

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, June 15, 2021

Municipal Complex 12 Mercedes 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.
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ROLL CALL:

PRESENT: Theresa Cudequest, John Culhane, Councilmember Koelling, John Ryan, Mayor Designee; Christopher Gruber, Javid Huseynov, William Lintner, Frank Stefanelli, Dante Teagno, Robert Zitelli, Chairman DePinto

ALSO PRESENT: Robert Regan, Board Attorney; Darlene Green, Borough Planner, Lorraine Hutter, Land Use Administrator and Erica Davenport, Assistant to the Land Use Administrator

ABSENT: Andrew Hipolit, Borough Engineer

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

None

ZONING REPORT: Mr. Gruber – Window coverings at Thrive will be taken down. Wegman's signs that were moved will be put back based on what was stated in the resolution.

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Zitelli had no report. The next scheduled meeting will be held on Monday, 6/21/21.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli – There were three applicants that were heard this evening. The first applicant was Bellissimo located at 12 S. Kinderkamack Road. They would like to put 8 umbrella footings down the center of the patio. These umbrellas

are 10 x 10 square shaped and would be placed back-to-back with a 7' 8" clearance. Nothing will obstruct the main entrance. He could operate with the umbrellas from Spring thru October 31st. Tony from Bellissimo will be putting a plan together and submitting it to the Building Department. The next applicant was Jerome A. Vogel (TSL Pike) representing THRIVE located at 110 Summit Avenue. They are looking to put in 2 pickle ball courts in the back of the building, a walking path in the front of the building with dim lighting, and lastly a small dog run (50 x 50). This is all being requested for the residents of the facility. The last application was The Alexa located at 160 Spring Valley Road. They were looking for a modification of the placement of their affordable units. After a lengthy discussion, the Site Plan Review Committee told them they were not willing to allow the change as there was too much to be changed per the POS, deed restrictions and it would require an amended Site Plan.

CORRESPONDENCE: Located on the back table.

APPROVAL OF MINUTES: May 4, 2021 – A motion to approve was made by Mr. Lintner and seconded by Ms. Cudequest. There was no discussion on the motion. A roll call vote was taken with all members stating aye. Mr. Teagno and Mr. Huseynov abstained.

DISCUSSION: None

USE PERMITS:

Block 2702 Lot 1.01 – Taiki USA – 200 Market Street - (6,699 sq. ft.)

Antimo A. DelVecchio of Beattie Padovano LLC was the attorney representing the client, Deborah Connelly. Mr. Regan swore in Ms. Connolly. Chairman DePinto read the application into the record. The Montvale Police Department form was attached to the application along with the zip codes of employees. The application was amended to read that the parking spaces will be in the garage area. Ms. Connelly gave a brief overview of her business. Ms. Connelly stated that Taiki USA is a wholesale distributor of beauty products. They handle the logistics of getting their goods from the factory to the customer. No customers necessarily come to the space, only salesman. No questions

arose from the board members. Mr. Gruber stated that they will need to obtain a CCO before moving into the space. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Huseynov. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 2701 Lot 3 – GB Allen Castro & Associates – 85 Chestnut Ridge Road - (1,084 sq. ft.)

Bert Siegel of Siegel and Siegal was the attorney representing George Allen, the client. Mr. Allen was sworn in by Mr. Regan. Chairman DePinto read the application into the record. The application was amended to read as located in an OR2 Zone. Council identified the signatures as the client and Arty Mole as the property owner. Attached to the application is the Montvale Police Department form as well as a list of zip codes of employees. Mr. Siegel withdrew their request for assigned parking spaces and now the application will read as parking in common. The total number of parking spots will be corrected. No questions arose from the board members. Mr. Gruber stated that they need a CCO for the space and building permits will need to be pulled. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 2701 Lot 3 – TG Elliot Group – 85 Chestnut Ridge Road - (1,844 sq. ft.)

James Delia of Wells, Javorski & Liebman LLP was the attorney representing Justin Michalek, the client. Mr. Michalek was sworn in by Mr. Regan. One change was made to the application as being an OR2 Zone. Chairman DePinto read the application into the record. Mr. Michalek confirmed his signature and Marty Maa's signature as the owner of the property. Attached to the application is the Montvale Police Department report as well as a list of zip codes. Mr. Michalek gave a brief overview of his business. It is a small construction company where they design projects and architectural prints. The usage of the office would be limited to administrative purposes. There will not be any construction work done in the space. They have one work van which will not be left on the property overnight. No questions arose from board members. Mr. Gruber stated that they will need a CCO. A motion to approve was made by Mr. Teagno and seconded

by Mr. Huseynov. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

Block 1902 Lot 10 – ARTMRKT Productions, LLC – 30 Craig Road - (9,000 sq. ft.)

