

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

## **Minutes**

**Tuesday, April 19, 2022**

**Municipal Complex 12 DePiero 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 opened the meeting at 7:34apm

ROLL CALL: Present: Mr. Culhane, Mr. Gruber, Mr. Lintner, Councilman Koelling, Mr. Stefanelli, Mr. Teagno, Mr. Ryan, Mr. Zitelli and Chairman DePinto

Absent: Mr. Huseynov, Ms. Green, Ms. Davenport

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

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

ENGINEER/BOROUGH PLANNER: none

ZONING REPORT: none

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Zitelli met last night. They met with Barbara Davis for Open Space Plan. There is Montvale Clean Up Day this Saturday at 9:00am. The DPW is working on the plan. The Open Space Plan will be used for the Master Plan.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli gave his report. Benjamin Moore came for a tent for outdoor dining. Our Ordinance is in effect until November 2022. Brett Under of Block 1301 Lot 1 for a subdivision into two lots. A few variances will be required and they will come back in July.

CORRESPONDENCE: On back table

APPROVAL OF MINUTES: April 5, 2022 carried to May 3, 2022

- (a) DISCUSSION: Ordinance-Ordinance of the Borough of Montvale, County of Bergen, State of New Jersey, Establishing a New Chapter 326 Entitled "Site Plans," and Amending and supplementing Chapter 400, "Zoning", of the Borough Code to Transfer the Borough's Site Plan Requirements from Chapter 400 to a New Chapter 326, and Establishing Certain Provisions Related to Obtaining

Waivers from the Borough's Site Plan Requirements Chairman asked if everyone had a chance to review. Mr. Regan stated he didn't have time to go over it in its entirety. Darlene's comments were referenced dated April 18. Chairman read it into the record. Chairman stated that a request was made by the governing body to come up with something to simplify the Use Permit process. It was reviewed by the committee and then the board. It was sent back to the council and they were not recommended to those of. The council asked Mr. Voytus to do a more definitive ordinance on the process, for a new Site Plan Ordinance entitled Chapter 326. Chapter 326-5 was discussed. Chairman wanted it taken out. Mr. Regan stated that it needs to be included. It doesn't give approval. The MLUL doesn't allow it. 326-12 was discussed. It should state it may be recommended to the Environmental Commission. 326-25 A. 1 will be eliminated. It will not be required for ownership of existing building. Proposal to occupy less than [REDACTED] sq ft of existing space (both for the pending application and in the aggregate over preceding 12 months. The committee came up with the 1000 sq. ft. the council wants something more than a thousand sq. ft. Mr. Gruber stated more than a 1000 would be too high. Members are asking why are we even doing this for one person as we have not had other complaints. Mr. Ryan stated that the Economic Committee, they thought it would be fine at 1000 sq. ft. It will be discussed further. Expansion should be discussed as well. The presence of requiring an attorney was discussed as well. Ms. Hutter asked about the fee being reduced through the building department will need to be added to the fee schedule. Councilman Koelling stated that he believes the process that the committee came up with is a good process. Mr. Regan will review and we will discuss it more at the next meeting.

#### USE PERMITS:

1. **Block 3004 Lot 2- High Class Travel, LLC-Suite 229 and 231-50 Chestnut Ridge Road-** (4,862 sq. ft.)- Mr. Conte came forward representing the applicant. Mr. Regan swore in the Applicant Chairman read the application into the record. Mr. Kalman gave a brief description. There is a change to the parking space 10, 10 employees and 6 parking spaces for visitors. This will be a travel agency for corporate and individuals needs for travel. A motion to approve was made by Mr. Lintner and seconded by Mr. Culhane. All voting aye.

**Chairman made the announcement of the two public hearings being carried.**

#### PUBLIC HEARINGS (NEW):

1. **Block 706 Lot 3- Donald Stoneham-32 Bryan Drive- Variance Application for a Garage requiring a Front Yard Setback. Variance requests is for a front yard variance.** Mr. Stoneham and Ms. Mitsinikos, Architect were both sworn in with Mr. Hipolit. Ms. Mitsinkos states that her client's home at 32 Bryan Drive is a corner lot. Plans were marked as A1, Stoneham Residence addition dated May 12, 2021. The home is in a R-10 Residential District. They are looking to build a 297 sq. ft. Garage to be added to his single-family home. It is adjacent to the state line of New York. It is an irregular shaped lot. Garage is 12' 8" and 23 feet 5 inches or 297 sq. ft. The additional garage will be open to the other garage. The existing home is non-conforming from the center line already.

Mr. Hipolit's report was marked as B1 dated 4/4/2022; Ms. Green, planner review letter was marked as B2. The applicant is requesting the following variance for a front yard setback. 55-foot setback from the Bryan Drive side of the home. There are two front yards. The two adjacent streets are not parallel which makes it impossible to meet the 55 ft. They are requesting a variance relief for this to be 49.66 is existing on Bryan Drive, and the new garage addition will require it to be 37.5 ft setback. The home doesn't sit parallel to any street. There will be additional driveway added approximately 25 feet. A topographical of the site will be required when it is done stated Mr. Hipolit. Mr. Hipolit went over his review letter. After discussion it was stated that a topographical will not be required just the as built. A minor soil movement and soil would be removed. Silk fence between the neighbor's house will be required Mr. Stoneham stated No trees will be removed. The correction of 296 sq. ft. the garage is 12' 8" by 23' 5" or 297 sq. ft. Mr. Stoneham stated he doesn't know where the 25 ft additional driveway came from, he doesn't need to add any blacktop as his driveway is wide enough. The police report was marked as B3 stating no comments. The Fire Department review was marked B4 dated 3/18/22 with no concerns. A motion to open to the public was made by Mr. Ryan and seconded by Mr. Stefanelli. No one from the public present, a motion to close was made by Councilman Koelling and seconded by Mr. Stefanelli. Mr. Lintner stated that this would be a nice addition to his home and the neighborhood. A motion to have the board attorney prepare a resolution of approval introduced by Mr. Ryan and seconded by Mr. Stefanelli. All in favor stating aye.

- 1. Block 2002 Lots 13 & 14 - Montvale Grove, LLC – 20-24 Spring Valley Road – Preliminary Major Site Plan and Major Subdivision Approval –at the request of the applicant this application is carried to June 21, 2022**

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

- 1. Block 1102 Lot 3 – Gray Capital, LLC – 100 Summit Avenue – Preliminary and Final Site Plan Approval—at the request of the applicant this application is carried to May 3, 2022**

#### **RESOLUTIONS:**

**Block 3101 Lot 1 – Drop Fitness Montvale, LLC – 2 Chestnut Ridge Road – Zoning Variance Application-RESOLUTION -Chairman read the application by title only. Mr. Regan went over the changes.**

**OTHER BUSINESS: none**

**OPEN MEETING TO THE PUBLIC: no public present**

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

**Next Regular Scheduled Meeting:** May 3, 2022

**Respectively submitted:**

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