

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, May 16, 2017 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.

PLEDGE OF ALLEGIANCE AND OPEN MEETING ACT STATEMENT: Chairman lead everyone in the Pledge of Allegiance and read the Open Meeting Act Statement into the record,.

ROLL CALL: Mr. Culhane, Mr. D'Agostino, Mr. Fette, Mayor Ghassali, Mr. Lintner, Ms. O'Neill, Mr. Stefanelli, Mr. Teagno, Chairman DePinto

Absent: Councilman Weaver, Ms. Russo

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

**MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/
BOROUGH ENGINEER:**

ZONING REPORT: Mr. Fette gave his report. It was reported that there is a Kennel being run out of a home, he has been in contact with the board of health.

SITE PLAN REVIEW COMMITTEE: none

ENVIRONMENTAL COMMISSION LIASION REPORT: Mr. Teagno stated there was a meeting held the previous evening. They discussed the tree ordinance and tree brochure.

CORRESPONDENCE: placed on back table

DISCUSSION: none

APPROVAL OF MINUTES: May 2, 2017- a motion to approve was made by Mr. D'Agostino and seconded by Mr. Teagno with all present stating aye.

USE PERMITS:

1. Block 1902 Lot 5-Kiwon Lee, DDS, PC-305 W. Grand Avenue-(2669 sq.ft.) Mr. Regan swore in Dr. Kiwon Lee. Chairman read the application into the record. Changes were made to 5a. and 5b. It will read 4 to 6 for both. Zip codes were provided for the two employees. Dr. Lee gave an overview of how the office will be used. He intends to general dentistry, to see entire family members. Access is only through the lobby. The space is totally to the left to the front. Bathrooms are in common with the other tenants of the building. CCO inspection will be done after the fit ups are completed. A motion to approve was made Mr. Lintner and seconded by Mr. Culhane with all present stating aye.

2. Block 2903 Lot 8-Bertha Navos, d/b/a D. Janinas Nail Salon-70 Chestnut Ridge Road-1000 sq. ft.- -Rosa Ortiz and Bertha Navos came forward. Chairman read the application into the record. Signatures were verified. Chairman asked Mr. Regan if this was a permitted use within the zone. He stated it was a continuing use of a preexisting approved use.

Signage was discussed about no illumination of signs. A motion to approve was made by Ms. O'Neill and seconded by Mr. Stefanelli with all present voting aye.

1. **PUBLIC HEARINGS (New) :** **Block 712 Lot 6-Richard and Sharon Marini-75 Montvale Avenue-Variance Application for a Rear Yard Setback-** Mr. Lintner took the chair. Mr. Marini stated he is in a R-10 zone he is asking for a variance for a 15 foot rear yard setback dividing the yard in between. Deck is to be 30 feet by 15 feet Deck will be 15.08 feet off the rear yard. The deck is four feet off the ground. A wrap around staircase to the west side is proposed. Screening will be planted he is looking to be planting green giants so he has enough screening. Marked into evidence as Exhibit A-1

was a survey of the property showing the area of the proposed deck, and as Exhibit A-2 a sketch of the deck area, including the proposed stairs to the deck. Also marked into evidence as Exhibit B-1 was a report of the Police Department, and as B-2 a report of the Fire Department, neither of which objected to the application. Submission of an “as-built” will be required.

Motion to open to the public was made by Mr. Teagno and seconded by Ms. O’Neill. No public came forward; a motion to close was made by Mr. Teagno and seconded by Mr. Culhane. Motion to approve was made by Mr. D’Agostino and seconded by Ms. O’Neill with all present stating aye and Chairman DePinto abstaining.

PUBLIC HEARINGS: (Con’t) Block 2408 Lot 3- Amazing Grace Partners, LLC-8 East. Grand Avenue-Site Plan Review and Variance Application –Variance for Signage- Mr. and Mrs. Varghese came forward they had previously been sworn in. The sign will be illuminated from 6pm to 11pm or sooner. Relief is required because of the make of the sign and lettering. It is an Led panel that is 1/2inch thick. The illuminated is white. The sign colors are blue, red and white. Mr. D’Agostino asked if the number 8 was illuminated. It was stated yes. Testimony was provided by George Varghese, that the sign lettering will be eliminated, with the internal lighting being derived from a frame with dimensions of 6 feet by 2 feet, which dictates the area of the sign. The sign will have a white background, with red and blue letters, and will only be illuminated from dusk to 11:00 p.m. A discussion ensued as to whether the number “8” indicating the street address should be on the top of the sign, and after comments by the Board members, it was determined that the number would be illuminated. Mr. Varghese represented that the roof leaders would be appropriately connected to the dry well on the property.

. Mr. Lintner asked if they could be compliant with the sign ordinance. The application proposes a freestanding or monument sign in the front yard of the property, which would identify these two (2) businesses. No other signage would be located on the site. Mayor asked about lights above. It was noted that the prior use of the property had nonconforming signage, with both freestanding and façade signs. Marked into evidence as Exhibit B-1 was a report of the Police Department and as Exhibit B-2 as report of the Fire Department. Neither report indicated any objection to the application.

Motion to open to the public was made by Mr. D’Agostino and seconded by Mr. Teagno. No one from the public wishing to be heard a motion to closed was made by Mr. D’Agostino and seconded by Mr. Culhane. A motion to approve was made by Ms. O’Neill and seconded by Mr. Teagno with all present in favor stating aye.

RESOLUTIONS: Block 2802 Lot 2 (COO 1A)- Resolution Granting A Use Permit to Ulta Salon, Cosmetics & Fragrance, Inc. Mercedes Dr. and Grand Ave-(10506 sq. ft.)- Chairman read by title only. Mr. Regan went over all the changes. A motion to approve was made by Mr. Culhane and seconded by Mr. Teagno with all in favor 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. D ’Agostino and seconded by Mr. Stefanelli all in favor stating aye.

Next Regular Scheduled Meeting –June 6, 2017at 7:30pm

Respectively submitted by:

R. Lorraine Hutter, Land Use Administrator