

REGULAR MEETING OF THE MONTVALE PLANNING BOARD

MINUTES

Tuesday, January 19, 2021 -Remote Meeting (see below)

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.

You are invited to a Zoom webinar.

When: Jan 19, 2021 07:30 PM Eastern Time (US and Canada)

Topic: Planning Board Regular Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87191375276?pwd=YWxUR3NQRUNTTy9FM0c5eGlyOWZoUT09>

Passcode: 872909

Or iPhone one-tap:

US: +13126266799,,87191375276#,,,,*872909# or +19294362866,,87191375276#,,,,*872909#
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Webinar ID: 871 9137 5276

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International numbers available: <https://us02web.zoom.us/j/kcRr90nCS1>

OPEN PUBLIC MEETINGS STATEMENT -Please be advised that due to the state of emergency and public health emergency declared by Governor Phil Murphy pursuant to Executive Order 103 and in an effort to prevent further spread of COVID-19, this Planning Board Meeting will be held virtually via Zoom in lieu of an in-person meeting. Notice of this meeting has been advertised in the RECORD and placed on the website. Documents have been posted on the website under the planning board agenda under documents.

All public will be muted until the chairman opens it up to the public for questions only of each applicant's or board professional testimony. The public can address their questions to the chair and he will direct it to the appropriate person. When at the end of the public hearing the chairman will again open it up to the public for comments. If you have a comment please hit the raise hand symbol and I will acknowledge you. Please state your name, spell your name and give your address when asking questions or giving comments. All questions and comments will be directed through the chair and he will in turn direct it to the appropriate person.

ROLL CALL:

PRESENT: John Culhane, Councilmember Curry, Christopher Gruber, Mayor Ghassali, Javid Huseynov, William Lintner, Frank Stefanelli, Robert Zitelli, Chairman DePinto

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

ABSENT: Theresa Cudequest, Dante Teagno

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

Mayor Ghassali stated that the COVID cases seem to be leveling off. There seems to be about 70 to 80 cases. There seems to be 2 residents currently in the hospital. They are trying to find a location for vaccination. There are a few doctors offering their offices however, they haven't determined a location as of yet. As more information comes in, Mayor Ghassali will notify the residents.

ZONING REPORT: Mr. Gruber stated that 26 North Kinderkamack Road – the catch basin has been overflowing into the street and since it is a county road, he has been in communication with the county to take care of the collapsed pipe. The papers at the property are going to be picked up weekly by DPW. Also, the signs at borough hall are all complete but just waiting for grass to be put in. Chairman DePinto asked for Mr. Gruber to take a look at 25 Grand Avenue that was recently purchased by the borough. He would like him to have the DPW clean up the property to make it look nice.

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Zitelli reported that the privacy fence down by memorial has been put up. Huff Pond funding has been approved; the bid was accepted by Downs. The dredging is TBD as to when the project will be completed.

SITE PLAN COMMITTEE REPORT: None

CORRESPONDENCE: Located on website

APPROVAL OF MINUTES: January 5, 2021 minutes were approved by Mr. Lintner and seconded by Mr. Stefanelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

DISCUSSION: Proposal from Ms. Green – carried to another meeting in the future

USE PERMITS:

1. **Block 1001 Lot 2-Empirx Health, LLC-155 Chestnut Ridge Road-(6505 sq. ft. + 12, 924 sq. ft.=19429 sq. ft.)** – David Kessler appeared on behalf of Empirx Health. Alysia Gill is the applicant. Ms. Gill was sworn into the record. Chairman DePinto marked Mr. Kessler's memo as an attachment to the application. Chairman DePinto read the application aloud. Mr. Kessler has not supplied the police department form and will submit it ASAP. Ms. Gill explained that Empirx Health is in the pharmacy benefits management industry. They administer benefits and manage claims and analytics. The visitors they have are potential clients and employers. No questions arose from the board members. Mr. Gruber stated that they will need to get all correct CCO and permits. A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

PUBLIC HEARINGS (CONT):

1. **Block 1002 Lot 7- Waypoint Residential Services, LLC -127 Summit Avenue -Application for Preliminary and Final Site Plan and Bulk Variance Approval and Soil Movement- click below link for documents to view**

<https://www.dropbox.com/sh/3wpdvduuypl6l/AADMHQKfrPI-jfJZs9Z7cOY3a?dl=0>
https://drive.google.com/drive/folders/1qNHGWalyWhFQKjckE4JzItxV_cdJbTy1?usp=sharing
<https://drive.google.com/drive/folders/1484vkWTKSafi5nUb9rEJemFjV7EuOCBQ?usp=sharing>

Carried to February 2, 2021

2. Block 2904 Lot 4 - Bank of America - Chestnut Ridge Road-Amended Site Plan -Lighting

https://drive.google.com/drive/folders/15Y_tPQAcuf2AJHRpGm_48-Xnhcuk_7e4?usp=sharing-
Carried to February 16, 2021

3. Block 2002, Lot 3 - Mobius Solar 1, LLC (“Mobius”) - 5 Paragon Drive-amended and preliminary and final site plan approval and a Major Soil Movement Permit for Solar Panels

Richard Scholnick came forward as representing the applicant. He has Matthew Wilder as a witness who is their civil engineer and planner. They were heard on October 20th and there were some issues regarding landscaping that were raised. They received 3 letters from the professionals at Maser. He is happy to report that there are now 210 new plantings, 62 shade trees and 93 evergreen shrubs, etc. Chairman DePinto marked into evidence the technical review letters – January 14th planning report was marked as B6. The Gus DeBlasio letter was marked as B7. The January 14th engineering report was marked as B8 (this letter is a continues letter from the January 11th report). From the previous meeting, B4 was marked as the police report and B5 was marked as the fire report. Both of those reports had no comments. Mr. Scholnick stated that his client will comply with all requirements set forth in these technical review letters. He would like his experts to review them.

Mr. Wilder (remained sworn in from last meeting) gave an overview of the main points in these letters. Mr. Wilder’s January 7th letter was marked as A4. The color mounts were marked as A3. Mr. Wilder addressed comments in Mr. Hipolit’s letter – regarding comment #7, they are adjusting the route of the AC conductor to ensure that they minimize any disturbance to the existing 21” maple tree nearby. Regarding comment #9 – they have a total 4800 sq. ft. of disturbance, 3200 sq. ft. is associated with utility lines, 1600 sq ft. is associated with support steel for the canopy. Comment #25 pertaining to a retaining wall that is in poor condition. They will in fact reconstruct the retaining wall. Mr. Hipolit is fine with all of those comments.

Mr. Wilder made comments regarding Ms. Green’s letter. Regarding the intensity of the

lights under the canopy, there will be 44 lumens. Regarding landscape islands, they will have 62 shade trees, which is 1 shade tree for every 10 parking spaces. Lastly, he is no longer wanting to relocate the pinocle trees. Ms. Green was concerned with the shade trees being along edges on the peripheries along the drive aisles and not necessarily within the parking area. Her concern is if they are going to be on the periphery, it doesn't satisfy the ordinance for shade trees in the parking lot. He intends to comply with that ordinance and it would be during resolution and compliance. Ms. Green had no issue as long as he shows plans that comply. Mr. Wilder stated that they can submit a revised landscape plan within 3-4 weeks.

Chairman DePinto called upon board members with any questions. Councilmember Curry asked if the solar field was going to be visible by any residents that live in the area. Mr. Hipolit said that there is enough distance where residents will not be able to see them. Mr. Culhane asked about the material that will be used for the retaining wall. Mr. Wilder wants to stay with the railroad tie wall and just reconstruct it since it was originally poorly constructed. Mr. Culhane also suggested the landscape plan be submitted to the environmental commission. No other questions arose from the board members.

Chairman DePinto opened the meeting up to the public. Motioned by Mr. Huseynov and seconded by Mr. Culhane. All in favor stated aye. No one from the public came forward. A motion to close the meeting to the public was made Councilmember Curry and seconded by Mr. Zitelli. All in favor stated aye.

Chairman DePinto called for a motion from the board to request the board attorney to prepare a resolution subject to receipt of revised plans within 2 weeks and another week thereafter for board professionals to review and correct any changes to the plan. Chairman DePinto would like to carry this application to the March 2nd meeting. A motion 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): None

RESOLUTIONS:

1. Resolution Adopting Amendment to the Planning board By Laws

A motion was made by Mr. Lintner and seconded by Mr. Stefanelli. A roll call vote was taken with all members stating aye.

2. Resolution Adopting Standard Provisions and Requirements for Public Comment During a Remote Public Meeting

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

OTHER BUSINESS: None

OPEN MEETING TO THE PUBLIC: A motion to open the meeting to the public was made by Mr. Stefanelli and seconded by Mr. Zitelli. All in favor stated aye. Paul Walsh (12 Elsworth Terrace) came forward. He discussed the new house being built on 11 Elsworth Terrace and how the property is not being maintained. No one else from the public came forward. A motion to close the meeting was made by Mr. Zitelli and seconded by Councilmember Curry. All in favor stated aye.

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

Next Regular Scheduled Meeting Remote: February 2, 2021 at 7:30 PM

Respectfully Submitted,

Erica Davenport
Assistant to the Land Use Administrator