

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, December 15, 2015 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

PLEDGE OF ALLEGIANCE AND OPEN MEETING ACT STATEMENT: Chairman DePinto led everyone in the Pledge of Allegiance and read the Open Meeting Act Statement.

ROLL CALL:

PRESENT: Mr. Culhane, Councilmember Ghassali, Mr. Fette, Mayor Fyfe, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Vogt, Chairmen DePinto.

ALSO PRESENT :Mr. Hipolit, Borough Engineer, Ms. Green, Borough Planner, Mr. Regan, Board Attorney, Narita Maraj, Acting Secretary

NOT PRESENT: Lorraine Hutter, Land Use Administrator, Mr. Webber

Mr. Webber has advised Chairman DePinto effective immediately he will be stepping down from the Planning Board.

**MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/
BOROUGH ENGINEER: NONE**

ZONING REPORT: NONE

SITE PLAN REVIEW COMMITTEE: Mr. Stefanelli

Block 2411, Lots 6 and 7 – 17-21 Hillside Avenue Subdivision.

Currently three lots with one house. An application for a minor subdivision will be coming before the Board.

Block 2002, Lot 3 – LSREF4 Rebound, LLC – 5 Paragon Drive

Proposing approximately one hundred additional parking spaces. Tentatively scheduled to come before the Board January 19, 2016.

ENVIRONMENTAL COMMISSION LIASION REPORT:

The Environmental Committee met in November and heard the following applicants.

UB Chestnut LLC Landscaping Plans were approved.

99 Spring Valley Road – Baldanza Construction Plans were rejected. This applicant will be heard again in January 2016.

154 Spring Valley Road Javanooski Plans were rejected. This applicant will be heard again in January 2016.

78 Kinderkamack Rd. Final Landscaping inspection was conducted and approved.

Chairman Vogt has conducted site inspections at the Shoppes at DePiero's specifically in regard to the retaining walls as part of the Environmental Commission landscape approval. He states the plans at the construction site are different than the plans that were approved by the Environmental Commission. Furthermore, the wall at the southernmost point of the site appears to be "crooked", a meeting with Chairman Vogt and Maser Engineering further confirms this. Chairman Vogt states this will be corrected. Also, the Environmental Commission plan shows a retaining wall 5 to 6 feet from the property line to allow for plantings while in fact the wall has been

constructed on the property line which will not allow for plantings. There was also a “toe-slope” detected on the retaining wall that runs along Grand Avenue. Chairman DePinto requests Mr. Hipolit visit the site and report back to the Board with respect to the above inconsistencies’ specifically the construction of the retaining wall on the property line.

APPROVAL OF MINUTES:

November 9, 2015- A motion to approve was made by Mr. Lintner and seconded by Mr. Culhane . A roll call vote was taken with all Board members stating aye.

October 6, 2015 -A motion to approve was made by Mr. Teagno and seconded by Mr. Lintner . A roll call vote was taken with all Board members stating aye.

USE PERMITS:

1. **Block 1901 Lot 5-Harry Edelson-180 Summit Avenue-(1983 sq. ft.)-**

Chairman read the application into the record. Robert Regan, Board Attorney swears the applicant Mr. Harry Edelson in. The applicant represents himself. 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. Vogt and seconded by Mr. Lintner. A roll call vote was taken with all Board members stating aye.

2. **Block 1001 Lot 2-ATCS, Inc. 155 Chestnut Ridge Road-(3,107 sq. ft.)**

Chairman read the application into the record. Andrew S. Kohut, Esq. represents the applicant. Madiha Raziuddin, represents the applicant ATCS, Inc. Chairman states any affirmative action taken by the Board does not include the approval of a sign. Such determination will be made by the Construction Code Official at a later date as to the requirement of a sign permit. 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. Vogt and seconded by Mr. Stefanelli. A roll call vote was taken will all Board members stating aye.

PUBLIC HEARINGS (New) :

1. **Block 2405-Lots 1, 2 and 26-NJ Energy Corporation-28-30 Kinderkamack Road-Site Plan & Variance Application**

At the Chairman’s request this applicant will be carried to the January 19, 2016 hearing.

PUBLIC HEARINGS: (Con’t)

1. **Block 1702, Lot 11- J. Aschenbrand-8 Rutherford Place-Major Soil Movement Application and Steep Slope Variance**

Mr. Aschenbrand appeared before the Board with his Engineer Christopher Lantelme. Mr. Lantelme states he met on the property with Mr. Hipolit and the owner of the adjoining property Mrs. Hayes. He further states the newly revised plans include stabilizing the foundation by the rear property line. He further states a new stronger retaining wall of approximately five feet will be built. The applicant and Mrs. Hayes will enter into a construction and maintenance easement. Seven feet in width during construction and three feet in width for maintenance. Significant drainage improvements are also proposed. This applicant will be coming before the Environmental Commission. A sequence of construction shall be attached to the resolution. The Board concludes that the applicant satisfies the criteria for variance relief. A motion to approve was introduced by Mr. Lintner and seconded by Mr. Teagno. A roll call vote was taken with all Board members stating aye.

2. BLOCK 712, LOT 9 – LC Developers, LLC – 69 Montvale Avenue-Soil Movement, Zoning Variance Application-

Bruce Dexter Esq. appeared for the applicant and advised that the plans have been revised.

Mr. Skrable, the applicants Engineer is also present and states the rear retaining wall has been moved off the property line eliminating the need to access the neighbor's property during construction and for future maintenance. Total soil movement is now 831 cubic yards. Ms. Green states the changes to the plan have substantially improved the application and the height variance has been eliminated. Mr. Hipolit states that this portion of Montvale requires improvements. It is determined that the applicant shall post cash or a bond to be held for the period of five years. The amount to be posted shall be determined by the Borough Engineer. This applicant will require the approval of the Environmental Commission of the landscaping plans. A motion to approve was introduced by Mr. Vogt and seconded by Mr. Culhane. A roll call vote was taken with all Board members stating aye.

RESOLUTIONS:

1. BLOCK 1201, LOT 2- John and Figen Mirza-49 Spring Valley Road-Major Soil Movement Application

A motion to approve was introduced by Mr. Teagno and seconded by Mr. Lintner. A roll call vote was taken with Mr. Vogt abstaining and all other Board members stating aye.

2. Block 3101 Lot 1- UB Chestnut, LLC- Chestnut Ridge Road- Amended Site Plan Application for Monument Sign

A motion to approve was introduced by Councilmember Ghassali and seconded by Mr. Vogt. A roll call vote was taken with all Board members stating aye.

3. BLOCK 403, LOT 2 – BALDANZA CONSTRUCTION COMPANY, INC. - 99 SPRING VALLEY ROAD – Preliminary and Final Site Plan & Use Variance Application.

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

OTHER BUSINESS: None

OPEN MEETING TO THE PUBLIC: No one from the public present.

ADJOURNMENT: A motion to approve was introduced by Mr. Vogt and seconded by Mr. Culhane. A roll call vote was taken with all Board members stating aye.

Reorganizational and Regular Meeting –January 5, 2016 at 7:30pm