Antimo A. DelVecchio of Beattie Padovano LLC was the attorney representing the client, Jefferey Wainhouse. Mr. Wainhouse was sworn in by Mr. Regan. Before this application went any further, Mr. Gruber stated that he drove past this site before the meeting and he found that the space was completely gutted. Chairman DePinto questioned why this was done without a permit. Mr. Wainhouse stated that he did not do the demolition of the larger room, only the smaller room in the back that he intends to use. He lost a lot of money from COVID-19 and is trying to make up time so he could start making some money back. Chairman DePinto stated that he needs a history of this building, a floor plan of what previously existed, and some testimony so they can move forward with this application. Mr. DelVecchio stated that he will bring additional testimony back to the board in order to move forward. Mr. Gruber issued a stop work order as of today, 6/15/21. There will be a \$2,000 fine per day until this is resolved. This application has been carried.

Block 1903 Lot 6 – Neurocognitive Associates, P.A. – 136 Summit Avenue - (868 sq. ft.)

Aryeh Pomerantz, Esq. represented the client, Michael Steinhardt. Mr. Regan swore in Mr. Steinhardt. Mr. Pomerantz stated one change that there will be no designated parking spots. Chairman DePinto amended the application. Chairman DePinto read the application into the record. No questions arose from any board members. Mr. Steinhardt gave a brief overview of the nature of his practice. He is a phycologist and will use this space as office space, examining patients. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

PUBLIC HEARINGS (NEW):

PUBLIC HEARINGS (CONT):

Block 2802 Lot 2 Qualifier C001A & C001B – Montvale Development Associates II. LLC – Mercedes Drive and Grand Avenue West – Application for Amended PUD Approval; Preliminary and Final Site Plan Approval; Bulk Variance(s)

The revised plans to May 18th were marked as A16. Also, exhibit A17 revised landscape by Mr. Parker Rodriguez. Plans prepared by JA2 Architects dated May 18th were marked as Exhibit A18. Paragraph 42 and 43 describe what the various plans depict. Mr. Hipolit's report dated May 27th was marked as B7 and Ms. Green's report dated June 2nd was marked as B8. The Montvale Police Report dated May 28th was marked as B9. The Fire Department Report dated June 11th was marked as B10. The letter from the Bergen County Planning Board was marked as A19. No concerns arose from Board Members regarding the technical reviews.

RESOLUTIONS:

Block 2504 Lot 11.01 – Cindy Rich – 9 Cottage Avenue – Resolution Granting Variance Relief to Cindy Rich for Premises Designated as Block 2504, Lot 11.01

Chairman DePinto read the resolution into the record by title. A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. Mr. Regan stated some corrections. A roll call vote as taken with all members stating aye.

Block 2802 Lot 2 (Qualifier C001A and C001B) –Montvale Development Associates II. LLC – Mercedes Drive and Grand Avenue West – Resolution Granting Amended Planned Unit Development Approval; Amended Phase II Preliminary Site Plan Approval; Final Site Plan Approval for Phase II; A Use Variance, Other Variance Relief and Waivers, Approval of an Environmental Impact Statement, and Approval of a Major Soil Movement Permit Relating to Premises Designated as Block 2802, Lot 2 (Qualifier C001A and C001B) to Montvale Development Associates, II, LLC

A motion to introduce the resolution was made by Mr. Lintner and seconded by Mr. Culhane. Mr. Regan stated some changes. Mr. DelVecchio agreed with the changes made by Mr. Regan. There was no discussion on the motion. A roll call vote was taken with all members stating aye. Mr. Ryan and Councilmember Koelling did not vote since this was a D1 use variance.

OTHER BUSINESS: Revised Fee Schedule 2021 – The escrow fee will now be increased and the application fee will be lowered. The numbers Ms. Hutter and Chairman DePinto came up with were based on what we were spending for our professionals. This new fee schedule was done with homeowners in mind so they didn't have to pay such a high application fee. This new fee schedule will be submitted for review at the next Mayor and Council meeting so an ordinance could be prepared.

OPEN MEETING TO THE PUBLIC: No one from the public was present.

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

Next Regular Scheduled Meeting: July 6, 2021 at 7:30 PM

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator