

**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**Minutes**

**Tuesday, June 2, 2015 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 7:40 PM.**

**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: Councilmember Ghassali, Mr. Fette, Mr. Lintner, Mr. Teagno, Mr. Vogt, Mr. Webber, Mr. Stefanelli, Chairman DePinto.  
Mr. Culhane arrived at 7:55 PM**

**ALSO PRESENT: Ms. Green, Borough Planner, Mr. Hipolit, Borough Engineer, Mr. Regan, Board Attorney, Ms. Rowland, Acting Planning Board Secretary.**

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

**DISCUSSION:**

**Chairman DePinto requests Ms. Green provide the Board a brief summary of the prepared draft of the Housing Element and Fair Share Plan. Copies of the draft were distributed to the Board at this time and Ms. Green requests all comments be e-mailed directly to her office. Ms. Green will formally present this matter to the Board at the June 16, 20125 meeting.**

**ZONING REPORT: Mr. Fette**

**Block 1301, Lot 24.19 – WOODLAND HEIGHTS – 6 FLINTLOCK ROAD**

**Mr. Fette states the above referenced site failed a deck footing inspection due to the fact that the approved plans do not indicate a deck. Additionally, according to the foundation location survey the rear of this home is already located on the "home pad limits" as set forth with the map filed with the county. A stop work order has been issued. Chairman DePinto states an amended site plan approval must be obtained from the Board and further states his disappointment that work had begun without approval.**

**Block 702, Lot 39 - ALI ENTERPRISES**

**At Chairman's request, Mr. Fette states his research of this resolution is silent of the sale of diesel fuel at this location. Permits have been submitted and property has been marked out. Construction will begin shortly.**

**THE PORTERHOUSE**

At the request of this applicant's attorney, plan review was conducted for this location so as to offer variance guidance. The request for additional seating will need to be substantiated by the parking on site. In addition, egress capacity and structural implications of adding live loading must be addressed. Mr. Fette has notified the applicant that a variance application will need to be filed with the Planning Board. Mr. Fette states there is "quite a bit" of non-conformity at the site and a summons has been issued regarding the illegal use of additional space.

**RESERVED PARKING**

At the Chairman's request, the Board Secretary and Mr. Fette conducted research on reserved parking in the Borough. Specifically at the location of 160 Summit Avenue, Kintex USA, LLC. Mr. Fette reports there was nothing found to indicate reserved parking was permissible at this location. Chairman DePinto states it has been the policy of the Board not to grant reserved parking with the exception of larger buildings with only one tenant. Chairman DePinto states if the above referenced applicant is desirous to seek reserved parking a submission of an amended site plan and approval shall be required.

**SITE PLAN REVIEW COMMITTEE:** None at this time.

**ENVIRONMENTAL COMMISSION LIASION REPORT:** None at this time

**APPROVAL OF MINUTES:** May 19, 2015 - A motion to approve was made by Mr. Webber and seconded by Mr. Stefanelli. A roll call vote was taken with all Board members stating aye.

**USE PERMIT:**

**Block 1902 Lot 12 – SULZER US, LLC-(3,752sq. ft.)**

Chairman read the application into the record. Robert Mancinelli, Esq. represents the client Mr. Daniel Yo, both present. Mr. Mancinelli states five parking spots have been designated to this applicant. 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. Culhane. A roll call vote was taken with all Board members stating aye.

**PUBLIC HEARINGS (NEW):**

**BLOCK 1706, LOT 13 – RONALD & CYNTHIA CENICOLA – 12 MOULTON DRIVE - Variance application**

Chairman DePinto defers the chair to Mr. Lintner. Mr. Lintner read the application into the record. Mr. Regan states that all notices are in order. Mr. and Mrs. Cenicola appeared before the Board and were accompanied by their architect Joseph J. Bruno. The variance relates to the rear yard setback of 13.1 feet from the property line, less than the 30 foot requirement.

Ms. Green, Borough Planner, states that the revised plot plan and photographs indicate adequate buffer to the rear yard. Mr. Niehoff states that the existing drainage patterns must not be altered and that the applicants will be responsible for adverse drainage conditions during construction. Mr. Vogt suggests the applicant remove the large maple tree behind the garage and the raised planting bed. Also suggests evergreen plantings along the south border of the property. Applicant is agreeable to all conditions. A motion to approve was introduced by Mr. Teagno and seconded by Mr. Webber. A roll call vote was taken with all stating aye.

**BLOCK 2001, LOT 4 – MID WEST PORTFOLIO CORP. C/O AVISON YOUNG – NEW YORK, LLC – 100 PARAGON DRIVE - Amended Site Plan, Variance Application**

Due to the hour, Chairman DePinto determines this applicant be carried to the next regularly scheduled meeting to be held June 16, 2015.

**PUBLIC HEARINGS (CON'T)**

**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 will be carried. Re-notice will be given.

**BLOCK 1202, LOT 2 – MR. & MRS. JOHN MIRZA – 49 SPRING VALLEY ROAD**

Chairman read the application into the record. Mr. Regan states that all notices are in order. Gregory Meese, Esq. represents the applicants. Ms. Green, Borough Planner, summarized her report. Both Ms. Green and Borough Engineer Paul Neihoff agreed that the applicant is not conducting a landscaping business on the premises therefore eliminating the need for a use variance. A D2 variance is required for the expansion of the main farmhouse as well as a front yard setback variance. A variance will also be required for the tent structure and the cottage to be converted into a pool house. The Board indicated any approval would be conditioned upon the cottage not being occupied for residential purposes and any prior approval will be deemed abandoned. The tent structure will also require a set back variance. The ranch structure will remain as it is currently. No further living space or bedrooms may be added without further approval from the Board.

Mr. Niehoff testified to his report and states his concern of the capacity of the proposed seepage pit has been addressed and requests as a condition of approval that the retaining walls remain consistent with the plan. Mr. Neihoff's letter requests that the stone wall be removed and provide a ten foot easement for the construction of a sidewalk to be federally funded. It was determined that Mr. Meese will further discuss this matter with Mr. Regan and Mr. Niehoff to determine a solution.

The Montvale Fire Department report requests that the two residences have as their street address 49 and 51 Spring Valley Road.

The Environmental Commission report requests the plans be revised to depict a tree line and detail the trees.

A motion to approve was introduced by Mr. Stefanelli and seconded by Mr. Culhane. A roll call vote was taken with Councilmember Ghassali, Mr. Webber and Mr. Vogt recusing and all other members stating aye.

**RESOLUTIONS: NONE**

**OTHER BUSINESS: NONE**

**Open Meeting to the Public: No one from the public present.**

**Adjournment: A motion to adjourn was made by Councilmember Ghassali and seconded by Mr. Teagno.  
Next Regular Scheduled Meeting June 16, 2015**

**Respectively Submitted:**

**Doreen Rowland  
Acting Planning Board Secretary**