

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

**Tuesday, August 20, 2019-7:30pm**

**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.

**ROLL CALL:**

**Present:** Mr. Culhane, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Zitelli, and Chairman DePinto

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

**Absent:** Councilmember Curry, Ms. O'Neill, and Mr. D'Agostino

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

**ENGINEER: none**

**ZONING REPORT:** Mr. Fette gave his report. Plans were dropped off for 110 Summit Avenue for review and they have received their approval from the DCA. Ms. Hutter stated that no permits should be issued as they have not complied with the Developer's Agreement as of yet and the Agreement hasn't been signed. Mr. Fette stated he was aware and no permits will be issued.

**ENVIRONMENTAL COMMISSION LIAISON REPORT:** Mr. Zitelli stated that they discussed plastic bags and their drop off places. The trail around Memorial will be done by next year along with the dredging of Huff Pond.

**SITE PLAN COMMITTEE REPORT:** Mr. Stefanelli gave his report. 3 Flintlock came in for an outdoor kitchen. It was deemed as a di minimus change and can go through the building department. Mr. and Mrs. Very of 54 Woodland is looking to build a new house. They will need a height variance. They want to live in the old house until the new house is built and a bond will be needed to be posted. They will make their changes and come file an application. The third applicant was Waypoint, 127 Summit for an adult community. They will be moving forward at a later date. Wegmans came in for signs. It was deemed di minimus and it can be done through the building department. Benjamin

Moore came in for outdoor solar panels and they are going to come back before the board after taking another look at the plan as the committee was not totally in favor.

**CORRESPONDENCE: on the back table**

**APPROVAL OF MINUTES: May 7, 2019:** A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane. A roll call vote was taken with all present voting aye.

**June 18, 2019:** A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner. A roll call vote was taken with all present voting aye.

**July 2, 2019:** A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call vote was taken with Mr. Teagno and Mr. Zitelli abstaining and all others voting aye.

**July 16, 2019:** A motion to introduce was made by Mr. Lintner and seconded by Mr. Teagno. A roll call vote was taken with Mr. Zitelli abstaining and all others.

**DISCUSSION: none**

**USE PERMITS:**

1. **Block 1102 Lot 1-Master Roofing & Siding, Inc. -1 Paragon Drive, Suite 122 (3,259 sq. ft.)** Mr. Mancinelli came forward representing the applicant, Aron Weinberger. Chairman read the application into the record. Signatures were identified. Mr. Weinberger is the operation manager. They are currently located in Monsey. They are expanding and take this office space for general office space. They will not store any materials and no customers will be coming to the site. Parking of vehicles will not be permitted and was discussed. They will have people for sales, accounting, billing and proposals. A CCO inspection will be needed. A motion to approve was made by Mr. Stefanelli. A roll call vote was taken with all present voting ayes.
2. **Block 2002 Lot 2 PKA Technologies, Inc. c/o Red Realty LLC-3 Paragon Drive-(3,282 Sq. Ft.)-** Mr. Mancinelli came forward representing the applicant Ms. Felise Katz. Chairman read the application into the record. Applicant will be applying for a sign for the outside monument sign. Signatures were identified. MS. Katz gave an overview. She is moving from Suffern Company and they are an IT company. Back office type of environment of accounting and sales. They will be having clients and customers approximately 2. No parking of vehicles. A CCO inspection will be needed. They are full time employees. A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane. A roll call vote was taken with all present voting ayes.

**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-**at the applicant's request carried to September 3, 2019**

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

1. **Block 603, Lots 34,35 and 36-The Metropolitan Home Development at Weirmus, LLC -55-61 Magnolia Avenue-**Preliminary and Final Major Subdivision Application, and Soil Movement Application- **See transcript. Carried to September 3<sup>rd</sup>.**
2. **Block 301, Lots 2 and 3-** 160 Spring Valley Road, LLC and 47<sup>th</sup> Street, LLC - 160 Spring Valley Road-Amended Site Plan –**Due to the lateness of the hour this Application will be carried to September 17**

#### **RESOLUTIONS:**

1. **Block 3302 Lot 1 and Block 204 Lot 2(Woodcliff Lake)-Hornrock Properties MPR, LLC-1 Sony Drive-**Applicant is amending its application to request a variance pursuant to NJSA 40:55D-70C(2)-Amended Site Plan Application – Mr. Wolfson came forward along with Mr. Elliot Hornblass and Mr. David Hornblass. Chairman read by title only. A motion to introduce was made by Mr. Lintner and seconded by Mr. Teagno. Mr. Regan went over the changes. **-See Transcript.** A roll call vote was taken with all present voting ayes.
2. **Block 2903 Lot 4-Dionysios & Victoria Visassopoulos-354 West Grand Avenue-Soil Movement Application-** Chairman read the application into the record by title only. A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. No changes. A roll call vote was taken with all present voting ayes.

