

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Minutes

Tuesday, February 20, 2018

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 led everyone in the Pledge of Allegiance. The Open Public Meetings Act was read.

ROLL CALL: Present: Mr. Culhane, Councilwoman Curry, Mr. D'Agostino, Mr. Fette, Mayor Ghassali, Mr. Lintner, Ms. O'Neill, Ms. Russo, Mr. Stefanelli, Mr. Teagno and Chairman DePinto

Also Present: Mr. Regan, Board Attorney; Ms. Hutter, Land Use Administrator; Mr. Hipolit, Board Engineer; Ms. Green, Board Planner

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

ZONING REPORT: Mr. Fette is going to be gaining access to the Culhane Property. They are going to require a bond to be posted by the property owner of when it will be completed and where the monies are coming from as are coming from and where they are now. They need to substantiate the bond. The Culhanes' said that they can do it for \$55,000.00. They need to do a cost estimate of everything, beams, painting; they believe it will be cost about \$450,000.00. We should have a final number the first week of March.

ENVIRONMENTAL COMMISSION LIAISON REPORT: no report

SITE PLAN COMMITTEE REPORT:

CORRESPONDENCE: on the back of the table

APPROVAL OF MINUTES: January 16, 2018- A motion to approve was made by Mr. Lintner and seconded by Mr. Teagno with Mr. Culhane, Mr. Fette, Mayor Ghassali and Ms. Russo abstaining and all others stating aye.

CLOSED SESSION: Litigation- Mr. Regan read the resolution to go into closed session. Mr. Stefanelli made the motion and Ms. O'Neill seconded it.

DISCUSSION: Darlene Green-Proposal for Professional Planning Services: Housing Element and Fair Share Plan and Compliance Documents- A resolution was prepared and Mr. Lintner made the motion to approve the funds and Mr. D'Agostino seconded it with all eligible stating aye.

USE PERMITS:

Block 3004 Lot 2-Elite Healthcare Consulting-50 Chestnut Ridge Road-(3500 sq.ft.)-Kathryn Walsh, Esq. represented the applicant, David Weiss. Chairman read the application into the record. Zip codes were submitted. They provide home health care consulting services. The office will be used as an administrative office for its executive staff members including the Chief Executive Officer, and Chief Financial Officer. Mr. Weiss stated they service about 4000 patients. They service in the Hudson valley area. There are 25 locations in the Mid-Hudson area. These offices in NJ will be the compliance, billing, and executive offices. Mr. Fette stated they will need a CCO inspection. A motion to approve was made by Mr. Culhane and seconded by Mr. D'Agostino with all eligible stating aye.

PUBLIC HEARINGS (NEW): none

PUBLIC HEARINGS (CONT):

1. **Block 2408 Lot 26-Richard Queen-7 Franklin Avenue-Amended Site Plan Application Requesting a D(1) Use variance, D(3)Conditional Use, Multiple C Variances-** Mr. Whittaker came forward. Mr. Huchsman

went over the revisions of the site plan reviewed 12/2/9/17. A portion of the driveway aisle width has been reduced from 25 feet to 24 feet. The above revisions result in a decrease of impervious coverage from 65.42% to 64.86%. The planting strip was increased by one foot. A ground light has been added to illuminate the proposed project sign. Two Montvale street lights have been added along the street frontage. Bollard lights have been substituted for pole mounted lights, which has decreased the lighting levels along the eastern property line. The height is now conforming. The changes eliminated 3 "C" variances. B 4 Letter from Mr. Hipolit dated January 10th, 2018. The holly will be greater than the height of the air conditioning. A motion to open to the public was made by Ms. O'Neill and seconded by Mr. Teagno. A motion to close was made by Mr. Teagno and seconded by Mr. Culhane. Mr. Burgis came forward and was sworn in. Mr. Burgis, is a planner for the applicant.

He conducted a study of the property. Mr. Burgis, gave an overview. It is .79 acres and irregular shaped property. A color rendering of existing land use and zoning map was marked as A13. He went over the map. An aerial map was shown and marked as A14. He had reviewed the master plan documents. He spoke about the 2008 Master Plan. This is eliminating a vacant property stated Mr. Burgis. The zoning ordinance with the B1 zone, is consistent with the master plan stated Mr. Burgis. Mr. Burgis spoke about the conditional uses. Mr. Burgis stated that there is no detrimental impact to the public. The type of building being proposed is in many downtown areas in suburbia stated Mr. Burgis. Mr. Burgis stated in a transition zone he believes that the units per acre is not out of the normal. Ms. Green's review letter was marked as B5 dated January 10, 2018. Ms. Green went over her letter. Ms. Green asked how many units are being proposed. 1 bedroom will be low one 2 bedroom will be moderate and 1 low bedrooms is what is in the settlement agreement. All first floor units stated Mr. Whittaker. Mr. Burgis believes that these units will not drawing people with children. He believes it will be single.

Mr. Lintner asked about the conditional use analysis. He asked how it is used.

Mr. D'Agostino asked about the density number.

Mr. Burgis believes it is not the number of variances it should be the severity or the kind of relief being sort. He believes that a two story apartment building fits in next to a townhome development.

Mr. Culhane stated that on sheet 1. The calculation 31.2 is in correct. Mr. Burgis stated it would be corrected. He also asked about the side yard variance. He stated that the line of trees will be supplemented with additional landscaping. Mr. Stefanelli asked about the RSIS standards being the minimum where is the overflow parking going to happen.

Chairman stated that if they reduce the number of units from 16 units to 12 units that 3 of the 4 "C" variances would be eliminated. Because of the obligation of the settlement agreement the chairman stated that if we reduced it to 12 it would be 9 and 3 affordables. He said if they were in agreement to comply with reducing the number and maintaining the 3 affordables and comply with the setback requirement, and comply with the landscaping in the parking area, it may be more palpable and more justification for the board members to look at this development more positively.

Opened to the public by Mr. Lintner and seconded by Mr. D'Agostino.

Mr. Baldanza came forward and was sworn in. He stated that he believes it is suitable for residential. He is happy to see that the side lining is 20 feet and that they have made an effort to minimize the impact. A motion to close was made by Mr. D'Agostino and seconded by Mr. Lintner with all in favor stating aye. Mr. Whittaker asked for a 5 minute break. Mr. Whittaker stated he had an opportunity to review with this client. He stated that they do see what the board is requesting and their concerns and they can eliminate some of the "C" variances that are being requested. The predicament that they have

from a planning perspective is that in the settlement agreement we need the 3 low and moderate income units. Mr. Whittaker stated that would bring up the percent above the 15% and that creates a problem from a standpoint that if the settlement agreement was for three that there was an assumption that what the number would be for the market rate units. He understands that to go back to upset the three would not be possible. He could reduce the variances on the "C"s and they could move to 14 and keep the three affordables. Chairman would like to see the number reduced. Mr. Whittaker stated that they could probably do 13 and 3 affordables. He is given a factor that he cannot change which is the 3 affordables stated Mr. Whittaker.

Polling by board members: Mr. Regan stated that this polling does not bind the board.

A-9-3

B-10-3

Mr. Lintner

D'Agostino he is also concerned about a turnaround if it is all full

Chairman DePinto

Ms. O'Neill doesn't want to see the "C" variances increase

Mr. Teagno he likes A first but understands the developers predicament

Mr. Culhane-perhaps the building to the west and parking to the east

Mr. Fette

Mr. Stefanelli

Ms. Russo

Mr. Whittaker stated that they would go back to take a look at what can be done.

A motion to open to the public was made by Mr. Stefanelli and seconded by Mr. Lintner.

Alan Skarr, 24 Franklin Avenue-44 years residents-Mr. Baldanza development he has no problem.

He would like to see it residential and he doesn't think it is going to be an issue car wise. The only issue is still the trucks of CVS. It is a motor vehicle issue. The police department is ticketing.

Ms. Judy Skarr, 24 Franklin Avenue-Dead End Street-there are not smaller trucks.

Mr. Baldanza believes it is a good use and a good neighbor.

A motion to close was made by Mr. Stefanelli and seconded by Mr. Teagno. All in favor stating aye.

Mr. Whittaker stated they will go back to make the changes for the site plan incorporating the concerns of the board members for the March 6th meeting to which it is being carried to.

- 2. 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-carried to March 6, 2018**

RESOLUTIONS:

- 1. Granting of a Use Permit and Approval of Signage to Block 2802 Lot 2 C001A-JPO Ventures LLC d/b/a V's Barbershop-54 Farm View (1072 sq. ft.)-will be carried to March 6, 2018.**

Other Business-none

Open Meeting to the Public-no public present

Adjournment- A motion to adjourn was made by Ms. O'Neill and seconded by Ms.Stefanelli.

Next Regular Scheduled Meeting: March 6, 2018

Respectively submitted by:

R. Lorraine Hutter, Land Use Administrator