five hundred (500) cubic yards. Also marked into evidence as Board Exhibits 2, 3 and 4 were reports of the Police Department, Environmental Commission and Fire Department, respectively, all of which had no comments on the application.

Mr. Vogt stated that there are two samples of trees along the front. He would like something stated on the plan. What type of pine trees will be planted? Mr. Vogt recommended a spruce. The size should read 6 to 7 feet stated Mr. Vogt. The as built should reflect all the changes. They do not have to come back to the environmental commission does need to have a final inspection. How much of the existing house will remain was asked. The foundation structure and the first floor and front walk will remain. The porch is one story stated Mr. Statile. A motion to open to the public was made by Mr. Vogt and seconded by Mr. Culhane no one from the public wishing to speak a motion to closed by Mr. Webber and seconded by Mr. Stefanelli. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Vogt with a roll call vote and all present stating aye.

2. Block 1202 Lot 1-Agranovich-1 Terkuile Road-Major Soil Movement Application-Mr. David Agranovich came forward and sworn in by Mr. Regan. The plan was marked as A1, prepared by Azzolina and Feury. The applicant David Agranovich appeared and was sworn. Marked into evidence as Exhibit A-1 were plans prepared by Azzolina & Feury Engineering Inc. consisting of two (2) sheets and dated October 21, 2014. The applicant sought to provide the

Board with revised plans at that time, and was advised that the hearing would be continued to December 16, 2014 as the board members had not been given the revised plans ahead of time and didn't have a chance to review. Applicant was advised by the Construction Official to install a silt fence around the property. The hearing was continued to December 16, 2014.

3. Block 1606 Lot 6 –United Way- 11 E. Grand Avenue-Amended Site Plan Application-

Ms. Gail Price, of Price, Meese, Shulman and D'Armino, attorney for the applicant came forward. The applicant is requesting preliminary/final major site plan approval for a minor subdivision and major soil movement application. The applicant also proposes to subdivide existing lot 6 into two lots one to remain as a ball field for the Borough of Montvale. The project will incorporate School House #2 to be used for ten senior housing one bedroom units. The second part of the project will be a new structure to be used for 4 units of special housing units. This additional minor subdivision would implicate several variances pertaining to the AHS bulk standards. These pertain to lot width and lot frontage for Lot 6, which would be 152.5 feet and 152.93 feet, respectively. The lot width and lot frontage of Lot 6.02 would each be 76.72 feet. The depth of Lot 6.02 would be 122.71 feet and the rear yard ten (10) feet. In addition, a lot area variance is required for Lot 6.02.

The Planning Board was advised that this further subdivision of Lot 6 is required in connection with the financing for the affordable senior units in the former school and the new group home. Notices were provided beyond the 200' radius. Ms. Price stated that she has three witnesses for tonight's hearing. Chairman gave an overview to the public present on how the question and answer period would be conducted when opened to the public. Ms. Price stated that the first witness will explain the proposal of the application. The architect and the civil engineer will also be testifying.

Mr. Hipolit and the witnesses, Gina Plotino was sworn in. Ms. Plotino is the Vice President of Operations of the Programs for United Way. She is a member of the special housing team. She has spent 10 years in human resources personnel for Bergen County and it serves senior citizens, and children and people of domestic violence. The BCUW is proposing 10 senior units and 4 units for special needs. Ms. Plotino stated that they are fine with having a separate address for the special needs build. They are creating a community that is sharing their strengths combined with seniors' citizens and special needs they end up helping each other in extra ordinary ways. It is for people who are over 52 years or older and they have met the HUD requirements. The special needs projects who meet the income who have been documented by the physician, it might be someone who has been autism spectrum, down syndromes, and the tenants must be able to live independent. It could be ARC or Spectrum as the project. They employ a housing coordinator to oversee the tenants in the building for special needs. There are individuals with special needs many who are waiting for these units. The NJ has one of the largest diagnosed states with the most autisms residents. Their application process is open, they will accept applications from people living in Montvale as well as people living in surround communities they must follow Affirmative Marketing and Fair Share Policies. There are currently families in their data base who are from Montvale. In the selection process they look for a tight support system. They have completed 15 sites so far. They have two that are in the process one in Mahwah and Tenafly. The monitoring of the four special needs will be based on who is chosen and if it is high in need there will be a 24/7 stamping and then you can expect on many days there would be three shifts of 8 hours each perhaps to staff stated Ms. Plotino. IT will be individuals who have been trained for special needs. There is a vigorous training program that they need to go through. It is the choice of the individual themselves as to which service provided they pick to help them. Questions from board members. Mr. Teagno asked about the senior housing portion of the project, will it be individuals or couples? Ms.

Plotino said they are one bedroom units and it can be a couple. Mr. Culhane asked about the special needs building he noticed that there is an office, he asked if that is where the service provider would be located. Ms. Plotino stated she doesn't believe so that they would be helping the person that they are assigned to. However, the office is for locked files, medications, some down time for recordkeeping stated Ms. Plotino. Mr. Fette asked about the senior portion is the first and second floor the same. Ms. Price stated that the architect would answer that question. Mr. Stefanelli asked about the four bedrooms and only one service provider. Ms. Plotino said it is all part of the selection process. They try to have four roommates that have shared interests and to work with same service providers. A motion to open to the public was made by Mr. Stefanelli and seconded by Mr. Culhane. All in favor stating aye.

Kim Diccianno, 26 E. Grand Avenue-has any traffic studies been done. It is a hire traffic area already and adding an addition 14 units is concerning. Chairman stated he believes the question would be asked of the engineer. Ms. Price stated that it might be helpful for Ms. Plotino to respond to. Ms. Price asked about the location in Allendale; they have data that there are ten units and there is only one car at that site. Allendale is all special needs and only one has a car. They will be low income seniors who must meet income criteria so many will not have a car. No other questions from the public.

A motion to close was made by Mr. Teagno and seconded by Mr. Vogt. All in favor stating aye.

Ms. Price called Michael Scro, Architect, came forward, He was deemed qualified. Z+Architects drawing number Sheet A5 was marked as exhibit A1; group home view from Grand Avenue.

A2 was the drawing number sheet A6 entitled Montvale Seniors-Special Needs Housing, view taken further west. A3 is sheet A4, it is a view taken from the northeast corner of the property looking at the entrance. It was asked to have some to put on display at the senior center. A 4 was marked as the floor plan with a date of 11/20/14 prepared by Z+Architects of Allendale. A5 is sheet A2 which is the front and rear elevations on Grand Avenue. Mr. Scro gave a description of the architectural details.

Everything will be ADA compliant. Mr. Scro stated that the building itself is in good shape and they want to keep the character of the building and repurpose it. They plan to do that on the first and second floor and they will be adding a vestibule off the back with an elevator and exit stairs in order to bring into ADA compliance. The basement will be storage and mechanical. The floor plan is having a sympathetic new building introduced next to the icon, important historical building. They didn't want to make it a mini version; they wanted to take inspiration from it. The hip roof, windows, the same scale and size and pattern of the brick was discussed. Setbacks have been met between the buildings stated Mr. Scro. Questions from board members: Chairman asked about the construction plan. Mr. Scro stated it will depend on the funding. Mr. Scro stated that there are no prohibitive issues with tackling them both at the same time. He would like to start with the school to make sure there are no structural issues. Mr. Culhane asked about the height of the special needs building, it appears that there is a second floor. Mr. Scro stated that the public areas will have taller areas no second floor. The group home has two bathrooms, they will be roll in barrier free showers. There are no on-suite bathrooms. Mr. Culhane asked about the Coppola. Mr. Scro stated on the initial inspection it looks like it has been blocked off, they haven't been able to gain access to the roof. He has been able to ascertain what is there. Mr. Fette asked about the color rendering, is this the colors that will be used. Mr. Scro stated that the color is a little off from the program. Their intention is to use brick to match the old school building and match the roof line of the special needs building. They would be happy to provide samples of the material to be used stated Mr. Scro. Mr. Stefanelli asked about the windows. They will try and replace the windows stated Mr. Scro.

Mr. Stefanelli would want the building envelope protected. Mr. Vogt asked about the special needs building two units are tilted to the southeast. He asked what the reason was for that. Mr. Scro stated so

they could have a small interior court and that they could get light into the interior.

A motion to open to the public was made by Mr. Stefanelli and seconded by Mr. Culhane with all in favor stating aye.

Charles Melcon of 11 Waverly Place came forward. His biggest concern is how they will be entering the place. It will be the next witness stated the Chairman. No questions for the architect.

Rob Diccianno 26 E. Grand Ave-He asked about the wall and the field will stay there. Mr. Scro stated that will not change.

A motion to close to the public was made by Mr. Vogt and seconded by Mr. Culhane all stating aye.