**Other Business-Sports courts were discussed with Darlene Green. It was the The board as not receptive of doing anything for any lot smaller thank 40,000 sq. ft.**

**OR4 was discussed**

**Open Meeting to the Public-**

**Adjournment-** a motion to adjourn was made by **Mr. Stefanelli** and seconded by

**. Mr. Lintner.**

**Next Regular Scheduled Meeting: September 3, 2019 AT 7:30PM**

PLANNING BOARD  
BOROUGH OF MONTVALE  
COUNTY OF BERGEN

-----X  
BLOCK 3302, LOT 1 AND BLOCK 204:  
LOT 2, (Woodcliff Lake) - :  
HORNROCK PROPERTIES MPR, LLC -:  
1 Sony Drive. Applicant is :  
Amending its application to :  
Request a variance pursuant to:  
NJSA 40:55D-70C(2) - Amended :  
Site Plan Application :  
-----X

Tuesday, August 20, 2019  
Council Chambers  
12 Mercedes Drive  
Montvale, New Jersey  
Commencing 7:30 p.m.

B E F O R E:

JOHN DePINTO, CHAIRMAN  
FRANK STEFANELLI, VICE CHAIRMAN  
JOHN CULHANE  
JIMMY D'AGOSTINO  
WILLIAM LINTNER  
MAGGIE O'NEILL  
DANTE TEAGNO  
ROBERT ZITELLI

ROBERT REGAN, ESQ., BOARD ATTORNEY  
LORRAINE HUTTER, BOARD SECRETARY  
CHRISTOPHER DOUR P.E., P.P.

Maser Consulting P.A. Project Manager  
JEFFREY FETTE, CONSTRUCTION CODE OFFICIAL  
DARLENE GREEN, PLANNER

A P P E A R A N C E S:

DAY PITNEY, LLP  
BY: PETER J. WOLFSON, ESQ.  
One Jefferson Road  
Parsippany, New Jersey 07054  
(973) 966-6300  
Attorneys for the Applicant

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HUDSON COURT REPORTING & VIDEO

1-800-310-1769

1                   CHAIRMAN DePINTO: Good evening, Mr.  
2     Wolfson.

3           Have you had an opportunity to review with your  
4     clients the book that Mr. Regan wrote often referred  
5     to as a resolution?

6                   MR. WOLFSON: We did.

7           And we're excited to see the movie come out  
8     soon.

9                   CHAIRMAN DePINTO: Did you communicate  
10    with him any requests for changes?

11                   MR. WOLFSON: We did.

12                   CHAIRMAN DePINTO: And, Mr. Regan, have  
13    you completed those changes?

14                   MR. REGAN: The ones that I found  
15    acceptable, yes.

16                   CHAIRMAN DePINTO: And are there any other  
17    changes or corrections that were brought to your  
18    attention?

19                   MR. REGAN: Yes, by one Board Member.

20                   CHAIRMAN DePINTO: Okay. So with that  
21    said, first I'm going to call for a motion to  
22    introduce the resolution and then we'll go over the  
23    changes that are necessary.

24           I'll read by title, the resolution is entitled  
25    Borough of Montvale Planning Board resolution granting

1 preliminary and final site plan approval, variance  
2 relief and waivers to Hornrock Properties MPR, LLC for  
3 premises designated as Block 3302, Lot 1.

4 Anyone care to make a motion to introduce.

5 MR. LINTNER: So move.

6 CHAIRMAN DePINTO: Mr. Lintner.

7 Is there a second?

8 MR. TEAGNO: So move.

9 CHAIRMAN DePINTO: Mr. Teagno.

10 Is there anyone from the public that is here --

11 MR. REGAN: Park Ridge legal counsel?

12 CHAIRMAN DePINTO: Or Park Ridge legal  
13 counsel.

14 MS. HUTTER: Mr. Alampi is away.

15 CHAIRMAN DePINTO: Mr. Alampi is away.

16 And Mr. O'Sullivan?

17 (Off the record.)

18 CHAIRMAN DePINTO: Well, it is what it is.

19 With that said, Mr. Regan, changes and  
20 corrections.

21 MR. REGAN: Okay. We begin on Page 2.

22 CHAIRMAN DePINTO: We've a long evening.

23 MR. REGAN: A long way.

24 Paragraph 1, just a clarification, the last  
25 sentence of Paragraph 1 where it says the property is

1 currently vacant, with the exception of parking and  
2 related improvements as noted.

3 I'll do that again, with the exception of  
4 parking and related improvements as noted above comma.

5 On Page 5, in the middle of the page is a  
6 reference to the Sony campus as 37.7 acres. It would  
7 be changed to 37.2.

8 CHAIRMAN DePINTO: Hold on one second.  
9 I'm sorry, page?

10 MR. REGAN: In the middle, Page 5 in the  
11 middle.

12 CHAIRMAN DePINTO: 37.7 changed to --

13 MR. REGAN: 37.2.

14 All right. Page 6, Paragraph 6, four lines up  
15 from the end of that paragraph references twenty-two  
16 (22) three bedroom units in parenthesis. It should be  
17 corrected to reflect that.

18 Page 9, Paragraph 15, fourth sentence, strike  
19 that sentence as written and change it to read as  
20 follows. The use of the fence on the west side of the  
21 detention basin may prove difficult due to the  
22 existing grade. I'll repeat that again. Use of a  
23 fence on the west side of the detention basin may  
24 prove difficult due to the existing grade.

25 Page 14, just after the middle of that page



1 where it says Mr. Minno confirmed that there would be  
2 a total of 172 employee parking spaces. The  
3 clarification put a Footnote 3 after the word spaces  
4 and then the footnote would read, as previously noted  
5 the final plan provides for 171 podium parking spaces.  
6 The reference is see Footnote 2 at Page 6, supra.  
7 I'll do that again. Footnote 3 would read as  
8 previously noted the final plan provides for 171  
9 podium parking spaces. See Footnote 2, Page 6, supra.

10 On the next page, Page 15, the last line, next  
11 to the last line on that page, the reference should be  
12 to Mr. Skapinetz and not Mr. Minno, he's not the  
13 architect.

14 On Page 17, Paragraph 32, fifth line, where it  
15 says the plans RSIS compliance just insert the word  
16 being so it would read the plans being RSIS compliant.

17 On Page 19 about the 8th line the reference is  
18 to March 19th which should be 2019.

19 On Page 21 the top of the page, first line,  
20 there's a reference to Footnote 3 and as you recall we  
21 added Footnote 3 so that should be Footnote 4.

22 Page 30, paragraph 57, third line delete the  
23 period that could be eliminated.

24 Page 35, Paragraph 67, in the middle of the  
25 page, the sentence begins the main entrance drive

1    which previously traversed, insert the word back into  
2    Park Ridge.  Insert the word back before into Park  
3    Ridge will now be entirely within Montvale comma, then  
4    insert the word once the road crosses the municipal  
5    boundary line for Park Ridge.  So after Montvale,  
6    insert once the road crosses the municipal boundary  
7    line for Park Ridge.

8           Page 44, again you have the same change and  
9    condition, Condition No. 5, conclusion No. 5, insert  
10   the word traversed, insert the word back into Park  
11   Ridge, and I'll read it, now entirely in Montvale,  
12   once the road crosses a municipal boundary line for  
13   Park Ridge.  That's the same change of the preceding  
14   one.

15          Page 52, this is Condition 6, at the end of  
16   Condition 6 add the following, at such time an  
17   application is filed for a soil permit the applicants  
18   will seek approval of an Environmental Impact  
19   Statement for a waiver pursuant to Section 128-17.10.  
20   I'll read that again.  At such time an application is  
21   filed for a soil permit the applicant shall seek  
22   approval of an Environmental Impact Statement or a  
23   waiver pursuant to Section 128-17.10.

24          Now I think the last change is on top of Page  
25   53, Condition 8, which reads installation of a fire

1 pump, insert the words and generator if determined to  
2 be necessary by the Fire Department.

3 Those are all the changes.

4 CHAIRMAN DePINTO: Those are the changes  
5 that you made.

6 Are there any question of the changes proposed  
7 by the applicant or has everything been addressed?

8 MR. REGAN: I think we have agreed.

9 CHAIRMAN DePINTO: On what you had to do?

10 MR. REGAN: Yes.

11 CHAIRMAN DePINTO: Members of the Board,  
12 any other changes or corrections to the resolution as  
13 proposed?

14 Hearing none, Mr. Wolfson, any changes that were  
15 not addressed in this resolution?

16 MR. WOLFSON: No. I would like to thank  
17 Mr. Regan for taking the time to go through all those.  
18 We appreciate it and we appreciate the Board  
19 considering them as well.

20 MR. REGAN: Again, as the Board is aware,  
21 we have incorporated the conditions of Mr. Hipolit's  
22 letter and Ms. Green's letter, Exhibits A, B and C.

23 CHAIRMAN DePINTO: The applicant is here  
24 this evening now it's your opportunity to say  
25 something nice about us.

1 MR. HORNBLASS: Elliott Hornblass.

2 I don't want the Planning Board to get too big  
3 headed but I will take this opportunity to, I guess,  
4 summarize our experience over the last couple years  
5 not just dealing with Mayor Ghassali but Mr. Regan,  
6 Chairman DePinto and the entire Planning Board and  
7 other players, Mrs. Green, et cetera, just in terms of  
8 our experience as being very collaborative and very  
9 helpful and understands this was a very complex issue  
10 that obviously had implications on the affordable  
11 housing front as well as just the normal complexities  
12 of a large development.

13 And I just really wanted to take this  
14 opportunity to thank everyone who is involved,  
15 especially Chairman DePinto, whose leadership I think  
16 was exemplary in many respects.

17 As you know we deal with a lot of different  
18 towns and our experiences, a lot of these type of  
19 developments our experiences are different in every  
20 town.

21 I can certainly say for the record that our  
22 experience with Montvale has been really second to  
23 none. So I thank you all very much for dealing with  
24 us on what was a very comprehensive issue.

25 CHAIRMAN DePINTO: Thank you.

1                   MR. WOLFSON: And I would like to add my  
2    thanks to the Board and its professionals for its  
3    spirit of cooperation throughout, collaboration. I  
4    think the plan was improved in many ways from when it  
5    was first submitted.

6                   And I thank the Board and its professionals.  
7    Thank you very much.

8                   CHAIRMAN DePINTO: Thank you for choosing  
9    Montvale.

10                  A motion has been made, it has been seconded.  
11    Any further discussion from Board Members?

12                  Hearing none, roll call vote, please.

13                  MS. HUTTER: Mr. Culhane.

14                  MR. CULHANE: Yes.

15                  MS. HUTTER: Mr. Fette.

16                  MR. FETTE: Yes.

17                  MS. HUTTER: Mr. Lintner.

18                  MR. LINTNER: Yes.

19                  MS. HUTTER: Mr. Stefanelli.

20                  MR. STEFANELLI: Yes.

21                  MS. HUTTER: Mr. Teagno.

22                  MR. TEAGNO: Yes.

23                  MS. HUTTER: Mr. Zitelli.

24                  MR. ZITELLI: Yes.

25                  MS. HUTTER: Chairman DePinto.

1 CHAIRMAN DePINTO: Yes.

2 Okay. Thank you.

3 MR. WOLFSON: Thank you. Enjoy the rest  
4 of your summer.

5 (The hearing concludes 8:25 p.m.)

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## 1 C E R T I F I C A T E

2 I CERTIFY that the foregoing is a true and  
3 accurate transcript of the testimony and proceedings  
4 as reported stenographically by me at the time, place  
5 and on the date herein before set forth.

6 I DO FURTHER CERTIFY that I am neither a  
7 relative nor employee nor attorney or counsel of any  
8 of the parties to this action, and that I am neither a  
9 relative nor employee of such attorney or counsel, and  
10 that I am not financially interested in this action.

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DONNA LYNN J. ARNOLD, C.C.R.

18 LICENSE NO. XI00991

MY COMMISSION EXPIRES 08/04/2024

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<b>A</b>	4:23	2:13,17,23	1:18	7:1
<b>acceptable</b>	<b>bedroom</b> 4:16	3:19 7:3,4	<b>cooperation</b>	<b>development</b>
2:15	<b>begins</b> 5:25	7:6,12,14	9:3	8:12
<b>accurate</b>	<b>BERGEN</b> 1:2	<b>choosing</b> 9:8	<b>corrected</b>	<b>developm...</b>
11:3	<b>big</b> 8:2	<b>CHRISTOPHER</b>	4:17	8:19
<b>acres</b> 4:6	<b>Block</b> 1:3,3	1:17	<b>corrections</b>	<b>different</b>
<b>action</b> 11:8	3:3	<b>clarific...</b>	2:17 3:20	8:17,19
11:10	<b>Board</b> 1:1,16	3:24 5:3	7:12	<b>difficult</b>
<b>add</b> 6:16 9:1	1:17 2:19	<b>clients</b> 2:4	<b>Council</b> 1:9	4:21,24
<b>added</b> 5:21	2:25 7:11	<b>CODE</b> 1:18	<b>counsel</b> 3:11	<b>discussion</b>
<b>addressed</b>	7:18,20	<b>collabor...</b>	3:13 11:7	9:11
7:7,15	8:2,6 9:2	9:3	11:9	<b>DONNA</b> 11:17
<b>affordable</b>	9:6,11	<b>collabor...</b>	<b>COUNTY</b> 1:2	<b>DOUR</b> 1:17
8:10	<b>book</b> 2:4	8:8	<b>couple</b> 8:4	<b>drive</b> 1:5,9
<b>agreed</b> 7:8	<b>Borough</b> 1:1	<b>come</b> 2:7	<b>COURT</b> 1:25	5:25
<b>Alampi</b> 3:14	2:25	<b>comma</b> 4:4	<b>crosses</b> 6:4	<b>due</b> 4:21,24
3:15	<b>boundary</b> 6:5	6:3	6:6,12	
<b>Amended</b> 1:6	6:6,12	<b>Commencing</b>	<b>Culhane</b> 1:13	<b>E</b>
<b>Amending</b> 1:5	<b>brought</b> 2:17	1:10	9:13,14	<b>E</b> 1:11,11,20
<b>applicant</b>		<b>COMMISSION</b>	<b>currently</b>	1:20 11:1
1:5,23	<b>C</b>	11:18	4:1	11:1
6:21 7:7	<b>C</b> 1:20 7:22	<b>communicate</b>		<b>eliminated</b>
7:23	11:1,1	2:9	<b>D</b>	5:23
<b>applicants</b>	<b>C.C.R</b> 11:17	<b>completed</b>	<b>D'AGOSTINO</b>	<b>Elliott</b> 8:1
6:17	<b>call</b> 2:21	2:13	1:13	<b>employee</b> 5:2
<b>application</b>	9:12	<b>complex</b> 8:9	<b>DANTE</b> 1:15	11:7,9
1:5,7 6:17	<b>campus</b> 4:6	<b>complexi...</b>	<b>DARLENE</b> 1:19	<b>Enjoy</b> 10:3
6:20	<b>care</b> 3:4	8:11	<b>date</b> 11:5	<b>entire</b> 8:6
<b>appreciate</b>	<b>certainly</b>	<b>compliance</b>	<b>DAY</b> 1:21	<b>entirely</b> 6:3
7:18,18	8:21	5:15	<b>deal</b> 8:17	6:11
<b>approval</b> 3:1	<b>CERTIFY</b> 11:2	<b>compliant</b>	<b>dealing</b> 8:5	<b>entitled</b>
6:18,22	11:6	5:16	8:23	2:24
<b>architect</b>	<b>cetera</b> 8:7	<b>comprehe...</b>	<b>delete</b> 5:22	<b>entrance</b>
5:13	<b>Chairman</b>	8:24	<b>Department</b>	5:25
<b>ARNOLD</b> 11:17	1:12,12	<b>concludes</b>	7:2	<b>Environm...</b>
<b>attention</b>	2:1,9,12	10:5	<b>DePINTO</b> 1:12	6:18,22
2:18	2:16,20	<b>conclusion</b>	2:1,9,12	<b>especially</b>
<b>attorney</b>	3:6,9,12	6:9	2:16,20	8:15
1:16 11:7	3:15,18,22	<b>condition</b>	3:6,9,12	<b>ESQ</b> 1:16,21
11:9	4:8,12 7:4	6:9,9,15	3:15,18,22	<b>et</b> 8:7
<b>Attorneys</b>	7:9,11,23	6:16,25	4:8,12 7:4	<b>evening</b> 2:1
1:23	8:6,15,25	<b>conditions</b>	7:9,11,23	3:22 7:24
<b>August</b> 1:8	9:8,25	7:21	8:6,15,25	<b>exception</b>
<b>aware</b> 7:20	10:1	<b>confirmed</b>	9:8,25	4:1,3
	<b>Chambers</b> 1:9	5:1	10:1	<b>excited</b> 2:7
<b>B</b>	<b>change</b> 4:19	<b>considering</b>	<b>designated</b>	<b>exemplary</b>
<b>B</b> 1:11 7:22	6:8,13,24	7:19	3:3	8:16
<b>back</b> 6:1,2	<b>changed</b> 4:7	<b>CONSTRUC...</b>	<b>detention</b>	<b>Exhibits</b>
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