

**MINUTES**  
**REGULAR MEETING OF THE MONTVALE PLANNING BOARD**

**Tuesday, June 18, 2019-7:30pm**

**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.

**ROLL CALL:**

**Present:**

**Mr. Culhane, Mr. D'Agostino, Mr. Fette, , Mr. Lintner, Ms. O'Neill, Mr. Stefanelli, Mr. Teagno, Mr. Zitelli and Chairman DePinto**

**Absent: Mayor Ghassali, Councilmember Curry**

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

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

**ENGINEER:**

**ZONING REPORT:** Mr. Fette gave a summary of the Wegman's pick up signs and signs have been removed. Chairman said they should come to the site plan review committee. To put up signs in designated parking spaces. Mr. Caggia property was a topic of discussion. Property maintenance issues were not done and they brought in the borough landscaper and they did clean up. The tree has been removed. The truck was removed temporarily.

**ENVIRONMENTAL COMMISSION LIAISON REPORT:** Mr. Zitelli stated they had a meeting last night and they had a discussion on the plastic bag recycling. They will be putting collection sites around town and then recycle them into benches. The trail around Huff Pond was discussed with minor changes of the route. Stanley Nowak's property at 91 Spring Valley road was discussed of the whole from the foundation and the soil movement and an open hole which they believe isn't fully filled. Mr. Fette stated that he filled it in more last week. He will check again.

**SITE PLAN COMMITTEE REPORT: none**

**CORRESPONDENCE: on the back table**

**APPROVAL OF MINUTES: June 4, 2019- A motion to approve was made by**

**DISCUSSION:**

**USE PERMITS:**

**Block 2602 Lot 1-Great View Management, LLC-210 Summit Avenue-(800 sq. ft.)-**

Frank Uzzi represented the applicant, Mordecha Berger. Mr. Regan swore in Mr. Berger. Zip Codes and Police Department report was submitted. Chairman read the application into the record. Number of rooms was left blank. Signatures were identified. Mr. Berger gave a brief summary that the business is for office work for real estate management company. Mr. Fette stated that no permits. They can apply for the CCO. A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane with all present stating aye. They are to provide a floor plan showing the space.

**PUBLIC HEARINGS (NEW): Block 2903 Lot 4-Dionysios & Victoria Visassopoulos-354 West Grand Avenue-Soil Movement Application-carried to July 2 as their engineer didn't attend the meeting.**

**Block 2802 Lot 1 (c001A)-C2 Education- Farm View-Use Permit and Variance**

**Application** –Notice documents were marked as A1. Mr. Del Vecchio came forward. They will be occupying building “F” next to Ulta. It is for a learning center purpose. It is not a permitted use in the district. A representative of C2 Education came forward, Rick Smith. They are based in Atlanta, Georgia. Personalized instruction for AP classes, SAT, ACT's and other classes. Sessions run two hours. They are mostly middle school and high school students that get dropped off. Parents do not stay. Maximum occupancy is 6 they usually have 2 students per session. They have two testing rooms for one or two students. Hours operate from 1:00pm to 9:00pm. They are closed Friday and Sundays. There are 22 in the state of NJ.

Mr. Preiss, Planner was sworn in by Mr. Regan. It is a retail service, there are 3 in Bergen County. Majority of them are in shopping centers. A Use Variance is required. It caters to the community to have children get out of their homes and get additional education. It is a small component he believes the proposed use is suited to the protectoral site. . It has no negativity to the area. It is a service to the community. Ms. Green's review letter was marked as B1. Ms. Green stated that two (2) of her Comments had been addressed, and a third question as to the area to be occupied by C-2 Education was answered as being adjacent to First Watch in Building F. With regard to alignment of signage with other uses in Building F, Mr. Del Vecchio stated that

the signs of Ulta, First Watch and C-2 Education would be mounted at the same height. A condition of approval will include a requirement that illumination of these signs on Building F will be consistent with each other. A report of the Police Department dated June 4, 2019 which indicated “No Concerns” pertaining to the application was marked into evidence as Board Exhibit 2.

It is adjacent to First Watch. The sign will be facing Grand Avenue. They are going to be in a coordination with the other front. The illumination needs to be consistent stated the Chairman. They will coordinate the wattage of the signs. The use permit was read into the record. They will be occupying 1835 sq. ft.

Signage was also discussed, and counsel described the channel cut letter sign, with the “C2” in red and “education” in white on the front façade, with the side sign being entirely white. Each sign will have an area of 21.22 square feet and will be less than the sixty (60) square foot maximum permitted area of signage pursuant to the Table Governing Retail Signs in the AH-PUD District. Both signs will be internally illuminated, with warm white channel cut letters and white illumination.

A discussion ensued pertaining to the side sign, which has the Ulta sign and will soon include a sign for C-2 Education. The First Watch sign is on the wall perpendicular to the front building wall. A condition of approval will require submission of a plan depicting the Ulta, First Watch and C-2 signs. The board was in agreement to grant the variance. A motion to approve the board attorney to prepare a resolution of approval for the Use and Variance was made by Mr. Stefanelli and seconded by Mr. Lintner with all in favor stating aye.

