

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, August 16, 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 DePinto opened the meeting at 7:40 PM and led everyone in the Pledge of Allegiance.

ROLL CALL:

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

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

ABSENT:

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

ENGINEER/BOROUGH PLANNER: None

ZONING REPORT: Mr. Gruber - Toll Brothers Village Springs has 12 of the 18 buildings built and permits in for the remaining foundations for the last 6 buildings to be built. 1 Paragon's solar project has been permitted; however, the building department has not received any drawings for the safety railings that were agreed upon for site plan review committee approval for this project. Next, construction fencing has been installed along the Spring Valley Road subdivision. This project is moving along at a very slow pace due to machinery and man power problems. They are supposedly back up and running now and are getting back on schedule. The Railroad Avenue project is on schedule and we have received footing and foundation inspections. Also, the project on Sony drive is on schedule.

ENVIRONMENTAL COMMISSION LIAISON REPORT: None

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli - Two applicants came before the committee this evening. The first was Montvale Family Apartments located at 161 Summit Avenue. They had 5 items that needed to be changed to the site plan. They will need to submit finalized plans in order to come back on September 6, 2022. The second applicant was Peter E. Papay located at 133 Upper Saddle River Road regarding a minor subdivision. This applicant submitted plans back in 1997. He never followed through with this subdivision after submitting the plans so now he is back 28 years later to move forward with this application. Since this was such a long time ago, this application is now expired so Mr. Papay will have to submit new plans and fill out a minor subdivision application to the Planning Board to be approved as well as re-notice the surrounding neighbors within a 200' radius. He will be back sometime in November to come before the board.

CORRESPONDENCE: On back table

APPROVAL OF MINUTES: August 2, 2022 - A motion to approve was made by Mr. Teagno and seconded by Mr. Lintner. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

DISCUSSION:

1. **Environmental Commission Open Space-Power Point Presentation** – carried to the September 6, 2022 meeting
2. **Waterways-Bob Hanrahan** – see attachment
3. **Master Plan - Darlene Green** – The timing is right for the Master Plan because there have been so many changes to this Borough. The first thing that Ms. Green believes needs to be done is to update the goals and objectives because some of them have changed since the last time they did the Master Plan back in 2008. Additionally, tackling the land use plan element. Looking to the future in 2025, we have a whole new round of affordable housing coming so it is important to discuss that for the Master Plan update. Ms. Green stated that the more we have our buildings occupied, the less likely we will have people knocking on our door asking to help us with the inclusionary housing development. We

will also be looking at community needs since the mayor would like to put in a new recreation center. We will also be updating the economic plan element which looks at existing conditions in Montvale. The goal of re-doing the Master Plan is looking at it as what can we do from a land use and economic development use to see how these properties are being utilized. Ms. Green also would like to focus on building an environmental sustainability plan outline. This is the newest element to the land use law that a town can create. This will look at optimizing climate conditions. The last task is to look at the development regulations. The last time the town did a full-blown re-examination was back in 2014. Ms. Green would like to really be on top of this and put it together well before it is due. Chairman DePinto asked with 2025 on the horizon, how are we going to address a housing element when we do know what our obligation will be a year or two from now. Ms. Green recommends doing a new housing plan. Chairman DePinto would like to clean up what we have but reiterate the importance of the zones that are currently in place.

Chairman DePinto established a Master Plan Committee which will be the same members as Site Plan Review excluding Chris Gruber and including John Ryan. Once we get this process started, we can schedule interviews with different agencies and departments to get the input we need from those people so we can get draft exhibits to get rolling. Chairman DePinto wants to do this quickly and efficiently. No questions or comments arose from any board members. Chairman DePinto wanted to eliminate the public workshop and include the ERI at a cost not to exceed \$12,000. Ms. Green stated that there is a lot of land that we cannot build on due to the DEP features. Chairman DePinto thought it was critical that we not solely rely on the Environmental Commission for flood plain areas, even though affordable housing is exempt, it must be incorporated in the vacant land inventory.

