

**REORGANIZATION & REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**MINUTES**

**Wednesday, January 21, 2020 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 opened the meeting at 7:40pm and led everyone in the Pledge of Allegiance**  
**OPEN PUBLIC MEETINGS STATEMENT** was read by the chairman.

**ROLL CALL:** Present: Mr. Culhane, Councilwoman Curry, Mr. Fette, Mr. D’Agostino, Mr. Lintner, Ms. O’Neill, Mr. Teagno, Mr. Stefanelli, Mr. Zitelli and Chairman DePinto

Absent: Ms. Cudequest

**Also present:** Mr. Regan, Board Attorney, Mr. Hipolit, Board Engineer, Ms. Green, Board Planner, Ms. Hutter, Land Use Administrator

**OATHS OF OFFICE: Mr. Regan swore in all the below.**

**ALL APPOINTMENTS MADE BY MAYOR GHASSALI ON 1/1/2020**

- |    |                                                     |                      |
|----|-----------------------------------------------------|----------------------|
| 1) | Class III – 1 Year<br>Rose Curry, Councilmember     | 1/1/2020-12/31/2020  |
| 2) | Class II-1 Year<br>Jeffrey Fette                    | 1/1/2020-12/31/2020  |
| 3) | Class IV-1 Year<br>Margaret O’Neill-2nd Alternate   | 1/1/2020-12/31/2020  |
| 4) | Class IV-4 Year<br>Theresa Cudequest                | 1/01/2020-12/31/2023 |
| 5) | Class IV-4 Year<br>William Lintner                  | 1/01/2020-12/31/2023 |
| 6) | Class 1-Mayor’s Designee-1 Year<br>James D’Agostino | 1/01/2020-12/31-2020 |

**REAPPOINTMENT OF R. LORRAINE HUTTER, BOARD SECRETARY FOR 2020-** A motion to approve was made by Ms. O’Neill and seconded by Mr. D’Agostino with a roll call vote of all present stating aye.

**NOMINATION OF BOARD CHAIRMAN**

Secretary called for a motion to open nominations for Chairman. A nomination was made by Mr. Lintner and seconded

by Mr. Teagno of John DePinto with no other nominations being made secretary called for a motion to close the nominations. A roll call vote was taken with all stating aye.

**NOMINATION OF BOARD VICE-CHAIRMAN**

Secretary called for a motion to open nominations for Vice Chairman- a nomination was made by Mr. Culhane and seconded by Mr. Lintner for Frank Stefanelli to be Vice Chairman, with no other nominations being made secretary

called for a motion to close the nominations. A roll call vote was taken with all stating aye.

**RESOLUTION TO APPOINT ANDREW R. HIPOLIT, PE, PP., CME OF MASER CONSULTING PA, AS PROFESSIONAL ENGINEERING CONSULTANT FOR 2020.** A motion to appoint Mr. Hipolit was made by Mr. Teagno and seconded by Ms. O'Neill with all in favor stating aye.

**RESOLUTION TO APPOINT ROBERT T. REGAN, ESQ., TO CONTINUE AS PLANNING BOARD ATTORNEY FOR 2020-**A motion to appoint Mr. Regan was made by Mr. Lintner and seconded by Mr. Stefanelli. A roll call vote was taken with all stating aye.

**RESOLUTION TO APPOINT DARLENE GREEN, MASER CONSULTING, AS THE PROFESSIONAL PLANNER TO THE PLANNING BOARD FOR 2020**  
A motion to appoint Ms. Green was made by Mr. Teagno and seconded by Mr. Culhane with all in favor stating aye.

**RESOLUTION TO APPROVE THE PLANNING BOARD MEETING SCHEDULE:** Meetings to be held on the first and third Tuesdays of the month, unless otherwise specified, convening at 7:30PM and to be adjourned subject to the call of the Chairman. Mr. Lintner made a motion to approve and was seconded by Mr. D'Agostino. A roll call vote was taken with all stating aye.

**RESOLUTION TO APPROVE THE PLANNING BOARD BY-LAWS.** A motion to approve was made by Ms. O'Neill and seconded by Mr. D'Agostino with all present voting aye.

**RESOLUTION TO DESIGNATE THE RIDGEWOOD NEWS AND THE BERGEN RECORD AS THE OFFICIAL NEWSPAPERS.** A motion to approve was made by Mr. Stefanelli and seconded by Mr. Culhane with all present stating aye.

**CHAIRMAN'S APPOINTMENT OF MEMBERS TO THE SITE PLAN REVIEW COMMITTEE.**  
Chairman DePinto appointed the following to the Site Plan Review Committee: Mr. D'Agostino, Mr. Fette, Mr. Stefanelli, Mr. Regan, Ms. Green, Mr. Hipolit, and himself as the Chairman.

**CHAIRMAN'S APPOINTMENT OF LIAISON TO ENVIRONMENTAL COMMISSION.**  
Chairman DePinto appointed Mr. Zitelli as the liaison.

Chairman moved on to the regular meeting portion of the evening.