### **Block 2204 Lot 17-Ken and Nicole McQuillen-39 Highland Road-Variance**

**Application**-Bob Weissman of Weissman Engineering, Co. and Tom Aschband Architect were both sworn in along with Mr. McQuilllen and Ms. Green and Mr. Hipolit. Mr. Weissman gave an overview of the variances. An existing patio would be removed and a 1,000 gallon seepage pit to collect runoff from the roof would be installed. Mr. Hipolit’s letter dated June 6<sup>th</sup> was marked **B1**. Mr. Ashbahian plan with a revision date of 5/20/19 was marked as **A2**. He gave an overall of the plan. Testimony in support of the application was provided by Thomas Ashbahian, the architect for the applicants whose plan dated May 20, 2019 was marked into evidence as Exhibit **A-2**. Commencing his testimony, Mr. Ashbahian described the existing home as a “rectangular ranch” built

in the early 1960's and the proposed expansion. A family room would be added over the garage, an open front porch would be enclosed, and additional space added to the kitchen and dining room in the front. The master bedroom and another bedroom would be expanded, and a master bathroom and a walk-in closet added. He stated that the renovated home would be consistent with other homes in the area, and noted that the home presently has three (3) bedrooms, which will also be the number of bedrooms after the expansion and renovation of the residence. Mr. Ashbahian stated that the height of the garage to the peak of the roof is twenty-five (25) feet and twenty-seven (27) feet to the chimney, and accordingly complies with the maximum height requirement of twenty-eight (28) feet. The applicant has several existing non-conformities. They are trying to address the small size of the rooms. Marked into evidence as Exhibit **A-1** was the Addition Plan prepared by Mr. Weissman revised to May 22, 2019. Mr. Weissman described the locations of the additions to the residence in the front and rear, noting the existing nonconforming conditions and the new variances required by the plan. He also described the proposed seepage pit intended to address roof runoff and the adequacy of the pit will be confirmed. He estimates that total soil movement will aggregate 101 cubic yards, which is attributable to foundation areas and the proposed seepage pit.

Mr. Weissman stated that the square feet will be roughly 2,700 sq. ft. **B3** police department letter was marked. Fire Department report was marked **B4**. Borough Planner Green referred to her report (**Board Exhibit 2**) and listed the variances required by the application. She stated that the majority of the properties in the area are nonconforming as to lot area. The front yard setback is required to be measured to the center line of the street and will be 60.2 feet. Mr. Ashbahian confirmed that the total area of the dwelling after the expansion will be 2,700 square feet. Comments stated that the plan needs to be changed to 2 story. The roof dimension needs to be clarified. Mr. Fette stated that it is minor. Mr. Lintner complimented the applicant on a well-designed plan. A motion to have the board attorney prepare a resolution was made by Mr. Teagno and seconded by Mr. Stefanelli with all a roll call of all others stating aye.

#### **PUBLIC HEARINGS (CONT):**

1. **Block 3201 Lot 4-Ridgecrest Realty Associates, Inc.-21 Philips Parkway-**  
Application for Conditional Use and Variance Approval, Major Soil Moving Permit Approval, Bulk Variance Approval, EIS Approval and Site Plan Waiver-**at the applicant's request carried to August 6, 2019**
2. **Block 3302 Lot 1 and Block 204 Lot 2(Woodcliff Lake)-Hornrock Properties MPR, LLC-1 Sony Drive-**Applicant is amending its application to request a

**variance pursuant to NJSA 40:55D-70C(2)-Amended Site Plan Application -at  
the applicant's request carried to July 2, 2019**

**RESOLUTIONS:**

1. **Block 2701 Lot 2-KPMG-3 and 75 Chestnut Ridge Road-Amended Site Plan-**  
A motion to approve was made by Mr. Culhane and seconded by Mr. Lintner. Mr. D'Agostino abstained and all others voted aye.
2. **Block 2802 Lot 2 (C001A)-Chop't Creative Salad Company-48 Farm View (2529 sf)-Use permit and Signage-** A motion to approve was made by Mr. Stefanelli and seconded by Mr. Zitelli with all present voting aye.
3. **Block 2802 Lot 2 (C001A)-First Watch Restaurant-38 Farm View (4501sf)-Use Permit and Signage-** A motion to approve was made by Mr. Teagno and seconded by Mr. Stefanelli with all present voting aye.

**Other Business-none**

**Open Meeting to the Public-none**

**Adjournment-a motion to adjourn was made by Ms. O'Neill and seconded by Mr. Stefanelli. All in favor stating aye.**

**Next Regular Scheduled Meeting: July 2, 2019 AT 7:30PM**

**Respectively submitted by:**

**R. Lorraine Hutter, Land Use Administrator**