Mr. Eichenlaub, came forward of RL Engineering and was sworn in by Mr. Regan. The plans prepared by Mr. Eichenlaub were marked as A7 with a revision date of 11/17/14, 5 sheets. Mr. Eichenlaub was asked by Ms. Price to give a summary, including ingress and egress. They are trying to maintain the existing configuration of the site. They are going to subdivide off the westerly section of the ball field and it will remain the property of the Borough of Montvale. They are subdividing 23,700 sq. ft. which will remain the boroughs. On that portion of lot 6 which will remain, the existing building will be retained with improvements with an addition off the back and there are handicapped ramps as well as steps accessing that back entrance. The proposed building, the group home will be constructed between the existing building and the ball field with an offset of 10 feet off of that new property line that they are creating. The space between the two buildings they are proposing a gathering area, a patio area, walkways around the existing building along the westerly side and across the front an access directly out on to the public walkway along Grand Avenue. There are two driveways; one being off of Waverly and that is a two way driveway; the second driveway is along the southerly side on Grand Avenue and will be a right hand turn only for exiting. Both driveways presently exist they are increasing the width off of Waverly to accommodate a 24 ft. curb to curb paved area. They are making improvements to the parking lot area. The parking stalls will be changed to 90 degree parking along the easterly area. They will push the parking out an additional 3 feet stated Mr. Eichenlaub. There is an existing retaining wall, timber, and will be removed and replaced with a segmental wall constructed. Along the back of the property parking already exists and it will be expanded. They are proposing a 8 foot setback. They are proposing dumpster pad on lot 6. They have overly site radii on site for making the maneuvers of emergency vehicles and refuse.

Deliveries were discussed. They will take place in the rear of the building. Deliveries will be as a home. Changes of grades were discussed. The average grade is 10%. There are slopes at 15% but they are existing grades. The low grade is at the southeast corner. The angle of the driveway is due to the slope. Drainage was discussed; they are proposing two inlets, one in the front parking lot and one in the rear and they are discharged out to Grand Avenue. They will be reconstructed with a seepage pit with remaining the flow on site. They are reducing the flows from the site. There are 14 spaces required for the site. The applicant is proposing 20 parking stalls for the site. The sanitary sewer calculations will be reconfirmed stated Mr. Eichenlaub. The site lighting was discussed. Reference to sheet 4 of 5 was made. They incorporated three different lights. They will be providing the front street on Grand Avenue of two of the downtown lighting posts. The other lights will have house shields. The rear parking lot is illuminated by 7, 14' high downward cast lighting. . The lanterns cast very little light stated Mr. Eichenlaub.

A major soil movement was discussed. The retaining wall requires a cut and so does the seepage pits. The cut is 521 cubic yards and they are proposing to remain 402 cubic yards of fill with 119 cubic yards will be exported off site. Excavation required for the retaining wall along the east side of the east parking area. Excavation required for the seepage systems going in controlling storm runoff

from site. Excavation numbers include excavation of soil for the new building foundation. Mr. Eichenlaub stated that the trees in the vicinity of the new building and behind the retaining wall of the east parking lot are being removed. The large oaks which exhibit distress and fall within the parking lot expansion are being removed. Those trees to remain and fall within the limits of disturbance will be protected by construction fence with detail provided. Specifically the 30" beech tree along the Grand Avenue frontage has been specifically called out to be protected at all costs stated Mr. Eichenlaub. Chairman asked that they provide a letter for the EIS exemption. Ms. Price stated she will send a letter. Chairman asked why a walkway wasn't being provided from the group home. Mr. Eichelaub stated that the walkway would add additional impervious area. Chairman asked him to take a look at it he would like to see a sidewalk connecting. Ms. Price stated that they can only get the financing if it operates as one project. Mr. Vogt went over the landscaping changes that need to be changed. The sidewalk was discussed Ms. Price said she would have the engineer take a look at it. Chairman stated that the MAL had sent a letter to the governing body stating that they had no interest in using that property for any organized sports. What the Mayor and Council chooses to do with that property we do not know as of yet. Mr. Teagno asked about access to the field. Chairman had stated during informal meetings they had discussed about putting in some type of walking path from the DOT parking lot to the field because they are mostly empty on the weekend. Mr. Culhane stated on the title sheet of lot 6.02 on sheet one of two, they have lot 6.01. It is mislabeled and a correction will be used. Mr. Eichenlaub stated that is part of the other application which he will be presenting. On the plans there is a reserved spot it was placed there in case in the future they were to develop the ball field and needed a right of way stated Mr. Eichenlaub. On sheet 2 of 5 there is a note on lot 6.01 down at the lower right hand corner. The note should not be there. Mr. Eichenlaub stated he is correct and will remove it. Mr. Stefanelli asked how it is being heated. Mr. Eichenlaub stated it is oil right now but they are putting in gas. The root system for the beech tree is the path of the gas line so the comment of re-routing and putting in a new gas line is that reason stated Mr. Eichenlaub. Mr. Vogt went over landscaping. Right along the guide rail is their responsibility. In front of the borough property will need to be handled by the borough stated the chairman. Mr. Lintner asked if this use will generate less or more traffic than what it was before. Mr. Eichenlaub stated it will be far less. The trip generation will be approximately one to two trips a day. Seniors home in general generate the least amount of traffic. A question came up of where they would be storing the equipment to maintain the property. Mr. Scro stated they will speak with Mr. Eichenlaub to see if there is room the special needs building. Mr. Eichenlaub stated they have direct access into the basement at the senior building. Technical review letter dated December 2, 2014 was marked into evidence as B1. Mr. Hipolit went over the letter. The two waivers were discussed. They have no issue with the waivers. The lighting was discussed. Ms. Price stated her client is willing to comply. Montvale Fire Department review was marked as B2. They would like the group home to have its own address and it should be 9 W. Grand Avenue. There is no parking for the field. Chairman stated they had already discussed it. B3 letter from the County from Eric Timsak was marked. Mr. Timsak is in agreement to the ingress and egress on to the county roadway.

A motion to the public was made by Mr. Stefanelli and seconded by Mr. Culhane. A motion to close the meeting was made by Mr. Vogt and seconded by Mr. Culhane. Ms. Price asked the board for an affirmative answer.

A motion to open was made by Mr. Stefanelli and second by Mr. Culhane . Charles Melton, 11 Waverly Place. His biggest concern is the access to and from the building onto the Waverly Place. Telling people to make a right hand turn isn't always going to work. He believes the traffic will be worst.

Chairman explained the traffic pattern and stated that the county will have a say on how it is designed. Chairman also stated this use for this building will have less traffic than it did as a school, library and other suggestion that has come before this board as an office building.

Mr. Anthony Merillo, 2 Terkuile Road- Mr. Merillo came forward, he stated he is the father of an autistic daughter. He was in favor of this project and housing for the special needs and his daughter is 23 now. This is a tremendous need for a project like this. He has visited other locations of these facilities and they are wonderfully laid out and they are great benefit to the autistic community. He believes that there are many people like himself who families worries about their child who reach adult hood and where they will be if something were to happen to their parents. He stated that United Way is a great partner for a project. Chairman thanked him for coming forward.

A motion to close was made by Mr. Vogt and seconded by Mr. Culhane with all in favor. A motion to have the board attorney prepare a resolution of approval with contingency as normally set forth in our resolutions was made by Mr. Webber and seconded by Mr. Vogt as roll call vote was taken with all stating aye.

The second portion of the Minor Subdivision to create the two lots separating the two structures was the next portion of the application. The line is for financing purposes only. The applicant stipulates to a deed restriction, if the use were to ever cease the approval would be null and void. The two sheets were referenced and the testimony was gone over. The variances were gone over- 6.02 lot width, lot frontage and lot depth, for lot 6 for the senior lot variance is lot width and lot frontage. The testimony was incorporated from the first portion of the hearing. It is a beneficial use. Deed restrictions were reinforced. A sidewalk also was discussed. A motion to the public was made by Mr. Stefanelli and seconded by Mr. Vogt no one from the public present a motion to close was made by Mr. Webber and seconded by Mr. Teagno. A request to have the board attorney prepare a resolution of approval was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call vote was taken with all stating aye.

RESOLUTIONS:

Richard Preiss-Planning board prepared a resolution acknowledging the years of service of Mr. Preiss. A motion to approve was made by Chairman DePinto and seconded by Mr. Culhane. A roll call vote was taken with all stating aye.

OTHER BUSINESS: None

Open Meeting to the Public- no one from the public present

Adjournment- A motion to adjourn was made by Mr. Stefanelli and seconded by Mr. Webber. All in favor stating aye.

Next Regular Scheduled Meeting December 16, 2014

Respectively submitted:

R. Lorraine Hutter
Land Use Administrator