

REGULAR MEETING OF THE MONTVALE PLANNING BOARD
MINUTES

Tuesday, August 1, 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 7:55 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; Dante Teagno and Chairman DePinto

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

ABSENT: Christopher Gruber and Lorraine 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 – They had their meeting on July 17th and there was some discussion regarding Montvale Grove, LLC and they will provide their comments coming back about that application. They also spoke about changing the tree ordinance but nothing concrete.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli – Tonight there was one applicant which was Twin Oaks Group (Block 2408 Lot 2). They want to do a modification of a site plan to put a new sign up and do some rearranging of a dumpster. They will most likely be heard at our next meeting of September 5th.

MASTER PLAN COMMITTEE REPORT: Mr. Lintner – Tonight we met and discussed with Bob Hanrahan, Environmental Commission Chairman and Barbara Davis who is the author of some documents. They provided us with a copy of their Environmental Resource Inventory for our review. We spent about an hour discussing this and Barbara will be in the process of creating a final document for their final review. They also met with the Economic Development Committee and they described their role in the town and how it would be applied for the Master Plan.

CORRESPONDENCE: Mr. Regan addressed the letter that the Board received from Mr. Fogerty, attorney representing the Pascack Valley Regional High School District Board of Education regarding Montvale Grove, LLC. This letter was received on July 31, 2023 addressed to Chairman DePinto. Mr. Regan stated that he is not going to address this letter since this application has been closed and the board took a vote to have him prepare a resolution that will be discussed later this evening. The hearing for Montvale Grove, LLC is over and in order for this letter to be discussed, the application would have to be re-opened, residents would have to be re-noticed, re-advertised in the newspaper, and the application is done in terms of time. The Board of Education had their opportunity to be heard at any of their previous meetings when this application was being discussed (starting back in October) and they are too late. Also, Chairman DePinto questioned why this letter was sent to him directly when he recused himself from being a part of this application. Mr. Regan stated that this letter will not be discussed.

APPROVAL OF MINUTES: None

DISCUSSION: None

USE PERMITS:

Block 3004 Lot 2 – Zoom RPM – 50 Chestnut Ridge Road (4,200 sq. ft.)

Andrew P. Bolson, Esq. stepped forward from Meyerson, Fox & Conte to represent client, Zesh Mermelscein. Mr. Regan swore in Mr. Mermelscein. Mr. Bolson stated a few changes. The applicant should read as Zoom RMP, LLC. 4c. should read 50 Chestnut Ridge Road, Suite 230. 4f. should read 4,221 sq. ft. The application that was submitted did not include a floor plan and Mr. Bolson submitted this floor plan at a later date. Mr. Bolson also corrected the attorney

listed on the use permit should be corrected to read Mr. Bolson, Meyerson, Fox & Conte. Chairman DePinto read the application aloud into the record. Attached to the application is the Montvale Chamber of Commerce form, the Montvale Police Department form and a floorplan. Mr. Mermelscein gave a brief summary of his business. He stated he is in the healthcare business and provides software services for long term care. This will be his main office. No questions arose from any board members. A motion to approve was made by Mr. Zitelli and seconded by Councilmember Koelling. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 403 Lot 4 – Parkwood Assets, LLC – 72 Summit Avenue, Suite 112 (1,235 sq. ft.)

Andrew P. Bolson, Esq. stepped forward from Meyerson, Fox & Conte to represent client, Samuel Lipchitz. Mr. Regan swore in Mr. Lipchitz. Chairman DePinto read the application aloud into the record. Attached to the application is the Montvale Police Department form as well as a floor plan marked as Exhibit A. Also attached to the application is a list of employee zip codes. Mr. Lipchitz gave a brief summary of his business. He manages real estate assets. He has offices in Brooklyn and Florida and now he would like to open an office here in NJ. Chairman DePinto stated he will need to go to the building department for a CCO and he hopes they put the suite number on the door. No questions arose from any board members. A motion to approve was made by Mr. Culhane and seconded by Mr. Ryan. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

PUBLIC HEARINGS (NEW):

1. **Block 2408 Lot 2 – Twin Oaks Group II, LLC – 2-8 S. Kinderkamack Road – Variance Application**
-Carried to September 5, 2023 at the request of the applicant

PUBLIC HEARINGS (CONT): None

RESOLUTIONS:

Resolution Granting Preliminary Site Plan Approval, Variance Relief, A Waiver, A Major Soil Movement Permit, Approval of An Environmental Impact Statement, And Approval of Lot Consolidation to Montvale Grove, LLC For Premises Designated as Block 2002, Lots 13 and 14

Chairman DePinto, Councilmember Koelling, and Mr. Ryan recused themselves.

Mr. Stefanelli read the resolution into the record by title. A motion to introduce was made by Mr. Lintner and seconded by Mr. Culhane. Mr. Regan stated minor changes. A roll call vote was taken with all members stating aye. Mr. Regan stated that Mr. Stefanelli should be the signer of the resolution.

Resolution Granting Preliminary and Final Site Plan Approval, Variance Relief Pertaining to a Conditional Use, Other Variance Relief, Approval of a Conditional Use, a Major Soil Movement Permit, and a Waiver from the Requirement of Submitting an Environmental Impact Statement, to Rockland Electric Company for Premises Designated as Block 703, Lot 6

Chairman DePinto read the resolution into the record by title. A motion to introduce was made by Councilmember Koelling and seconded by Mr. Huseynov. Mr. Regan stated minor changes. A roll call vote was taken with all members stating aye. Mr. Lintner, Mr. Ryan and Mr. Zitelli abstained.

Resolution Determining the Addition to Memorial School Being Undertaken by the Montvale Board of Education is Consistent with the Borough Master Plan

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

OTHER BUSINESS: None

OPEN MEETING TO THE PUBLIC:

A motion to open the meeting up to the public was made by Mr. Stefanelli and seconded by Councilmember Koelling.

Cynthia Arnold – 34 Spring Valley Road – Ms. Arnold was very upset that Montvale Grove, LLC was approved by the board. Mr. Regan stated that the board does not make any comment and the board speaks through the resolution. Chairman DePinto stated that this is a preliminary approval that was granted. Before anything else can happen on this property there needs to be a submission of final approval and there will be an opportunity to speak again before the board.

A motion to close the meeting to the public was made by Mr. Culhane and seconded by Mr. Teagno. All in favor stated aye.

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

Next Regular Scheduled Meeting: September 5, 2023

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator