

AGENDA
MEETING OF THE MONTVALE PLANNING BOARD
Tuesday, July 17, 2018 at 7:30PM- REVISED JULY 17, 2018
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.

ROLL CALL:

**MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH
ENGINEER:**

ZONING REPORT:

ENVIRONMENTAL COMMISSION LIAISON REPORT:

SITE PLAN COMMITTEE REPORT:

CORRESPONDENCE: Placed on the Back Table

APPROVAL OF MINUTES: July 3, 2018

USE PERMITS:

1. Block 2802 Lot 2 Qualifier C001A-Montvale Farm Pizza d/b/a Blaze Pizza-38 Farm View-
2497 sq. ft. Use Permit and Signage. **Carried to July 30,2018**

PUBLIC HEARINGS (NEW):

1. Block 1903, Lot 7 - Toll Brothers- Two Paragon Drive - Amended Site Plan and Major Soil
Movement Application
2. Block 1902, Lot 5 - ARV at Montvale Grand LLC-Amended Site Plan Application –
Carried to August 21, 2018, no further notice required.

PUBLIC HEARINGS (CONT):

1. Block 1102 Lot 2.01 - TSL Pike Predevelopment, LLC - 110 Summit Avenue - Amended Site Plan
Application with Variances
2. Block 505 Lot 3 – Jacovino - 31Terkuile Road- Variance Application

3. Block 201, Lot 3-Lawrence and Tania Pinto-121 Upper Saddle River Road-Minor Subdivision Application. **Carried to August 21, 2018**
4. Block 1103 Lot 5 and Block 403 Lot 1-Metropolitan Home Development at Werimus, LLC- 87 and 91 Spring Valley Road-Amended Site Plan and Major Soil Movement Application **-At the applicant's request this application has been carried to August 21, 2018**
5. Block 2702, Lot 1, Block 2801, Lot 2 and Block 3201, Lot 6-Triboro Square-Mercedes Drive, Grand Avenue and Glenview Avenue-Planned Unit Development, Preliminary and Final Site Plan (Phase 1) Planned Unit Development and Preliminary Site Plan (Phase II) –Glenview Road (PUD) - **Carried to a Special Meeting to be held on July 30th, 2018**

DISCUSSION:

RESOLUTION:

1. 2802 Lot 2, Qualifier C001A-Wind Wellness Center-Shoppes at DePiero Farm -
56 Farm View - D(1) Use Permit and Signage Application

**Other Business
Open Meeting to the Public**

Adjournment

Next Regular Scheduled Meeting: August 7, 2018 at 7:30pm

Next Special Meeting Scheduled:

Triboro Square-Block 2702, Lot 1 and Block 2801, Lot 2 and Block 3201 Lot 6 - July 30, 2018 at 7:00pm

Save Form

Print Form

Reset Form



Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board Site Plan Review & Variance Application

Date: May 21, 2018

Please note: 17 sets of the completed application form must be submitted to the Board Secretary
Also note: Unfolded plans will not be accepted

Please indicate the purpose of this application:

- ☐ Presubmission Conference or Informal Site Plan Review
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☒ Application for Formal Site Development Plan Review
(Complete all Parts)
- ☐ Informal Review of an Amendment or change to previously Approved Site Development Plan
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☐ Formal Review of an Amendment or change to previously Approved Site Development Plan
(Complete all Parts)

Part 1

1a. Name of Applicant: Two Paragon Drive, LLC

1b. Street: 1 Paragon Drive

1c. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

1d. Phone: _____

1e. Email: _____

2. Is the above listed applicant:

- ☐ an individual
- ☐ a partnership
- ☐ a corporation
- ☒ or other Limited Liability Company

**MONTVALE PLANNING BOARD
ORIGINAL-FILE COPY**

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: Antimo A. Del Vecchio, Esq.

4b. Firm: Beattie Padovano, LLC

4c. Street: 50 Chestnut Ridge Road, Suite 208

4d. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

4e. Phone:

4f. Email:

5. To whom should correspondence and notices be sent?

5a. Name: Antimo A. Del Vecchio, Esq., c/o Beattie Padovano, LLC

5b. Street: 50 Chestnut Ridge Road, Suite 208

5c. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

5d. Phone:

5e. Email:

6. Montvale Tax Assessment Map description of land involved:

6a. Block: 1903

6b. Lot: 7

6c. P.O. Street Address: 2 Paragon Drive

6d. Nearest Cross Streets: Summit Avenue

6e. Zone District: AH-6A

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

☐ Contract purchaser

☐ Contract tenant

☐ Attorney for record owner

☒ Other: Describe: Not Applicable

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

The existing use is a vacant land, previous use was for an office building and the applicant is proposing to subdivide the property into 3 lots (Lots 7, 7.01 and 7.02) with a proposed use of 80 residential units including 16 affordable units.

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

☐ Yes

☒ No, not in connection with the development of the property for residential.

If yes, give the dates, details and disposition of the previous proceedings:

10. Has an application been submitted to the Bergen County Planning Board?

☒ Yes

☐ No

If yes, give the dates, details and status of the application:

Pending, submitted simultaneously with this application.

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

Not applicable

11. Are the following documents attached and made a part of this application:

☒ Yes ☐ No

Certification of Applicant

☒ Yes ☐ No

Affidavit of Consent of Record Owner

☐ Yes ☒ No

Certification of Payment of Taxes

(attach copy of certification of tax collector as to status of real property taxes related to subject property)

Application will be deemed incomplete if taxes aren't paid up-to-date.

☒ Yes ☐ No

Completed Site Plan Checklist

☒ Yes ☐ No

Proof of Ownership or Property Interest

(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)

☒ Yes ☐ No

W-9 Form-Request for Taxpayer ID #

If any of the above items are checked no, state why:

A certification of payment of taxes to be submitted with hearing affidavit.

Part 2

1. Is the following document attached and made a part of this application:

☐ Yes ☒ No

Proof of Notification to Property Owners
(attach copy of notice and proof that at least 10 days prior to date set for hearing,
property owners within 200' of the subject property have been notified in accordance
with the Municipal Land Use Act)

If checked no, state why:

Public Notice may not be given until the Planning Board establishes a hearing date. If public notice is required, the necessary proofs will be submitted at, or prior to, the public hearing.

2. Provide below the names and addresses of the property owners notified:

Public Notice may not be given until the Planning Board establishes a hearing date. If public notice is required, the necessary proofs will be submitted at, or prior to, the public hearing.

Part 3 - Application for Zoning Variance Relief

In connection with your application for subdivision zoning variance relief from the terms of the comprehensive Revised Montvale Zoning Ordinance, as amended and supplemented, please set forth:

- A. The Section(s) of the applicable Ordinance(s) of the Borough of Montvale from which deviation relief is requested:

Not applicable

- B. The nature of the Zoning Variance relief requested:

Not applicable

C. In what manner, in this particular case, the strict application of the foregoing Zoning Regulations will result in practical difficulties or undue hardship upon the applicant inconsistent with the general purpose and intent of said regulations:

Not applicable.

D. In what manner in this particular case, there exists exceptional circumstances or conditions applicable to the premises which are the subject of this application, which do not apply generally to other premises located in the same zone district or neighborhood:

Not applicable.

E. In what manner, in this particular case, the purpose of Zoning would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment:

Not applicable.

F. In what manner, in this particular case, the granting of the variance relief requested will not be substantially detrimental to the public welfare or injurious to the premises in the area in which the premises which are a subject of this application are located:

Not applicable.

Part 4 - Application for Modification or Waiver of Site Plan Details

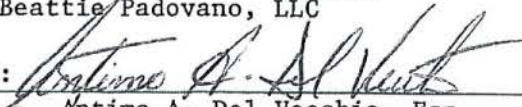
In connection with your application for modification or waiver of site plan details, please set forth:

- A. List the Section(s) of the Site Plan Ordinance requiring Site Plan Details which are purposely omitted from your Site Plan:

All items for which a waiver has been identified and/or requested on the attached site plan form. See checklist.

- B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat:

Area to be disturbed was, until recently, improved with an office building.

Application prepared by: <u>Antimo A. Del Vecchio, Esq. c/o Beattie Padovano, LLC</u>	
	Name
<u>50 Chestnut Ridge Road, Suite 208, Montvale, NJ 07645</u>	
	Address
<u>Beattie Padovano, LLC</u>	
Signature:	By: <u></u>
	Antimo A. Del Vecchio, Esq.
Date:	<u>5/18/18</u>

Part 5 - Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

Two Paragon Drive, LLC

Signature of Applicant By:

Mark Schaevitz

Signature of Applicant

Subscribed and sworn to before me this

18

day of

May, 2018

Lorraine B. Capizzi

Notary Public

LORRAINE B. CAPIZZI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 9/12/2018



Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board Soil Movement Application

MONTVALE PLANNING BOARD ORIGINAL-FILE COPY

Instructions: To be used in connection with all soil movement in excess of 500 cubic yards

Please note: 17 copies of the completed application form must be submitted to the Board Secretary.

Also note: There will be a permit issued upon the approval of this application by the Board.

Fee: This application must be submitted to the Secretary of the Board with a filing fee payable to the Borough of Montvale plus an amount computed per cubic yard as stated in this application and certified on the attached topographical map. See the Planning/Zoning Boards [fee schedule](#).

Escrow Deposit: In addition, there must be posted with the Borough of Montvale, through the Secretary of the Planning Board, an escrow to reimburse the Borough of Montvale on account of services rendered by its professionals and those of the approving authority on account of this application, which fee may be increased from time to time as may be reasonably required.

[Click here for the escrow amount.](#)

Form W9: This form must be completed and submitted with the application. Click on this [link](#) to download, print, and fill out. Upon completion of the soil movement activity and the approval of an as-built plan by the Municipal Engineer, any sums then remaining in the escrow account shall be returned to the applicant.

Name, current address and phone number of the applicant (or tenant):

1a. Name of Applicant: Two Paragon Drive, LLC
1b. Street: 1 Paragon Drive
1c. Town /State/Zipcode: Montvale, New Jersey 07645 New Jersey -
1d. Phone: _____
1e. Fax: _____
1f. Email: mschaevitz@paragonrg.com

If the applicant is represented in this application by a NJ attorney, the attorney's name, firm, address, and phone number must be listed here:

2a. Name of Attorney: Antimo A. Del Vecchio, Esq.
2b. Firm: Beattie Padovano, LLC
2c. Street: 50 Chestnut Ridge Road, Suite 208
1d. Town /State/Zipcode: Montvale, New Jersey 07645 New Jersey -
1e. Phone: _____
1f. Fax: _____
1g. Email: adelvecchio@beattielaw

Name, current address and phone number of the building owner/landlord:

3a. Name of Landlord/Owner: Two Paragon Drive, LLC
3b. Street: 1 Paragon Drive
3c. Town /State/Zipcode: Montvale, New Jersey 07645 New Jersey -
3d. Phone: _____
3e. Fax: _____
3f. Email: _____

Name, current address and phone number of soil excavator:

4a. Name of Soil Excavator: To be determined
4b. Street: _____
4c. Town /State/Zipcode: New Jersey -
4d. Phone: _____
4e. Fax: _____
4f. Email: _____

Name, current address and phone number of soil transporter:

5a. Name of Soil Transporter: to be determined

5b. Street:

5c. Town /State/Zipcode:

New Jersey

5d. Phone:

5e. Fax:

5f. Email:

Name, current address and phone number of licensed NJ Engineer who prepared the cubic yard soil movement calculation:

6a. Name of Engineer: Eric L. Keller of Bowman Consulting Group, Ltd.

6b. Street: 54 Horsehill Road, Suite 100

6c. Town /State/Zipcode: Cedar Knolls, New Jersey 07927

New Jersey

6d. Phone:

6e. Fax:

6f. Email:

The site of soil movement:

7a. Block #: 1903 7b. Lot #: 7

7c. Street: 2 Paragon Drive

7d. Proposed commencement date: October 2018

7e. Proposed completion date: October 2020

7f. The kind and estimated quantity in cubic yards of soil to be moved:

9,000 c.y. of cut and 31,000 c.y. of fill

7g. Reason for soil movement:

To develop the property for the use of 80 residential units including 16 affordable units

7h. Full address of where soil will be moved FROM:

2 Paragon Drive, Montvale, New Jersey 07645

7i. Full address of where soil will be moved TO:

To be determined

7j. Proposed street route of soil movement:

To be determined in consultation with the Borough Engineer and the Borough Police Department

7k. Provide a statement as to how the soil movement will affect any trees on the subject property with a diameter of 6 inches or more:

Please see site plan filed with this application.

Two Paragon Drive, LLC

By: 

Signature of Applicant

Two Paragon Drive, LLC

Mark Schaevitz

Print/Type Applicant Name

By: 

Signature of Owner/Landlord Consenting to Application

Mark Schaevitz

Print/Type Owner/Landlord Name

The applicant shall submit 17 copies of a topographical map, prepared, and signed by a licensed NJ Engineer, which shall indicate the existing condition of the site and extending 50' outside the periphery, together with proposed grading and drainage details and soil movement calculations.

A public hearing is required on this matter. Therefore, the applicant must obtain a Certified Property Owners List from the Board Secretary, establishing property owners within 200'. Adequate notice must be published as a Legal Advertisement in a newspaper of general circulation within the Borough and notice of said hearing, in the proper form, must be sent to each of the property owners included on the Certified List. Proof of service and the affidavit of publication must be presented to the Board Attorney, for his review, no later than the time of the hearing.

By signature, the applicant and the owner of said lands, signify approval of the application, consent to the application to perform the proposed work, and consent to the Borough of Montvale, in the event of failure of the applicant to do so, to cause the proposed work to be completed or otherwise terminated in keeping with the purpose and objectives of Ordinance #86-816.

Two Paragon Drive, LLC

By: 

Signature of Applicant
Two Paragon Drive, LLC

Mark Schaevitz

Print/Type Applicant Name

By: 

Signature of Property Owner
Consenting to Application

Mark Schaevitz

Print/Type Property Owner Name

I certify this to be a true copy of the Major Soil Movement Application, approved by the Planning Board of the Borough of Montvale, at its meeting held on Tuesday,

_____, 20

Secretary of the Montvale Planning Board

Notice: Within 30 business days of approval, the applicant or his representative must deliver a copy of this application form (Signed by the Secretary of the Board) to the Montvale Building Department for final processing and to the Police Department with a specific proposal for time, number of trucks, size of trucks, hours and route. Failure to deliver a signed copy within the prescribed time period may result in a denial of a permit and reappearance before the Montvale Planning Board may be required.



Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board Minor Subdivision Application

Application for Minor Subdivision, Classification, and Sketch Plat Review

In Accordance with the provisions of the Montvale Subdivision Ordinance,
Section 56-5: Definitions: A Minor Subdivision is defined as follows:

Any Subdivision containing not more than 4 lots, each fronting on a street fully improved in accordance with the standards specified in this Ordinance and the Road Improvement Ordinance of the Borough of Montvale, a distance of not less than 100 feet or the full width of each lot, whichever is greater, not involving any new street or road or the extension of the municipal facilities and not adversely affecting the development of the lot to be divided, the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinances, or this Ordinance.

Please note: 17 sets of the completed application form must be submitted to the Board Secretary

Date: May 21, 2018

Please indicate the purpose of this application:

- ☐ Minor Subdivision Classification
☒ Minor Subdivision Sketch Plat Review
☐ Amendment to Approved Minor Subdivision Sketch Plat

1a. Name of Applicant: Two Paragon Drive, LLC

1b. Street: 1 Paragon Drive

1c. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

1d. Phone:)

1e. Email:

2. Is the above listed applicant:

- ☐ an individual
☐ a partnership
☐ a corporation
☒ or other Limited Liability Company

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: Antimo A. Del Vecchio, Esq.

4b. Firm: Beattie Padovano, LLC

4c. Street: 50 Chestnut Ridge Road, Suite 208

4d. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

4e. Phone: _____

4f. Email: _____

5. To whom should correspondence and notices be sent?

5a. Name: Antimo A. Del Vecchio, Esq. c/o Beattie Padovano, LLC

5b. Street: 50 Chestnut Ridge Road, Suite 208

5c. Town /State/Zipcode: Montvale, New Jersey 07645

New Jersey

5d. Phone: (_____) _____

5e. Email: _____

6. Montvale Tax Assessment Map description of land proposed to be subdivided:

6a. Block: 1903

6b. Lot: 7

6c. P.O. Street Address: 2 Paragon Drive

6d. Nearest Cross Streets: Summit Avenue

6e. Zone District: AH-6A

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

☐ Contract purchaser

☐ Contract tenant

☐ Attorney for record owner

☐ Other: Describe: Not Applicable

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

The existing use is a vacant land, previous use was for an office building and the applicant is proposing to subdivide the property into 3 lots (Lots 7, 7.01 and 7.02) with a proposed use of 80 residential units including 16 affordable units.

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

☐ Yes

☒ No, not in connection with the redevelopment of the property for residential.

If yes, give the dates, details and disposition of the previous proceedings:

10. Has an application been submitted to the Bergen County Planning Board?

- ☒ Yes
☐ No

If yes, give the dates, details and status of the application:

Pending, submitted simultaneously with this application

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

Not applicable

11. Are the following documents attached and made a part of this application:

- | | | |
|--------------------------------------|-------------------------------------|---|
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Certification of Applicant |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | W-9 Form Completed |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Affidavit of Consent of Record Owner |
| <input type="radio"/> Yes | <input checked="" type="radio"/> No | Certification of Payment of Taxes
(attach copy of certification of tax collector as to status of real property taxes related to subject property) |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Completed Subdivision Checklist |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Proof of Ownership or Property Interest
(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing) |

If any of the above items are checked no, state why:

Certification of payment of taxes to be submitted with hearing affidavit.

Application for Modification or Waiver of Site Plan Details

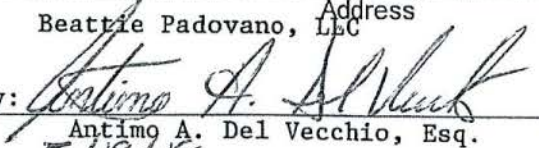
In connection with your application for modification or waiver of site plan details, please set forth:

- A. List the Section(s) of the Subdivision Ordinance requiring Subdivision Details which are purposely omitted from your Site Plan:

None

- B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat:

Not applicable

Application prepared by: Antimo A. Del Vecchio, Esq. c/o Beattie Padovano, LLC	
	Name
50 Chestnut Ridge Road, Montvale, NJ 07645	
	Address
Beattie Padovano, LLC	
Signature: By:	
	Antimo A. Del Vecchio, Esq.
Date:	5/18/18

Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.
Two Paragon Drive, LLC

Signature of Applicant

By:

Mark Schaevitz

Signature of Applicant

Subscribed and sworn to before me this

18th day of MAY, 2018

Lorraine B. Capizzi
Notary Public

LORRAINE B. CAPIZZI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 9/12/2018



Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board Site Plan Review & Variance Application

ORIGINAL

MONTVALE PLANNING BOARD
ORIGINAL-FILE COPY

Date: April 20, 2018

Please note: 17 sets of the completed application form must be submitted to the Board Secretary
Also note: Unfolded plans will not be accepted

Please indicate the purpose of this application:

BOROUGH OF MONTVALE

- ☐ Presubmission Conference or Informal Site Plan Review
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☐ Application for Formal Site Development Plan Review
(Complete all Parts)
- ☐ Informal Review of an Amendment or change to previously Approved Site Development Plan
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☒ Formal Review of an Amendment or change to previously Approved Site Development Plan
(Complete all Parts)

2018 APR 23 PM 1:43

Part 1

1a. Name of Applicant: ARV at Montvale Grand, LLC

1b. Street: 305 W. Grand Avenue

1c. Town /State/Zipcode: Montvale

New Jersey

07645 -

1d. Phone: _____

1e. Email: _____

2. Is the above listed applicant:

- ☐ an individual
- ☐ a partnership
- ☐ a corporation
- ☒ or other New Jersey Limited Liability Company

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

Saigam Realty, LLC, sole managing member of ARV at Montvale Grand, LLC, 305 W. Grand Avenue, Montvale, New Jersey 07645.

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: Robert J. Mancinelli, Esq.

4b. Firm: Rubenstein, Meyerson, Fox, Mancinelli, Conte & Bern, P.A.

4c. Street: 1 Paragon Drive, Suite 240

4d. Town /State/Zipcode: Montvale New Jersey 07645 -

4e. Phone: -

4f. Email: -

5. To whom should correspondence and notices be sent?

5a. Name: Robert J. Mancinelli, Esq.

5b. Street: 1 Paragon Drive, Suite 240

5c. Town /State/Zipcode: Montvale New Jersey 07645 -

5d. Phone: -

5e. Email: -

6. Montvale Tax Assessment Map description of land involved:

6a. Block: 1902 6b. Lot: 5

6c. P.O. Street Address: 305 W. Grand Avenue

6d. Nearest Cross Streets: East of Garden State Parkway & West of Craig Road

6e. Zone District: OR-3

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

☐ Contract purchaser

☐ Contract tenant

☐ Attorney for record owner

☐ Other: Describe: -

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

Purpose of application is to modify amended site plan approval, wherein Applicant proposes replacement of existing free standing monument sign and installation of one (1) new double sided illuminated monument sign; one (1) new freestanding double sided directional sign; three (3) new freestanding single sided directional sign on the subject premises; and two (2) mounted signs on marking the east and west entrances on the existing building canopies.

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

☒ Yes

☐ No

If yes, give the dates, details and disposition of the previous proceedings:

To the best of Applicant's knowledge the Board granted amended site plan approval on December 6, 2005, and extended said approval on November 20, 2007.

This Applicant appeared before the Board for informal site plan review on June 6, 2017.

10. Has an application been submitted to the Bergen County Planning Board?

☐ Yes

☒ No

If yes, give the dates, details and status of the application:

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

To be submitted.

11. Are the following documents attached and made a part of this application:

☒ Yes ☐ No

Certification of Applicant

☐ Yes ☒ No

Affidavit of Consent of Record Owner

☒ Yes ☐ No

Certification of Payment of Taxes

(attach copy of certification of tax collector as to status of real property taxes related to subject property)

Application will be deemed incomplete if taxes aren't paid up-to-date.

☒ Yes ☐ No

Completed Site Plan Checklist

☒ Yes ☐ No

Proof of Ownership or Property Interest

(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)

☒ Yes ☐ No

W-9 Form-Request for Taxpayer ID #

If any of the above items are checked no, state why:

The Applicant is the record owner of the subject premises, as such an Affidavit of Consent is not being provided.

Part 2

1. Is the following document attached and made a part of this application:

☐ Yes ☒ No

Proof of Notification to Property Owners
(attach copy of notice and proof that at least 10 days prior to date set for hearing,
property owners within 200' of the subject property have been notified in accordance
with the Municipal Land Use Act)

If checked no, state why:

When application is deemed complete by the Montvale Planning Board and a hearing date is provided, Applicant's Attorney will notify the property owners, publish and file an Affidavit of Service at least ten (10) days prior to the hearing in accordance with the Municipal Land Use Law.

2. Provide below the names and addresses of the property owners notified:

See tax list attached hereto as Exhibit "C"

Part 3 - Application for Zoning Variance Relief

In connection with your application for subdivision zoning variance relief from the terms of the comprehensive Revised Montvale Zoning Ordinance, as amended and supplemented, please set forth:

- A. The Section(s) of the applicable Ordinance(s) of the Borough of Montvale from which deviation relief is requested:

- (1) Section 128-9.7A.6A
- (2) Section 128-9.7A.6A(2)
- (3) Section 128-9.7A.9J
- (4) Section 128-9.7A.9S

- B. The nature of the Zoning Variance relief requested:

Applicant's proposed signage exceeds the number of signs permitted; maximum sign area; maximum number of colors; and is located less than 10 feet above the average ground elevation.

- C. In what manner, in this particular case, the strict application of the foregoing Zoning Regulations will result in practical difficulties or undue hardship upon the applicant inconsistent with the general purpose and intent of said regulations:

The subject premises is uniquely shaped in that it has multiple rear yards and a single side yard. Parking is currently located in the front, side and rear yards. The proposed signage will clearly identify the current tenancies, and will promote safer traffic circulation into and around the subject premises.

- D. In what manner in this particular case, there exists exceptional circumstances or conditions applicable to the premises which are the subject of this application, which do not apply generally to other premises located in the same zone district or neighborhood:

Proposed changes to existing signs will provide a more aesthetically look and improve overall appearance to building. Additionally, the additional monument sign and replacement of directional signs on-site will provide a safer access to site as visitors will be able to identify building and avoid having to make sudden movement to entranceway off Grand Avenue.

- E. In what manner, in this particular case, the purpose of Zoning would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment:

Proposed changes to existing signs will provide a more aesthetically look and improve overall appearance to building. Additionally, the additional monument sign and replacement of directional signs on-site will provide a safer access to site as visitors will be able to identify building and avoid having to make sudden movement to entranceway off Grand Avenue.

- F. In what manner, in this particular case, the granting of the variance relief requested will not be substantially detrimental to the public welfare or injurious to the premises in the area in which the premises which are a subject of this application are located:

The proposed deviation will provide safer traffic flow into and around the subject premises.

**Borough Of Montvale**

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board
Site Plan Review & Variance Application

MONTVALE PLANNING BOARD
ORIGINAL-FILE COPY

Date: _____

Please note: 17 sets of the completed application form must be submitted to the Board Secretary
Also note: Unfolded plans will not be accepted

Please indicate the purpose of this application:

- ☐ Presubmission Conference or Informal Site Plan Review
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☒ Application for Formal Site Development Plan Review
(Complete all Parts)
- ☐ Informal Review of an Amendment or change to previously Approved Site Development Plan
(Complete Parts 1, 3, 4, 5, 6, 7 & 8)
- ☐ Formal Review of an Amendment or change to previously Approved Site Development Plan
(Complete all Parts)

Part 1

1a. Name of Applicant: TSL Pike Predevelopment LLC

1b. Street: 171 Fifth Avenue

1c. Town /State/Zipcode: Paterson New Jersey 07524

1d. Phone: _____

1e. Email: _____

2. Is the above listed applicant:

- ☐ an individual
- ☐ a partnership
- ☐ a corporation
- ☒ or other New Jersey Limited Liability Company

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: Jerome A. Vogel, Esq.

4b. Firm: Jeffer, Hopkinson & Vogel

4c. Street: 1600 Rt. 208 No.

4d. Town /State/Zipcode: Hawthorne New Jersey 07506

4e. Phone: _____

4f. Email: _____

5. To whom should correspondence and notices be sent?

5a. Name: Jerome A. Vogel, Esq.

5b. Street: Same as above

5c. Town /State/Zipcode: _____ New Jersey _____

5d. Phone: _____

5e. Email: _____

6. Montvale Tax Assessment Map description of land involved:

6a. Block: 1102 6b. Lot: 2.01

6c. P.O. Street Address: 110 Summit Avenue

6d. Nearest Cross Streets: Morgan Court (100 ft.), Old Woods Lane (200 ft.)
Paragon Drive (300 ft.)

6e. Zone District: Office and Research (OR-3)

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest: _____

☒ Contract purchaser

☐ Contract tenant

☐ Attorney for record owner

☐ Other: Describe: _____

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

Presently an 82,000 square foot office building.

Proposed a 205,623 square foot Assisted/Independent Living Facility comprised of 81 assisted living units, 90 independent living units and 32 memory care units.

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

☒ Yes

☐ No

If yes, give the dates, details and disposition of the previous proceedings:

Planning Board Resolution dated April 20, 2010 to Rockland Electric. Resolution granting approval for site plan, variance, waivers, conditional use, soil movement, environmental impact.

Assume a prior site plan was approved for the existing office building some decades ago.

10. Has an application been submitted to the Bergen County Planning Board?

- ☒ Yes Contemporaneous with this application.
☐ No

If yes, give the dates, details and status of the application:

Submission contemporaneous with this application.

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

11. Are the following documents attached and made a part of this application:

- | | | |
|--------------------------------------|--------------------------|---|
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Certification of Applicant |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Affidavit of Consent of Record Owner |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Certification of Payment of Taxes
(attach copy of certification of tax collector as to status of real property taxes related to subject property)
Application will be deemed Incomplete if taxes aren't paid up-to-date. |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Completed Site Plan Checklist |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | Proof of Ownership or Property Interest
(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing) |
| <input checked="" type="radio"/> Yes | <input type="radio"/> No | W-9 Form-Request for Taxpayer ID # |

If any of the above items are checked no, state why:

Part 2

1. Is the following document attached and made a part of this application:

- ☐ Yes ☒ No Proof of Notification to Property Owners
(attach copy of notice and proof that at least 10 days prior to date set for hearing,
property owners within 200' of the subject property have been notified in accordance
with the Municipal Land Use Act)

If checked no, state why:

To be accomplished upon the designation of a public hearing date.

2. Provide below the names and addresses of the property owners notified:

Please see certified list attached.

Part 3 - Application for Zoning Variance Relief

In connection with your application for subdivision zoning variance relief from the terms of the comprehensive Revised Montvale Zoning Ordinance, as amended and supplemented, please set forth:

A. The Section(s) of the applicable Ordinance(s) of the Borough of Montvale from which deviation relief is requested:

Use Variances pursuant to NJSA 40:55D-70d from
Sec. 128-5.4F(3) inclusion of independent living units and memory care units.
Sec. 128-5.4F(3)(h) Maximum FAR proposed at 0.45 where 0.35 required.

Bulk Variances as set forth on Limiting Schedule attached.

B. The nature of the Zoning Variance relief requested:

Use and Bulk Variances as set forth in A above and Limiting Schedule attached.

C. In what manner, in this particular case, the strict application of the foregoing Zoning Regulations will result in practical difficulties or undue hardship upon the applicant inconsistent with the general purpose and intent of said regulations:

The general purpose and intent are not only accommodated but exceeded. The Borough ordinance would allow for up to 280 assisted living units on the property. The proposed structure contains only 203 units, albeit with enhanced functions.

(This response continues in D, E & F below.)

D. In what manner in this particular case, there exists exceptional circumstances or conditions applicable to the premises which are the subject of this application, which do not apply generally to other premises located in the same zone district or neighborhood:

The premises is uniquely situated and configured to accommodate the intent and purpose of the zoning ordinance to provide assisted living residences reserving in excess 10% of the licensed beds for Medicaid eligible persons such that 25 units will qualify as Affordable Units for the purposes of the Borough of Montvale's Housing Element and Fair Share Plan.

E. In what manner, in this particular case, the purpose of Zoning would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment:

The inclusion of independent and memory care units not only provides and contemplates a continuum of care but supports the 25 affordable care units for the purposes of the Borough of Montvale's Housing Element and Fair Share Plan.

The standard for a floor area ratio variance simply provides that the site will accommodate a ratio larger than that permitted by the ordinance, a circumstance clearly present with regard to this proposed facility.

F. In what manner, in this particular case, the granting of the variance relief requested will not be substantially detrimental to the public welfare or injurious to the premises in the area in which the premises which are a subject of this application are located:

The OR-3 district provides for assisted living facilities as a permitted use. The proposal of less than the maximum number of units (203 proposed when 280 permitted) while providing for more than 10% of affordable licensed beds for the purposes of the Borough of Montvale's Housing Element and Fair Share Plan (25 proposed where 10% = 21) on a site that accommodates a structure consistent with attendant characteristics.

Part 4 - Application for Modification or Waiver of Site Plan Details

In connection with your application for modification or waiver of site plan details, please set forth:

A. List the Section(s) of the Site Plan Ordinance requiring Site Plan Details which are purposely omitted from your Site Plan:

B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat:

Application prepared by: Jerome A. Vogel, Esq., c/o Jeffer, Hopkinson & Vogel
Name

1600 Rt. 208 North, Hawthorne, NJ 07506
Address

Signature: 

Date: 4/12/18

Part 5 - Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

Signature of Applicant TSL Pike Predevelopment, LLC

Signature of Applicant By: David Weiner
David Weiner, Managing Member

Subscribed and sworn to before me this 16 day of April, 2018

Cindy Kelly
Notary Public



**Borough of Montvale
Planning Board**

2018 MAY 3 PM 3:43

Zoning Variance ApplicationDate: 5-1-18

Application is hereby made for variance from the zoning ordinance. If additional relief is sought; e.g. subdivision, site plan approval, appeal from administrative office, provide appropriate details.

1. Applicant's name, address, phone number and email address:

Mario Jacovino, 31 Terkuile Road, Montvale, New Jersey 07645

c/o David S. Lafferty, Esq., Huntington Bailey, LLP, 373 Kinderkamack Road, Westwood,
New Jersey 07675

2. Is the above listed applicant:

☒ an individual

☐ a partnership

☐ a corporation

☐ or other _____

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

N/A

4. If applicant is represented by a NJ Attorney, state the Attorney's name, firm address, phone number and email address:

David S. Lafferty, Esq., Huntington Bailey, LLP, 373 Kinderkamack Road, Westwood, New
Jersey 07675.

5. To whom should correspondence and notices be sent?

See #4 above.

6. Montvale Tax Assessment Map description of land involved:

Block(s): 505 Lot(s): 3
P.O. Street Address: 31 Terkuile Road
Nearest Cross Streets: Hilton Place
Zone District: R-40
Size of Tract: front 2001 rear 2001 sides 2001

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

- ☐ Contract purchaser
☐ Contract tenant
☐ Attorney for record owner
☐ Other: Describe:

N/A

8. Give size of proposed building or addition:

- ☒ House 6,058
☐ Garage
☐ Room
☐ Other: Describe: N/A

Height of building _____ No. of Stories _____

Type of Construction ☒ Frame ☐ Brick ☐ Other _____

9. Purpose of application: (Give a detailed description of the use of the property, present and proposed:

Variance for building coverage of 16.6% where 15% permitted

10. Check and give full description of variance(s) requested

(residents see 'Letter of Denial' from Construction Department):

- ☐ Width ☐ Depth ☒ Area ☐ Front Yard ☐ Rear Yard
☐ Side Yards ☐ Accessory Building ☐ Height of Structure
☐ Use (specify below) ☒ Other (specify below)

11. With respect to each variance requested, set forth in detail the requirement(s) of the zoning ordinance and the extent to which the proposed structure or use fails to comply therewith.

Maximum Building Coverage per lot is 15%. Applicant seeks approval for building coverage of 16.6%,

12. To your knowledge, has any previous application involving the subject premises been taken to the Board of Adjustment or the Planning Board?

☐ Yes ☒ No

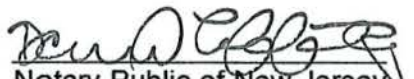
If yes: (a) by whom filed _____ (b) date filed _____

(c) nature of application _____

(d) result _____

Sworn and subscribed to _____
Before me this 1 day _____
of May 2018 _____

Signature(s) of Applicant(s)


Notary Public of New Jersey
DAVID J. LAFFERTY
ATTORNEY AT LAW
STATE OF NEW JERSEY

Save Form

Print Form

Reset Form



Borough Of Montvale

12 Mercedes Drive
Montvale, NJ 07645
(201) 391-5700

Planning Board Minor Subdivision Application

Application for Minor Subdivision, Classification, and Sketch Plat Review

In Accordance with the provisions of the Montvale Subdivision Ordinance,
Section 56-5: Definitions: A Minor Subdivision is defined as follows:

Any Subdivision containing not more than 4 lots, each fronting on a street fully improved in accordance with the standards specified in this Ordinance and the Road Improvement Ordinance of the Borough of Montvale, a distance of not less than 100 feet or the full width of each lot, whichever is greater, not involving any new street or road or the extension of the municipal facilities and not adversely affecting the development of the lot to be divided, the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinances, or this Ordinance.

Please note: 17 sets of the completed application form must be submitted to the Board Secretary

Date: MARCH 2, 2018

Please indicate the purpose of this application:

- ☒ Minor Subdivision Classification
- ☒ Minor Subdivision Sketch Plat Review
- ☐ Amendment to Approved Minor Subdivision Sketch Plat

1a. Name of Applicant: Lawrence C. Pinto and Tania Dumicic Pinto

1b. Street: 121 Upper Saddle River Road

1c. Town /State/Zipcode: Montvale New Jersey 07645

1d. Phone: _____

1e. Email: _____

2. Is the above listed applicant:

- ☒ an individual
- ☐ a partnership
- ☐ a corporation
- ☐ or other _____

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

Not Applicable

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: Antimo A. Del Vecchio, Esq.
4b. Firm: Beattie Padovano, LLC
4c. Street: 50 Chestnut Ridge Road, Suite 208
4d. Town /State/Zipcode: Montvale New Jersey 07645 -
4e. Phone: _____
4f. Email: _____

5. To whom should correspondence and notices be sent?

5a. Name: Antimo A. Del Vecchio, Esq., c/o Beattie Padovano, LLC
5b. Street: 50 Chestnut Ridge Road, Suite 208
5c. Town /State/Zipcode: Montvale New Jersey 07645 -
5d. Phone: _____
5e. Email: _____

6. Montvale Tax Assessment Map description of land proposed to be subdivided:

6a. Block: 201 6b. Lot: 3
6c. P.O. Street Address: 121 Upper Saddle River Road
6d. Nearest Cross Streets: Pine Hill Drive
6e. Zone District: R-40 Residential

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

- ☐ Contract purchaser
☐ Contract tenant
☐ Attorney for record owner
☐ Other: Describe: Not Applicable

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

Purpose of the application is to subdivide the property into 2 blocks and lots (proposed Block 201, Lot 3 and Block 201, Lot 3.01) and the residential dwelling is to be re-located on proposed Block 201, Lot 3.01)

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

☐ Yes

☒ No

If yes, give the dates, details and disposition of the previous proceedings:

Not Applicable

10. Has an application been submitted to the Bergen County Planning Board?

☒ Yes

☐ No

If yes, give the dates, details and status of the application:

Pending

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

11. Are the following documents attached and made a part of this application:

☒ Yes ☐ No Certification of Applicant

☒ Yes ☐ No W-9 Form Completed

☐ Yes ☒ No Affidavit of Consent of Record Owner

☐ Yes ☒ No Certification of Payment of Taxes
(attach copy of certification of tax collector as to status of real property taxes related to subject property)

☒ Yes ☐ No Completed Subdivision Checklist

☒ Yes ☐ No Proof of Ownership or Property Interest:
(set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)

If any of the above items are checked no, state why:

Applicant is the record owner of the property and certification of payment of taxes to be submitted with hearing affidavit

Application for Modification or Waiver of Site Plan Details

In connection with your application for modification or waiver of site plan details, please set forth:

- A. List the Section(s) of the Subdivision Ordinance requiring Subdivision Details which are purposely omitted from your Site Plan:

None

- B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat

Not Applicable

Application prepared by: Antimo A. Del Vecchio, Esq.

Name

50 Chestnut Ridge Road, Suite 208, Montvale, NJ 07645

Address

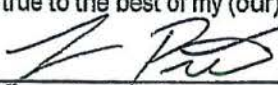
Signature: 

Date: 3/2/18

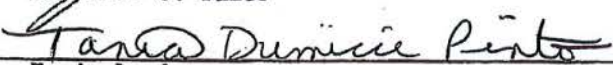
Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

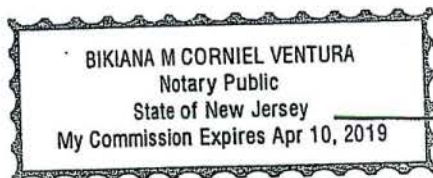
Signature of Applicant



Lawrence C. Pinto

Signature of Applicant


Tania Domicic Pinto

Subscribed and sworn to before me this 9 day of February 2018




Notary Public

Checklist for Minor Subdivision Requirements

Date Submitted: _____ (30 days before) for

Meeting on: _____

Latest acceptance date: _____ (within 45 days from submission)

Plans prepared by:

Professional Engineer: Douglas W. Doolittle

NJ License #: 29959

Land Surveyor: _____

NJ License #: _____

Architect: _____

NJ License #: _____

Fees and Deposits

Section 56-11 & 12

☒ Filing fee - see Fee Schedule

☒ Escrow deposit - see Fee Schedule

Map Requirements

- ☒ Fully completed application in duplicate
- ☒ Attach all required certifications, affidavits, notices and proofs in duplicate
- ☒ Attach 16 "Seal Stamped" copies of sketch plat
- ☒ 17 Copies of 11"x17" copy of sketch plat also needed to be included in packet

Scale and Dimensions

- ☐ At least 16" x 26", but not more than 24" x 36"
- ☒ Scale 1"=10', 1"=20', 1"=30', 1"=40', 1"=50'

Description Data

- ☒ Name of applicant
- ☒ Name of subdivision, if different than applicant
- ☒ Name of owner, if other than applicant
- ☒ Tax map sheet, Block and Lot numbers
- ☒ North arrow
- ☒ Date of preparation of map and revision dates
- ☒ Graphic scale and reference meridian
- ☒ Zone district in which property is located
- ☒ A key map showing the entire subdivisions and its relation to the surrounding area
(at least within 200' of all property lines of the parcel being subdivided)
- ☒ The location of the lots to be created in relation to the entire tract
- ☒ All existing structures and wooded areas within the subdivision and within 200' thereof
- ☒ All streets and steams within 500' of the subdivision
- ☒ The location of all trees exhibiting a diameter of 6" or more measured 4' above the ground
- ☒ A delineation of all trees having a diameter of 4" or more proposed to be removed from the new lot being created, measured 12" above the ground

- ☒ Acreage of the entire parcel to be subdivided
- ☒ Metes and bounds of all property lines of the entire tract and the new lot being created
- ☒ The area, in square feet, of all lots to be created
- ☒ Easements, streets, buildings, watercourses, railroad bridges, culverts, drainage pipes, rights-of-way, drainage easements and prior
- ☒ The location of all building setback lines to be established on the proposed lots

Application deemed complete by : _____
Municipal Engineer

Date: _____