**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**  
**MINUTES**

**Tuesday, January 21, 2020 immediately following Reorganizational**

|                                                                                                                                                                                                                                                                                                                                                                                            |
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| 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. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**ROLL CALL:**

**Present:** Mr. Culhane, Councilmember Curry, Mr. D’Agostino, Mr. Fette, Mr. Lintner, Ms. O’Neill, Mr. Stefanelli, Mr. Teagno, Mr. Zitelli, and Chairman DePinto

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

**Absent:** Ms. Cudequest

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

**ZONING REPORT:** none

**ENVIRONMENTAL COMMISSION LIAISON REPORT:** Mr. Zitelli stated a list of volunteers was being made by Lisa De Pellegrini. Clean up day will be in April. The trail around Memorial Drive was discussed. It will be gravel. The pond will be dredged. The plastic bag recycling program has over 2,000 bags which have been recycled.

**SITE PLAN COMMITTEE REPORT:** Mr. Lintner gave his report. There were three applicants. 25 Philips Parkway came in for salt storage for plowing. We came up with some ideas and they will meet with Mr. Fette to store salt and one piece of equipment. Waypoint came forward for an age restricted development. There is a potential of a “D” variance for garage level. They will come back before the board. 54 Old Chestnut Ridge Road was the last applicant. They were here to discuss some renovations. They have two primary principal structures and would require a variance application. It was recommended that they make a vestibule between the two homes to eliminate having to come for a variance.

**CORRESPONDENCE:** on the back of the table

**APPROVAL OF MINUTES:**

**December 17, 2019-** A motion to approve was made by Mr. Linter and seconded by Mr. Teagno with Councilwoman Curry, Mr. D’Agostino and Mr. Zitelli abstaining and all others present voting aye.

**November 25<sup>th</sup>, 2019**-A motion to approve was made by Mr. Lintner and seconded by Mr. Stefanelli with Councilwoman Curry and Mr. Fette abstaining and all others voting aye.

**DISCUSSION:** Ms. Hutter asked about the meeting of the 18<sup>th</sup> of February if all would be present. A polling was taken and all with be there.

#### **USE PERMITS:**

1. **Block 1901 Lot 5- Smartseal, Inc.**-180 Summit Avenue (1800 sq. ft.) Ms. Walsh came forward representing the applicant Rafael Lovi of Smartseal, Inc. Mr. Regan swore in the applicant. Chairman read the application into the record. Signatures were identified. Zip codes and Police Department Form was submitted. They do spray foam service of insulation; no trucks will be on the property. It is used for administrative purposes only. Mr. Fette stated that they will need a CCO. A motion to approve was made by Ms. O’Neill and seconded by Mr. Stefanelli with all present stating aye.
  
2. **Block 2602 Lot 1-Groesbeck & Groesbeck, LLC**- 210 Summit Avenue (640 sq. ft.) Mr. Uzzi came forward representing the applicant James Groesbeck. Mr. Regan swore in the applicant. Chairman read into the record the application. Signatures were identified. Mr. Groesbeck stated it will be for administrative use only for estimates and paperwork for his construction company. A motion to approve was made by Mr. D’Agostino and seconded by Mr. Culhane with all present stating aye.
  
3. **Block 1903, Lot 6**-Resolution Granting a Use Permit to **Preprogen, LLC** for Premises Designated as Block 1903 Lot 6 also known as 136 Summit Avenue-Chairman gave a brief summary of why they were back before the board and why the resolution was held. More clarification was needed of what would be done at the site.  
Margaret Blabtz, scientist was sworn in. This is the first research of this kind in the United States said Ms. Blabtz. She stated that specimen’s will be taken in their home and mailed to them at this location. They will spin and dry the specimens and they will be observed under a microscope. Chemicals will be picked up from a professional company. They will be seeking licenses from both the State and Board of Health State Department. There will be inspection periodically. An inspection will be first and then other inspections by the State Department of Health. There is no other product that can detect the cancers the way that this does. Priority specimen collection will be done. Each step of research is done in individual rooms. It will meet all federal mail regulations. Ms. Curry asked when do you know when to go to the FDA. Ms. Blabtz stated they would be about a year or two. A motion to approve the resolution granting the use permit was made by Mr. Lintner and seconded by Mr. Teagno. All present voting aye.

