

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Minutes

Tuesday, February 15, 2011 at 7:30PM

Municipal Complex, 12 Mercedes Drive in Council Chambers

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.

Meeting opened at 7:45pm

Roll Call: Chairman asked the board secretary for a roll call.

Present: Mr. Bardes, Mr. Culhane, Mr. Fette, Mr. Moltzen, Mr. Lintner, Mr. Stefanelli, Councilman Lane, Mrs. Widmer, Mr. Vogt, Chairman DePinto

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

Absent: Mr. Pavlovich, Traffic Engineer, Mr. Teagno

MISC.MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER: Mr. Hipolit stated that PNC has requested a refund of escrow. It is suggested that a reduction of their escrow be done as they have issues with landscaping. DeMatteo property finished his work he needed to provide an easement. He has not yet perfected that. Mr. Regan stated that it was part of the resolution. Chairman DePinto asked that Mr. Regan send a letter to Mr. DeMatteo. Mr. Fette stated the problem it is a vacant lot. Mr. Regan stated a memorializing resolution was done and it would be due diligence for the buyer of the property to looking at what the approvals were for the land if someone were to purchase it. Mr. Lane asked is there any connection to the Enclave. There are no municipal ties stated Chairman DePinto. Mr. Lane would like the Enclave be made aware of it. There are plenty of eyes on the property stated Mr. Fette. Mr. Regan stated he will write a letter to Mr. Binder the attorney who represented Mr. DeMatteo at the hearing.. Chairman asked that Mr. Fette and Mr. Hipolit cooperate with Mr. Regan with whatever information he may need. Chairman stated that there should be no release on the bond until all requirements are met in regard to the bank. They are not in compliance with the lights they are left on the whole night at the bank and he asked Mr. Fette to send a letter or call to the bank manager in regard to the situation. The code is very specific of when the lights are to be shut off stated Chairman DePinto.

ZONING REPORT: Mr. Fette stated he issued 35 snow summons. Mr. Fette stated that the old 7-11 have cleaned up their signs. 14 Bryan Drive, retaining walls there has been no word from them. They are also deficient with their escrow stated Mr. Fette. Mr. Fette stated that Pentax removed one of their signs. Culhane's at 79 West Grand Avenue. The weather has held them up on the work that needs to be completed there with the roof. The next issue was 69 Woodland Avenue-a demo and rebuilt will be done. A height variance for a foot and a half is needed. Chairman stated that 69 Woodland came before the site plan review committee. Chairman asked about the NJ Transit parking lot, the fence is destroyed and he asked that he looks into what is being done. He is fearful of someone getting hurt. It isn't the borough that plows it stated Councilman Lane. Mr. Fette and Mr. Hipolit were asked to look into whom to contact at NJ transit.

ENVIRONMENTAL COMMISSION LIAISON REPORT: The environmental commission did not meet since its last report and they will not meet in February stated Mr. Vogt.

Site Plan Review: Chairman gave the report. 69 Woodland Avenue came before the committee. He is looking to rebuild his property on the same footprint. He will need two "d" variances for the use and a height variance. He needs to have his professionals revise the plan.

Second was a resident of Montvale, Michael Ghassali who is looking to lease the Krausers. He would like to move forward with continuation and expansion of the business with providing other services. The committee determined that there is not much that can be done to the site as it is 100% covered by impervious coverage. The main concern will be parking.

CORRESPONDENCE: On the back of the table

APPROVAL OF MINUTES: January 18, 2011-A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call vote was taken with Mrs. Widmer abstaining and all others voting aye.

DISCUSSION:

USE PERMITS:

1. **Block 1102-4-The Nook Market & Cafe-106-108 Spring Valley Road-(3100 sq ft)**
-Mr. Michael Ghassali came forward and was sworn in. Chairman DePinto read the application into the record. The zone was amended to read B1. Closing at 6:00 pm on Sunday was also added. There are 16 parking spaces in lease. They will require an outdoor sign. Signatures were verified. A floor plan was shown and attached. The retail space was laid out. Mr. Ghassali gave a brief summation of the interior changes that he wants to do. A dry cleaning drop off will be part of the store. New walls, floors, tables will be added, There will be 300 sq ft to be used for drying cleaning drop off and pick up. The main entrance will now be in the back of the school. If he needs a second sign then he will need a variance. The primary sign can be obtained from Mr. Fette's office. An application to the Board of Health and the Building Department to obtain permits will also be needed stated Chairman DePinto. No illumination signs, no neon signs Chairman reminded the applicant. Mr. Stefanelli stated that he has concerns with the parking and he wasn't aware that there was 16 parking spaces. Mr. Hipolit stated that there are 16 spaces stripped on the sight. He wants it to be successful but he is concerned with the parking. He asked about the county's wish to widening the road. Mr. Hipolit stated it is not planned anytime in the future. Mr. Lintner asked if he would be doing anything to the pavement. Mr. Ghassali stated yes. A question of the width of the driveway in the rear was asked. It is definitely 24 feet wide at least stated Mr. Hipolit. . Councilman Lane said it is a great improvement to the property his concern is also with parking. Mr. Culhane stated the calculations are not correct on the plan or the application is incorrect. It will be corrected stated Mr. Ghassali. Mr. Fette asked if any parking signage will be installed. Mr. Ghassali stated that he will probably be coming back before the board for additional signage. Any drawings need to be done by a licensed architect Mr. Fette stated to the applicant. Chairman reference a case that had taken place in Montvale in regard to parking. He said it will eventually self regulate itself the parking. Mr. Ghassali stated that they are in discussions with Western Union for having their employees' park in their parking lot. A motion to approve was made by Mr. Moltzen and seconded by Mr. Bardes. A roll call vote was taken with all voting aye.

2. **Block 2602 Lot 5-Kings Cleaners, LLC-120 Chestnut Ridge Road, (1500 sq. ft.)-Mr. Regan swore in Mr. Oh Sik Kim. There was a translator that was there which was his sister Hui Kim. Mr. Mancinelli represented the applicant. Chairman read the application into the record. Shoe repair was added and alterations will be done. Mr. Fette stated that not one hood is good for everything. Shoe repair and tailoring will be done on the site. There will be a sewing machine. Client was advised in regard to sign ordinance. Mr. Mancinelli stated he spoke also to the landlord. The only sign will be the one above the store. A ventilation hood was discussed. There is also a fan that is already there. A motion to approve was made by Councilman Lane and seconded by Mr. Culhane with all present voting aye.**

PUBLIC HEARINGS (new):

Block 3201-l-Reckitt Benckiser-New Building Addition-One Philips Parkway-Amended Site Plan Application- Mr. Greg Meese came forward representing the applicant. It is to add a 12ft by 107.2ft. addition. Mr. Kearns, representative from Reckitt, Mr. Preiss, Mr. Hipolit and Mr. Napolitano were all sworn in. There are 97 toilets there no but no lab benches. They want to add them to the area. There will be no personnel added. There are no additional parking spaces being built at this time. Mr. Fette asked about the last approval for the mixing shed. It is not shown on the plan. This is an addition to the last approval. Chairman asked about the intended use of the property. They will not require any more personnel. They currently do have parking that isn't used now. It doesn't have any impact on the testing. There will be no outside people coming into. The public will not have access to this area. The 2009 approval contains a condition upon the finding of the Borough or the Police department if parking is overflowing they will need to add the additional parking spaces. Mr. Steven Napolitano was the next witness and was qualified. He went over the site. It is a research and development building. In 2009 an addition was approved but has not been built yet. The size was 14155 sf. There is no increase in impervious coverage from this application and there is no stormwater runoff increasing either. The entire Site Plan was marked A1. The drawing Y2 was discussed. The applicant proposed 40.89% coverage for both the previously approved addition and this proposed addition. A variance for the size of the parking spaces is required. Mr. Hipolit's review letter was marked as B1. Mr. Hipolit went over the letter dated February 7, 2011. The applicant proposes a conceptual redesign of the parking lot to contain 270 sq ft. 8.5 ft wide by 20 ft long. Parking stalls from the previously approved conceptual parking plan to meet the number of parking stalls required for this proposed addition. The drainage will be going underground stated Mr. Napolitano. Mr. Napolitano stated that it had been approved in the last approval. He doesn't believe that there will be not many people going in or out. They arrive at work usually one person in the car. Police Department review was marked as B5. and read into the record. Mr. Boman's concern of the width parking spaces was discussed. It is not a supermarket and Mr. Napolitano believes it will not cause a problem. B6 Mr. Preiss' review letter was marked. He has no objection to granting the variances. Mr. Culhane asked is there much excavation in this project. There will be less than 50 cubic yards being moved. Mr. Stefanelli commented that they are usually all single drivers and he has no problem with the parking space sizes. Letter dated January 31, 2011 from Bergen County stating that it would be exemption from County Site Plan Review. The Bergen County Soil Conservation and it would be exempt also. It was dated January 28, 2011. Open the meeting to the public was made by Councilman Lane and seconded by Mr. Culhane. No one from the public wishing to be heard the meeting was closed to the public by a motion made by Mr. Vogt and seconded by Mrs. Widmer with all in favor stating aye.

Mr. Bardes asked about the five additional parking spaces. Clarification was given by Mr. Regan that it will not be implemented unless needed or recommended by the police department if there is overflow.

Polling on spaces:

Mr. Moltzen has no problem with the parking. Mr. Culhane and Mrs. Widmer, Mr. Fette is fine. Mr. Fette would like the signs. Councilman Lane, Mr. Stefanelli and Mr. Lintner stated they are fine with it and no signs. Mr. Vogt is fine with the stalls and no signs. Mr. Bardes is fine with the signs and no signs. Chairman DePinto is fine with the 8.5 and no signs.

The parking stalls will remain at 8.5. Chairman asked for a motion to request the board attorney to prepare a resolution was made by Mr. Vogt and seconded by Mr. Lintner. A roll call vote was taken with all voting aye.

RESOLUTIONS:

Block 204, Lot 1-Eric and Daniela Aiello-106 Upper Saddle River Road-Major Soil Movement Application- A motion to introduced was made by Mr. Vogt and seconded by Mr. Culhane. Daniela Aiello was present the escrow due was discussed. She stated that they would comply by posting the additional escrow. Mr. Fette stated without it no permits will be issued. A roll call was taken with Ms. Widmer abstaining and all others present voting aye.

PUBLIC HEARINGS (con't):

Block 302, Lot 1 & 4;Block 1002, Lot 7-K.Hovnanian North Jersey Acquisitions, LLC- Application for Combined Preliminary & Final Major Subdivision and Application for Preliminary Site Plan Approval for Del Ben at Montvale.
[Click here for transcript.](#)

Other Business-none

Open Meeting to the Public-A motion to the public was made by Councilman Lane and seconded by Mr. Culhane. No one from the public wishing to be heard a motion to Councilman Lane and seconded by Mr. Culhane with all voting aye.

Adjournment A motion to adjourn was made by Mr. Vogt and seconded by Mr. Stefanelli all in favor voting aye.

Next Regular Scheduled Meeting: March 1, 2011 7:30 p.m.

Respectively submitted by:

**R. Lorraine Hutter
Land Use Administrator**