A motion to approve was made by Mr. Lintner and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

4. **Outdoor Seating** – This was taken under advisement from the Planning Board and Mayor and Council.

USE PERMITS:

Block 2702 Lot 1.01-Real Hot Yoga-310-330 Market Street-(2,200 sq. ft.)

Andy Del Vecchio of Beattie Padovano stepped forward to represent applicants Michael Urso and Debra Urso. Mr. Regan swore in both applicants. There were no changes to the application that was submitted. Chairman DePinto read the application aloud into the record. Attached to the application was the employee zip code list as well as the Montvale Police Department form. Chairman DePinto polled the board for any questions. Mr. Lintner asked if this was a franchise. Applicant stated yes. Mr. Culhane noticed that the hours of operation are different from what the Montvale Police Department form states. Ms. Urso stated that the hours that are stated on the application are the correct times. Mr. Gruber stated that any clothes being put out for sale on the sidewalk for a sidewalk sale needs to be brought to the building department for approval. Also, signs that they would like to put out for the store needs to come to the building department in order for them to obtain a CCO. Chairman DePinto stated that any illuminated signs are not permitted. Applicants agreed to that comment.

A motion to request the board attorney to prepare a resolution of approval was made by Mr. Culhane and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call was made with all members stating aye.

A sign plan was also submitted with this use permit application. Mr. Del Vecchio stated that it is consistent with the sign variance that was previously granted for this building. The maximum sign height is 36 inches with 6-inch buffer strips on the top and bottom elevation. The store front is approximately 478 inches and this sign width takes up approximately 172 inches of that store front width. In terms of lighting, it will be illuminated with LED lights and colors are primarily white with two accent colors of orange and red. The sign complies with the prior approval. The font is 22 inches and logo size is 36 inches. The red dots in the sign are a part of the franchise logo. No questions arose from any board members.

A motion to approve was made by Mr. Stefanelli and seconded by Mr. Teagno. All in favor stated aye. Applicants intend to utilize the property Fall of 2022, most likely October.

Block 2904 Lot 3 - Ivy Equity Services - 102 Chestnut Ridge Road (8542 sq. ft.) reducing space

Bruce Whitaker stepped forward to represent Ivy Equity Services LLC. Raymond Nafash, applicant, was sworn in by Mr. Regan. Mr. Whitaker stated that there were no changes made to the application that was submitted. This application is only to reduce space. Chairman DePinto read the application aloud into the record. Mr. Whitaker identified the signatures as the applicant and landlord. Attached to the application was the list of zip codes for employees and the Montvale Police Department form. Mr. Culhane noticed that the hours of operation did not match with the Police Department form that was submitted. Mr. Nafash stated that the hours of operation listed on the application was the correct times. Mr. Gruber stated that they will need to come to the building department in order to obtain their CCO. No other questions arose from any board members. A motion to approve was made by Mr. Ryan and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

PUBLIC HEARINGS (NEW): None

PUBLIC HEARINGS (CONT):

Block 2002 Lots 13 & 14 - Montvale Grove, LLC – 20-24 Spring Valley Road – Preliminary Major Site Plan and Major Subdivision Approval – Application is being carried to September 20, 2022 at the applicant’s request. New notice will be provided.

RESOLUTIONS:

Block 806 Lot 4 - LC Developers, LLC - 13 Main Street – Resolution Granting Minor Subdivision Approval, Variance Relief, and a Major Soil Movement Permit to LC Developers, LLC for premises designated as Block 806, Lot 4 also known as 13 Main Street
Chairman DePinto read the application by title only. A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane. All in favor stated aye.

OTHER BUSINESS: None

OPEN MEETING TO THE PUBLIC: No one from the public was present.

ADJOURNMENT: A motion to adjourn was made by Mr. Stefanelli and seconded by Mr. Zitelli. All in favor stated aye.

Next Regular Scheduled Meeting: September 6, 2022

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator