

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

## **MINUTES**

**Tuesday, July 20, 2021**

**Municipal Complex 12 Mercedes Drive, 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 DePinto opened the meeting up at 7:40 pm

### **ROLL CALL:**

**PRESENT:** Theresa Cudequest, John Culhane, Councilmember Koelling, John Ryan, Mayor Designee; Christopher Gruber, Javid Huseynov, William Lintner, Frank Stefanelli, Dante Teagno, Robert Zitelli, Chairman DePinto

**ALSO PRESENT:** Robert Regan, Board Attorney; Andrew Hipolit, Borough Engineer Darlene Green, Borough Planner, Lorraine Hutter, Land Use Administrator and Erica Davenport, Assistant to the Land Use Administrator

**ABSENT:** None

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

None

**ZONING REPORT:** Mr. Gruber – The TCO at 200 Market Square is being extended by 90 days due to the ongoing chip problem. The bushes at 25 Philips Parkway have been finally planted. Also, Mr. Queen is looking at 22 Railroad to put apartments in.

**ENVIRONMENTAL COMMISSION LIAISON REPORT:** Mr. Zitelli – The environmental commission approved 2 tree removal requests, one at 10 Birch and another at 20 Donnybrook. Work on Huff Pond is progressing. The soil has been moved out and the fence should come down soon, however, there is no exact date for that yet. Grass and plantings

will take place sometime in September. Plastic bag recycling continues. Also, there will be 3 benches installed at the trail around Memorial.

**SITE PLAN COMMITTEE REPORT:** Mr. Stefanelli – This evening there was 1 applicant, which was Marquis Nursing Home located at 100 Summit Avenue. They are looking to put in a nursing facility. It would be a 3-story building with 60 units on each story and they are looking sometime in October to present to the board.

**CORRESPONDENCE:** On the back table

**APPROVAL OF MINUTES:** July 6, 2021 – A motion to approve was made by Ms. Cudequest and seconded by Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

**DISCUSSION:** None

**USE PERMITS:** None

**PUBLIC HEARINGS (NEW):**

**Block 603 Lot 29 – John Chiavelli – 10 Pineview Terrace – Application for Variance Relief**  
Bruce Whitaker came forward to represent John Chiavelli. Mr. Regan stated that all documents and notices were in order. Mr. Whitaker gave a brief overview of the application. They are seeking variance relief for a single-family home to add an addition to the rear of the building. This property is located in the R-15 zone. It is a single family with an attached garage and it also has a pool. This property is somewhat irregularly shaped with a non-conformity. The applicant is proposing a very modest addition with a purpose of relocating the kitchen to the rear of the house in order to create an office space. The applicant is seeking a rear-yard setback variance proposing 38.85 feet where 40 feet is required. The setback is only to the rear of the addition. The encroachments that are shown on the survey are all being removed. Mr. Chiavelli received this property from his parents, where his father made some improvements that went over the property line and he is now taking care of it. So, the 42.9% will be reduced to somewhere around 39% by removing some of the pavers and encroachments that are there.

Chairman DePinto marked into evidence the last revised plans dated 5/20/21 as A1. There were 5 photographs submitted this evening that were marked as A2. Mr. Hipolit's review letter dated 6/23/21 as B1, Ms. Green's review letter dated 6/22/21 was marked as B2, the Montvale Fire Department review letter dated 6/14/21 was marked as B3 and the Montvale Police Department review letter dated 6/22/21 was marked as B4.

Mr. Regan swore in Kevin Spink, architect, and deemed him qualified. Mr. Spink gave a brief overview of his findings. He stated that they plan to reduce the size of the existing dining area which is currently 13.6 x 17.6, to become a pantry and laundry room. Then they will be adding the addition onto the rear, which will become the kitchen. The reason for the variance to increase into the rear-yard setback is to hide the cabinetry which is on the backside of the kitchen so it does not project out into the family room. Also, they are trying to create some dynamic to the back of the house. There is already one large gable and they would like to accent that back of the house. This will actually not be visible to the neighbors at all since the foliage of the trees will be blocking it.

Mr. Hipolit gave a brief summary of his review letter. He believes the disturbance of the addition is very minor. Mr. Hipolit stated that the pool encroaches on the property line however, he believes this was done by Mr. Chaivelli's father, who has passed. The plan needs to be revised regarding building coverage and the fact that they do need a minor soil movement permit. If they are moving the soil off site, they do not need a topographical survey. Mr. Whitaker stated that they will be moving the soil off site. Other than that, everything else is a condition of approval.

Ms. Green then gave a brief summary of her technical review letter. There were two variances listed, one being the rear yard setback and the lot coverage. Ms. Green also agrees with Mr. Hipolit that the pool is located in the wrong place however, it's a non-conforming condition on the site. The only outstanding comment that Ms. Green had was regarding the front yard setback, on the plans it's measured at 53 feet. Ms. Green stated that it needs to be measured from the bottom step of the front porch. Mr. Spink re-measured it at 50.7 feet.

Chairman DePinto then read the Fire Department review into the record, reading “no comments”, as well as the Police Department review stating “no comments”. Chairman DePinto polled the board for questions. No board members had any questions. A motion to open the meeting up to the public was made by Mr. Culhane and seconded by Ms. Cudequest. There was no one from the public present. A motion to close the meeting to the public was made by Mr. Stefanelli and seconded by Councilman Koelling. A motion to have the board attorney prepare a resolution was made by Mr. Teagno and seconded by Mr. Stefanelli. A roll call vote was taken with all members stating aye.

**PUBLIC HEARINGS (CONT):** None

**RESOLUTIONS:**

**Block 1902 Lot 10 – ARTMRKT Productions, LLC – 30 Craig Road** – Resolution Granting a Use Permit to ARTMRKT Productions, LLC for Premises Designated as Block 1902 Lot 10

Chairman DePinto read the resolution into the record by title. A motion to introduce was made by Mr. Culhane and seconded by Mr. Stefanelli. A roll call vote was taken with all members stating aye.

**OTHER BUSINESS:** None

**OPEN MEETING TO THE PUBLIC:** No public was present.

**ADJOURNMENT:** A motion to adjourn was made by Mr. Stefanelli and seconded by Councilman Koelling all in favor stating aye.

**Next Regular Scheduled Meeting:** August 17, 2021 at 7:30 PM

Respectfully Submitted,

Erica Davenport  
Assistant to the Land Use Administrator