4. **Block 2602 Lot 2 (c001A)- Lululemon Athletica**-48 Farm View (2529 sq. ft.) Mr. Del Vecchio came forward representing the applicant Lululemon Athletica Corporation. Chairman read the application into the record. No zip code list has been submitted as they have not hired anyone. Application was amended to stated that 8 to 12 parking spaces. Blue laws compliance for date and times of operation. The applicant stated that they are a retail leisure line of clothing and accessories. A motion to have the board attorney prepare a resolution of approval for the Use Permit was made by Mr. Stefanelli and seconded by Ms. O'Neill. A roll call vote was taken and all stated aye. The Chairman asked Mr. Del Vecchio to go over the signage. A signage package was submitted. Signs are in compliance. A motion to have the board attorney prepare a resolution that included the signage as well was made by Mr. Stefanelli and seconded by Mr. Teagno with all present stating aye.
5. **Block 1903 Lot 6- The Wilner Group**-136 Summit Avenue-Suite 204- (1604 sq. ft.)- Ms. Walsh is representing the applicant Maureen Wilner. Mr. Regan swore in the applicant. Chairman read the application into the record. They will be taking additional space and will be occupying Suite 204 and Suite 205. Ms. Wilner gave a brief description. They are professional talent and recruiting business. A motion to approve was made by Mr. D'Agostino and seconded by Mr. Teagno with all present stating aye.
6. **Block 2701 Lot 3-Unipart Services America, Inc.**-85 Chestnut Ridge Rd-(2480 sq. ft.)- Mr. Mancinelli is representing the applicant. Mr. Regan swore in the applicant. Chairman read the application into the record. Space size is being reduced. They currently occupy space of 3987 sq. ft. They will be downsizing to 2,480 square feet. They are a warehouse and logistic services. A CCO inspection will be needed. A motion to approve was made by Mr. Stefanelli and seconded by Ms. O'Neill with all others present stating aye.

#### **PUBLIC HEARINGS (NEW):**

##### **1. Block 711, Lot 6-Stuart and Bernadette Munro- 8 Phyllis Drive-Variance Application**

Mr. Munro the homeowner came forward and gave a brief description of what he is looking to do. They are wanting to add a front porch and vestibule. They are also looking to expand the dwelling by adding a second story addition. Existing size is 1,171.06 square feet. The second-floor addition 1.036.5 square feet with the vestibule adding an additional 68.4 square feet to the first floor. The new home would have a total floor area of 2,276 square feet. Additional improvements to the property include a deck with a pergola, new brick and paver walkways, driveway widening, façade and roof improvements to the dwelling, and new perimeter pool fencing. A front yard setback is required. They would be going from the allowed 55 feet to 49 feet.

Mr. Regan swore in Mr. Munro along with his architect William G. Severino and engineer Steven Koestner, both of whom were qualified in their respective fields. Marked into evidence were a property survey (Exhibit A-1), drainage calculations prepared by Mr. Koestner (Exhibit A-2), a topographical survey also prepared by Mr. Koestner (Exhibit A-3), and architectural plans prepared by Mr. Severino (Exhibit A-4). Also marked into evidence were reports of Borough Engineer Andrew R. Hipolit dated January 16, 2020 (Board Exhibit 1) and Borough Planner Darlene A. Green dated January 15, 2020 (Board Exhibit 2). . Sheet A-102 of Exhibit A-4 details the second-floor addition, with a new master bedroom suite, master bath, and small office, which would be constructed over the existing kitchen and dining area. Mr. Severino also described the proposed four (4) elevations of the expanded home as depicted on Sheet A-201 of Exhibit A-4.

The issue of building coverage was next discussed, and Mr. Severino noted the floor area of the garage (461 square feet) and shed (104.61 square feet), with building coverage being at a compliant 16.22 percent. Ms.

Green indicated that discrepancies between building coverage on the site plan drawings and the coverage calculations document must be eliminated. She also referenced the discrepancy pertaining to the walkway. Mr. Severino stated that the entire walkway is to be removed, with the new deck constructed over this area which, together with steps, will comprise 353 square feet. It was noted that a portion of the fence will be required to be relocated onto the subject property and comply with Code requirements.

Additional approvals will be required for the new fence and for a minor soil movement permit. Also marked into evidence were reports of the Fire Department dated May 16, 2019 (Board Exhibit 3) and Police Department dated June 4, 2019 (Board Exhibit 4), neither of which had any issues with regard to the application.

The Board is of the opinion that the required front yard setback variance may be granted pursuant. They will need to obtain a new fence permit. They will also need a minor soil movement permit from the building department. A motion to have the board attorney prepare a resolution of approval was made by Mr. Lintner and seconded by Mr. D'Agostino with all present stating aye.

#### **PUBLIC HEARINGS (CONT):**

1. **Block 3201 Lot 4-Ridgecrest Realty Associates, Inc.-21 Philips Parkway**  
Application for Conditional Use and Variance Approval, Major Soil Moving Permit Approval, Bulk Variance Approval, EIS Approval and Site Plan Waiver  
**Carried to March 3, 2020**
2. **Block 1601 Lot 15-Atlantis Management Group, LLC-12 Railroad Avenue**  
Application for Site Plan and Variance Approval  
**Carried and new notice will be given at a later date.**

#### **RESOLUTIONS:**

1. **Pay to Play-** A motion to approve was made by Mr. Stefanelli and seconded by Mr. D'Agostino. All in favor stating aye.

**Other Business-none**

**Open Meeting to the Public-none**

**Adjournment-** A motion to adjourn was made by Mr. Teagno and seconded by Mr. D'Agostino with all present stating aye.

**Next Regular Scheduled Meeting: February 4, 2020 AT 7:30PM**

**Respectively submitted by:**

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