

REGULAR MEETING OF THE MONTVALE PLANNING BOARD
MINUTES

Tuesday, May 2, 2023

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 7:39 pm and led everyone in the Pledge of Allegiance.

ROLL CALL:

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

ALSO PRESENT: Robert Regan, Board Attorney; Darlene Green, Borough Planner; Andrew Hipolit, Borough Engineer; Lorraine Hutter, Land Use Administrator

ABSENT: Erica Davenport, Assistant to the Land Use Administrator

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

ZONING REPORT: Mr. Gruber - Toll Brothers will be starting the final building and has had an increased interest in the property and their homes. 12 VanRiper has started sheetrock in the first area of the building and is still on schedule for early 2024 occupancy. The building department has released 6 permits for the Parkland Estates Development on Spring Valley Road. Lastly, 20-22 Phillips parkway is moving along and should be completed June 2023 with occupancy starting September 2023.

ENVIRONMENTAL COMMISSION LIAISON REPORT: No report.

SITE PLAN COMMITTEE REPORT: No report.

MASTER PLAN COMMITTEE REPORT: Mr. Lintner – The committee reviewed the open space and recreation plan and they did not complete it. There are still some items to review and discuss. They still need to review the recreation department and specify how much to allocate

for the future based on the recreation needs that they requested. Mr. Lintner thinks it may be a good idea to bring Lisa Loranger, Director, in the next time they meet so she can discuss details.

CORRESPONDENCE: On back table

APPROVAL OF MINUTES:

Special Meeting - March 29, 2023: A motion to approve was made by Councilmember Koelling and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye. Mr. Ryan and Chairman DePinto abstained.

April 18, 2023: A motion to approve was made by Mr. Teagno and seconded by Mr. Ryan. There was no discussion on the motion. All in favor stated aye. Mr. Gruber abstained.

DISCUSSION: None

USE PERMITS:

Block 1903 Lot 6 – Gene ID – 136 Summit Avenue (18,320 sq. ft.)

Aaron Cohen stepped forward from Price, Meese, Shulman & D’Arminio to represent the client. Mr. Cohen stated that they are doing business Advanced Molecular Diagnostics. Mr. Regan swore in Ms. Magna as the applicant. Chairman DePinto read the application out loud into the record. The applicant added on 1,800 sq. ft. to their office last year and never came before the board. They are seeking approval from the board for this additional square footage. The intended use of the premises is a certified laboratory for testing. All 1,800 sq. ft. is used for COVID testing and is one large open space. Ms. Magna stated that they do genetic testing of patients who have cancer. Samples are sent to their office and they put it through their laboratory for testing. They do not have any visitors that come to their location.

They made changes to the open space by just painting the walls and put carpet down. The application was amended to read parking in common. There will be no outdoor sign required. The client identified the two signatures on the application however, Mr. Cohen will supply a letter identifying who the building owner is with a signature. Ms. Magna will also revise the police department form with the correct phone numbers. Chairman DePinto would like this application to be sent to the Board of Health so they can approve this business so they can do routine inspections. Chairman DePinto polled the board for questions and no questions arose.

Mr. Gruber stated that they need a CO for the additional space that they are using. A motion to approve was made by Mr. Lintner and seconded by Mr. Zitelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 2702 Lot 1.01 C2000 – SQ Pizza Montvale, LLC – 200 Market Street, Suite 260 (2,482 sq. ft.)

Andy Del Vecchio from Beattie Padovano came forward to represent client George Negorgiades. Mr. Regan swore in client Mr. Negorgiades. Chairman DePinto read the application aloud into the record. Mr. Del Vecchio stated that 4e should be amended to read 52,000 sq. ft. Attached to the application is the Montvale Police Department form and a list of zip codes will be provided that once the employees are hired, he will supply a list for the board members. Mr. Negorgiades stated that the nature of the business is to provide high quality pizza in the shape of a square. They will also have appetizers and charcuterie boards. There will be 38 seats and 12 tables inside for indoor eating. Mr. Negorgiades will provide a floor plan to Ms. Hutter to keep in his file. Chairman DePinto can move forward with this application subject to the applicant supplying this floor plan. Mr. Gruber asked if he plans on any outdoor dining? Mr. Del Vecchio stated that they did come for site plan review and discussed this but there will be a full outdoor seating plan submitted at a later date. Mr. Gruber also asked about garbage overflow and Mr. Negorgiades does not think there will be much garbage since the pizza boxes should be taken with the customer. Chairman DePinto asked about parking and where employee parking should be. Mr. Negorgiades will enforce parking in the back to leave room for his customers. Mr. O'Brien added that if the client can create a small dry storage area in the basement. Mr. Del Vecchio agreed. Mr. Del Vecchio then spoke about the sign that is proposed. The sign is just over 27 sq. ft. and has white channel cut letters and the square is black. The SQ is designated as a maroon color to be able to see when backlit. They are internally lit letters. The size is compliant with the variance that was granted with the overall sign plan. No other questions arose. The sign plan was marked as **A1** with today's date as 5/2/23.

A motion to request the board attorney to prepare a resolution granting approval to the application as submitted was made by Mr. Stefanelli and seconded by Mr. Lintner. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 2801, Lot 2 and Block 2702, Lot 1 – Bloomin Brands d/b/a Flemings – 200 Market Street (8,112 sq. ft., plus basement storage)

Andy Del Vecchio from Beattie Padovano came forward to represent client. Mr. Regan asked who is the applicant? Mr. Del Vecchio stated that Bloomin Brands is the owner of Flemings but Flemings is the applicant. OSI/Flemings, LLC is the applicant. Mr. Regan swore in the applicant, Alex McCarthy. Mr. Del Vecchio amended the application to read as **2702-1.01 C2000** and eliminate 2801-2 and 2702-1. Chairman DePinto then read the application aloud into the record. Mr. Del Vecchio will provide a list of zip codes once they hire employees. They will submit a list to Ms. Hutter once received. Also apart of the application was the Montvale Police Department report. Chairman DePinto would like to amend the application once a facility manager is named. Mr. Del Vecchio found that to be acceptable. There was also a copy of a site plan attached for sign purposes. They will be coming back with a formal application for signage. The intended use of the property is a restaurant that has fine dining. There are 65 in the United States and this Flemings will be the 3rd one in New Jersey. The restaurant will have steaks, chops and seafood. A full bar and identical menu wise to the other locations. There will be no entertainment, the space is just used for guest seating. The seating capacity hasn't been developed yet and they will be back for an emended approval regarding the outdoor seating gazebo area. Chairman DePinto will make this a condition of approval. Mr. Gruber made a comment that all venting from the kitchen should be adequate since it's in the middle of apartment buildings. They needed to obtain this use permit for a construction timeline. Regarding parking, the plan is to push employees to park towards the back of the parking lot in order to make room for customers.

Regarding the sign, this would be a major upgrade than what was originally submitted. The revised plans now have a base of the letters along the gutter line. They are individual channel cut letters and they meet the code requirements in terms of letter height and length. They are internally illuminated and will be located at the south end of the canopy. The word "Flemings" will be above the narrow canopy. There is a wider portion of the canopy will have seating underneath. The plans submitted were marked as **A1** by Mr. Regan. The name "Flemings" will appear to float over the roof line of the canopy, not affixed to the face of the building. The other words will be on the face of the canopy beneath the canopy. Ms. Green stated that since this is above the roofline it does not attach to the wall so it is not considered a wall sign it

would in fact be considered a roof sign. Mr. Del Vecchio doesn't agree, the canopy changes the building coverage but if the board views this a variance they will proceed with a variance. Chairman DePinto polled the board to get their opinions on what location of the sign they would prefer. Mr. Lintner would support the applicant if they moved forward for a variance for the sign. All of the other board members agreed. Chairman DePinto stated that since they have to come for amended site plan approval, we might as well go for the variance at that time as well. The blade sign however is compliant.

A motion to request the board attorney to prepare a resolution of approval for the use permit as submitted and as amended as well as the blade sign as submitted was made by Mr. Stefanelli and seconded by Councilmember Koelling. 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 – Application for Preliminary and Final Subdivision and Preliminary and Final Site Plan Approval together w/ Bulk and Use Variances

Carried to May 16, 2023 – No other notice other than this announcement will be made. There will be no other certified mailings to any members of the public, the applicant is just relying on this statement. Mr. Del Vecchio submitted all revised plans and is ready to be heard at the next meeting.

RESOLUTIONS:

RESOLUTION GRANTING A MAJOR SOIL MOVEMENT PERMIT TO 25 TERRY COURT LLC FOR PREMISES DESIGNATED AS BLOCK 2305, LOT 20

Chairman DePinto read the resolution aloud into the record. Mr. Regan made minor changes. A motion to introduce was made by Councilmember Koelling and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

OTHER BUSINESS: None

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

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

Next Regular Scheduled Meeting: June 6, 2023

Respectfully Submitted,

Erica Davenport

Assistant to the Land Use Administrator