

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Minutes

Tuesday, June 2, 2020

Virtual Meeting by Zoom

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.

PLEASE TAKE NOTICE that due to the current New Jersey State of Emergency and Public Health Emergency declared by Governor Phil Murphy, and in an effort to prevent further spread of COVID-19 and to protect the health and safety of residents, Borough staff, professionals, and applicants, the Municipal Building remains closed. In accordance with the Open Public Meeting Act, N.J.S.A. 10:4-6, et seq., and/or P.L. 2020, c.11, and/or the “Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey” dated March 23, 2020, and “Operational Guidance – COVID-19: N.J.S.A. 40:55D-1, Recommendation for Land Use Public Meetings in New Jersey” dated April 2, 2020, both published by the New Jersey Department of Community Affairs, Division of Local Governmental Services. **During this time, the Montvale Planning Board will meet using Zoom. The public is welcome to log in using the number shown in the information.**

Topic: Montvale Planning Board Meeting

Time: June 2, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/3681334477?pwd=aHNWYUlidU1GclQ4dWx0VUpSUzBHZZ09>

Meeting ID: 368 133 4477

Password: 908106

One tap mobile

+19294362866,,3681334477#,,1#,908106# US (New York)

+13017158592,,3681334477#,,1#,908106# US (Germantown)

Dial by your location

+1 929 436 2866 US (New York)

Meeting ID: 368 133 4477

Password: 908106

Chairman opened the meeting at 7:30pm

ROLL CALL: Mr. Culhane, Councilmember Curry, Mr. D’Agostino, Mr. Fette, Mr. Lintner, Ms. O’Neill, Mr. Stefanelli, Mr. Teagno, 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, Ms. Rowland Assistant to the LUA

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

ZONING REPORT: none

ENVIRONMENTAL COMMISSION LIAISON REPORT: The next meeting is June 22, 2020.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli stated they had one applicant 5 Paragon Drive to install solar panels in the parking lot to be supported by a steel structure. They need to do some work first before going to a public hearing.

CORRESPONDENCE: placed on the website

APPROVAL OF MINUTES: February 4, 2020- A motion to approve was made by Mr. Lintner and seconded by Mr. Stefanelli with all present stating aye.

DISCUSSION:

Zoning Map- carried to the next meeting

USE PERMITS:

none

PUBLIC HEARINGS (NEW):

1. Block 1601, Lot 7- Borough of Montvale-26 N. Kinderkamack Road-Use Variance- Mr. Voytus came forward representing the Borough. The Mayor and Council and COAH Committee recommended this property as a property of interest in meeting our obligation to convert a market rate unit into an affordable unit. The Spending Plan has \$450,000 to purchase and make it affordable units. We were looking to make a two unit apartments. It was stated that the application requires a "D(1)" use variance and a "C" variance. We were able to identify this as a potential site for affordable units.

It is right now an apartment and podiatrist office. At this time, it is a two-bedroom apartment and once the podiatrist lease is done, they will convert that into a two bedroom as well. It is one home from the Nottingham location and that this would be an appropriate location to do this. Once the podiatrist lease is up in 2021 that will be converted to a two bedroom unit. Discussion by Mr. Hipolit on the access aisles came next. By eliminating the curb cut on Kinderkamack it will reduce traffic as it would be only residential. The impervious coverage would go from 39% to 33% it would reduce a non-conforming variance. This conversion will bring it from a non- residential use into a residential use. The residential use on the first floor will generate less traffic. The spending plan has 4 years to spend down the funds and we have to spend the funds by 2022. This will give the borough an additional two affordable housing credits without having to build market rate units.

Questions from board members;

Mr. Culhane would like for them to consider some energy efficiency items on the renovations. He asked if the apartment now is now occupied, Mr. Voytus stated no. There was an outside inspection of the building done and there are a few minor issues stated Mr. Voytus. Mr. Culhane asked about the heating system is gas and was there an oil tank that needed to be removed. Mr. Voytus stated that it is gas and there is no oil tank. Ms. Green's letter was marked as B1. Ms. Green gave her summary. Ms. Green and Mr. Hipolit were sworn in. Ms. Green's letter was dated May 8th, 2020. The application does require a "D" 1 variance. What the Borough is trying to do is take the existing non-conforming property and convert it to a two-family affordable housing structure. The application also triggers a bulk variance. This zone is a one family zone and they want to make it into an affordable two-family home. Ms. Green stated that the Borough has an obligation to provide affordable housing, the process has triggered some changes. The Spending Plan has a funding line item to purchase a unit to convert to an affordable unit.

Mr. Regan asked Ms. Green if the second floor would remain a two-bedroom unit. The first floor would also be a two-bedroom unit. It is a non-conforming now and it would be conforming

after as a residential. The office use would be eliminated and it would be more in compliance with the neighborhood. It is an inherently beneficial use stated Ms. Green. The residential will generate less traffic stated Ms. Green. Mr. Hipolit stated if Mr. Voytus stated that the Borough has a time frame to expend these funds.

Mr. Regan stated asked about how many years we have to spend down the funds. Ms. Green stated that the funds need to be spent in a four-year period. The funds are from the COAH funds which have come from developer fees.

A motion to open to the public was made by Mr. Lintner and Mr. Culhane. Mr. and Mrs. Swenson of 32 Kinderkamack Road came forward. Mr. Swenson asked about the driveway switching they are concerned with the change and having now more traffic on Nottingham. Mr. Hipolit stated that having it on Kinderkamack Road is undesirable and if it was a new home the county would ask to have it on Nottingham Court.

David Hill, 8 Glen Lane Montvale, NJ- asked about the heating and air conditioning. It will be two separate units. Mr. Fette stated that there are two units for a/c and separate utilities for each unit. He asked about the entrance and there is not a lot of area. He asked about property maintenance. Mr. Voytus stated that there would be an agreement with the tenants to maintain it. Until that time comes it is the Borough's responsibility to maintain the property. All the open property is on the northeast. Conforming two-bedroom apartment with a location to downtown is a plus stated Mr. Fette. The unit does have the required headroom stated Mr. Fette. It has the floor space and proper egress. Mr. Hill asked at a later date if the borough wanted to sell the property what could happen could they expand the use. The D1 would run with the land stated Mr. Regan. The contractual agreement for deed restrictions would be required to be a requirement in the resolution.

The governing body would make sure that it would have to maintain the deed restrictions. The board will make it a requirement.

Mr. David Swenson came forward of 32 Kinderkamack. He asked that it was stated that changing the property to residential would be less traffic. They have lived there for many years and there is really no traffic. Having the driveway on Nottingham he believes that there will be more traffic there. Mr. Hipolit stated that the amount of traffic the residential will generate less than a commercial site. Having a driveway access is undesirable. If they were coming in for a brand-new home the county would not allow it and would have them have the driveway on Nottingham. He also asked about ingress and egress for the downstairs. How would they escape the bottom level? Mr. Fette stated that the requirements are met. The windows have to have 5'.0" for escape. As far as fire egress they comply.

Frank Marella 25 N. Kinderkamack Road- came forward. He asked about the other residential homes and why isn't the Borough looking to convert one of those. Chairman spoke about the homes that will be constructed on Summit Avenue. There is a second family home on Grand Avenue that is in our land bank if we need it.

A motion to close to the public was made by Ms. O'Neill and seconded by Mr. Teagno.

A motion to have the Board Attorney prepare a resolution of approval was made by Ms. O'Neill and seconded by Mr. Culhane. A roll call vote was taken with all eligible votes voting yes.

PUBLIC HEARINGS (CONT):

1. 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.

2. **Block 1002 Lot 7- Waypoint Residential Services, LLC -127 Summit Avenue -Application for Preliminary and Final Site Plan and Bulk Variance Approval and Soil Movement-carried to a later date new notice will be given**
3. **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 -carried to June 16th, 2020 new notice is being given

RESOLUTIONS:

A Resolution granting a Use Permit, Use Variances D(1) and C, and Approval of Signage to Block 2802 Lot 2, Qualifier C001A- CityMD-Shoppes at DePiero Farms-60 Farm View -Mr. Regan went over the changes. A motion to approve was made by Mr. Teagno and seconded by Ms. O'Neill. A roll call was taken with all voting aye.

Other Business

Open Meeting to the Public-A motion to open was made by Ms. O'Neill and seconded by Mr. Lintner. Ms. Carolee Adams came forward asking about the ambulance corp. being submitted and they weren't aware of City MD. Chairman asked that Ms. Adams have that person contact Ms. Hutter for a conference call. Chairman stated that there might be a disconnect and that they will look into it. Ms. Adams would like everyone to be informed. She had another question on signage. Are you going to see a big sign on the east side of the building as you are coming up the hill? She believed it was garish. Chairman stated that it has been his mission to keep Montvale from looking like Route 46. At the request of the Board they didn't go with their logo with the big red square and they brought it down to two signs. It will not be on that side stated the Chairman. Ms. Adams had a comment about the parking and her concern that there wasn't enough parking now with the new breakfast place. She is hoping that the board is right that there won't be an issue with parking. She asked that if there is an issue and an overabundance, she hopes they will reconsider if it becomes an issue. Chairman stated that the good news is that Montvale is doing pretty well in leasing up the space. They have had a conversation with the owner to have the employees park on the western side. The owners are very receptive. In respect to the space he asked Ms. Green her opinion. Ms. Green stated that the space was originally designed for three store fronts. Having it as one is less of a use on the site. A motion to close by Mr. Zitelli and seconded by Mr. Teagno. All in favor stating aye.

Adjournment- A motion to adjourn was made by Mr. Culhane and seconded by Ms. O'Neill all in favor stating aye.

Next Regular Scheduled Meeting: June 16, 2020

Respectively submitted by:

R. Lorraine Hutter, Land Use Administrator