

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

**Tuesday, January 03, 2023  
Municipal Complex 12 DePiero 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.

**Chairman DePinto opened the meeting up at 7:50pm.**

**ROLL CALL:**

**PRESENT:** John Culhane, Councilmember Koelling; Javid Huseynov; William Lintner, Robert Zitelli, Christopher Gruber, Dante Teagno and Chairman DePinto

**ALSO PRESENT:** Robert Regan, Board Attorney; Darlene Green, Borough Planner; Andrew Hipolit, Borough Engineer; Lorraine Hutter, Land Use Administrator

**ABSENT:** John Ryan, Mayor Designee; Frank Stefanelli and Erica Davenport, Assistant to the Land Use Administrator

**OATHS OF OFFICE:** Mr. Regan swore in all below.  
**ALL APPOINTMENTS MADE BY MAYOR GHASSALI ON 1/1/2023**

- |    |  |                     |
|----|--|---------------------|
| 1) | Class III – 1 Year<br>Dieter Koelling, Councilmember | 1/1/2023-12/31/2023 |
| 2) | Class II-1 Year<br>Chris Gruber                      | 1/1/2023-12/31/2023 |
| 3) | Class IV—4 Year<br>John DePinto                      | 1/1/2023-12/31/2027 |
| 4) | Class I-1 Year<br>John Ryan, Mayor’s Designee        | 1/1/2023-12/31/2023 |

**REAPPOINTMENT OF R. LORRAINE HUTTER, BOARD SECRETARY FOR 2023**

Mr. Teagno and Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

**NOMINATION OF BOARD CHAIRMAN**

- 1) Secretary to call for a motion to open nominations
- 2) Secretary to call for a motion to close nominations
- 3) Roll call vote

Mr. Culhane nominated Chairman DePinto and Mr. Teagno seconded that nomination. Ms. Hutter closed the nominations. A roll call vote was taken with all members stating aye. Chairman DePinto accepted the nomination.

**NOMINATION OF BOARD VICE-CHAIRMAN**

- 1) Secretary to call for motion to open nominations
- 2) Secretary to call for motion to close nominations
- 3) Roll call vote

Mr. Lintner nominated Frank Stefanelli and Mr. Culhane seconded that nomination. Ms. Hutter closed the nominations. A roll call vote was taken with all members stating aye.

**RESOLUTION TO APPOINT ANDREW R. HIPOLIT, PE, PP., CME OF Colliers Engineering & Design AS PROFESSIONAL ENGINEERING CONSULTANT FOR 2023.**

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

**RESOLUTION TO APPOINT ROBERT T. REGAN, ESQ., TO CONTINUE AS PLANNING BOARD ATTORNEY FOR 2023**

A motion to introduce was made by Mr. Teagno and seconded by Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

**RESOLUTION TO APPOINT DARLENE GREEN, COLLIERS ENGINEERING & DESIGN AS THE PROFESSIONAL PLANNER TO THE PLANNING BOARD FOR 2023**

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

**RESOLUTION TO APPROVE THE PLANNING BOARD MEETING SCHEDULE:** Meetings to be held on the first and third Tuesdays of the month, unless otherwise specified, convening at 7:30PM and to be adjourned subject to the call of the Chairman.

A motion to introduce was made by Councilmember Koelling and seconded by Mr. Zitelli. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

**RESOLUTION TO APPROVE THE PLANNING BOARD BY-LAWS. No changes made**

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

**RESOLUTION TO DESIGNATE THE RIDGEWOOD NEWS AND THE BERGEN RECORD AS THE OFFICIAL NEWSPAPERS.**

A motion to introduce was made by Mr. Teagno and seconded by Mr. Culhane. There was no discussion on the motion. A roll call vote was taken with all members stating aye.

**CHAIRMAN'S APPOINTMENT OF MEMBERS TO THE SITE PLAN REVIEW COMMITTEE:**

Mr. Regan, Board Attorney; Mr. Hipolit, Board Engineer; Ms. Green, Borough Planner; Mr. Stefanelli, Board Member; Mr. Gruber, Construction Code Official/Zoning Official; Mr. Lintner, Board Member; Chairman DePinto; Ms. Hutter, Land Use Administrator;

**INTRODUCED BY:**

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPOINTING PLANNING BOARD SECRETARY**

BE IT RESOLVED by the Planning Board of the Borough of Montvale that R. Lorraine Hutter be and is hereby appointed as Secretary to the Planning Board/Land Use Administrator for the calendar year 2023

BE IT FURTHER RESOLVED that said compensation for said position shall be established by the Mayor and Council of the Borough of Montvale.

DATE: \_\_\_\_\_

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPROVING PLANNING BOARD BY-LAWS**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the By-Laws of the Board be approved annually and incorporated into the permanent records of the Planning Board minutes.

DATE: \_\_\_\_\_

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**AWARDING PROFESSIONAL SERVICES CONTRACT FOR  
LEGAL SERVICES GENERAL – 2023**

WHEREAS, the Borough of Montvale, Planning Board requires professional legal services of a general nature for the period January 1, 2023 through December 31, 2023; and

WHEREAS, it is the desire of the Planning Board to appoint Robert Regan, Esq., 345 Kinderkamack Road, Westwood, NJ 07675 as Planning Board Attorney to provide general legal services for the Planning Board for this period; and

WHEREAS, it is necessary to establish a rate and method of payment; and

WHEREAS, the Planning Board has determined it is in the best interest of the Borough to enter into a contract with Robert T. Regan, Esq. Legal Counsel for general legal services as a Professional Service contract; and

WHEREAS, the terms and conditions of said contract are as follows:

- 1) For the annual sum of \$18,000 legal services shall be rendered for attendance at meetings of the Planning Board, essentially advice and consultation services regarding municipal matters to the appointed officials and staff of the Planning Board, said retainer to be paid quarterly during 2023.
- 2) For all required legal services which are not included in the above i.e. preparation of resolutions for applications, review of applications, the charge of an hourly rate of \$195.00, to be paid monthly, as billed.
- 3) For all required legal services provided to the Borough on any litigation, the charge of an hourly rate of \$195.00, to be paid monthly, as billed.
- 4) Reasonable costs for reimbursable as billed shall be paid by the Borough.

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2023 Budget for the retainer and litigated matters and funds for preparation of resolutions for applications, review of applications and preparation of Developer's Agreements shall be paid by the applicant/developer from escrow funds, same as appended to the original of this resolution; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Montvale as follows:

- 1) That a contract for professional legal services be awarded to Robert T. Regan, Esq. for the period January 1, 2023 through December 31, 2023.
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.

- 3) The fees to be paid for such services are based upon rates as specified. The cost of the retainer portion of the contract for annual services is not to exceed \$18,000 unless an amendment revising that figure is approved by the Planning Board and funded by the Mayor and Council. In addition to said retainer, the Attorney shall be compensated at the rate of One Hundred and Ninety-Five (\$195.00) Dollars per hour for any litigation, plus disbursements incident thereto. The amount of the contract for all other legal services provided on an as needed basis in connection with review of developer's applications, preparation of memorializing resolutions, preparation of developer's agreements, correspondence and related matters, the attorney shall be compensated at the rate of One Hundred and Ninety-Five (\$195.00) Dollars per hour.
- 4) The line-item appropriation or ordinance to be charged is Planning Board Other Expense – 2023 Budget and the appropriate Escrow Fund depending upon the development or application.
- 5) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (a) General Liability; Certificate naming the Borough of Montvale required.
  - (b) Worker's Compensation: Statutory requirements to be met.  
Certificate required.
  - (c) Auto Liability; Certificate required.
  - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1, et seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and will be on file, available for public inspection, in the office of the Secretary to the Montvale Borough Planning Board, 12 DePiero Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

## CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Rebecca Overgaard, Chief Financial Officer of the Borough of Montvale, have ascertained, that funds are available in the 2023 Temporary Municipal Budget and subject to adequate appropriation in the 2023 Municipal Budget as finally adopted, to award a contract for professional legal services – Planning Board, to Robert Regan, Esq., Westwood, N.J. Funds for certification are therefore being made available and certified against the appropriation for Planning Board – Other Expenses.

Account Number: 0-03-21-720-028

Resolution Number: Planning Board

Dated: \_\_\_\_\_

\_\_\_\_\_  
Chief Financial Officer



**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD  
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL  
ENGINEERING SERVICES – 2023**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of an Engineer for the year 2023

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Andrew R. Hipolit, P.E., P.P., C.M.E., Principal OF COLLIERS ENGINEERING & DESIGN, 200 Valley Road, Suite 306, Mount Arlington, NJ 07856 as Engineer for the Planning Board for the year 2022.

NOW, THEREFORE BE IT RESOLVED by the Borough of Montvale Planning Board as follows:

- 1) That the contract for professional general engineering services be awarded to Andrew R. Hipolit, P.E., C.M. E., Principal of COLLIERS ENGINEERING & DESIGN
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2023 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of COLLIERS ENGINEERING & DESIGN as the Planning Board Engineer for the borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (a) General Liability; Certificate naming the Borough of Montvale required.
  - (b) Worker's Compensation: Statutory requirements to be met. Certificate required.
  - (c) Auto Liability; Certificate required.
  - (d) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in The Ridgewood News, be on file, available for public inspection, in the office of the Land Use Administrator to the Planning Board, Borough Hall, 12 DePiero Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted on Tuesday, January 3, 2023

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**INTRODUCED BY:**

**SECONDED BY:**

**BOROUGH OF MONTVALE  
PLANNING BOARD  
PROFESSIONAL SERVICES CONTRACT FOR PROFESSIONAL  
PLANNING SERVICES – 2023**

WHEREAS, the Borough of Montvale Planning Board has deemed it necessary to engage the professional services of a Planner for the year 2023 January 1 through December 31, to provide for contractual planning services for application review; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, section N.J.S.A. 19:44A-20.5 requires that whenever such contracts are awarded through an informal and non-competitive process that the appointee must certify that no reportable contributions have been made to any official in the Borough in the preceding year and will not do so during the terms of the contract; and

WHEREAS, the appointee has filed the mandated business entity disclosure certification

WHEREAS, the Planning Board has determined to appoint Darlene Green, of COLLIERS ENGINEERING & DESIGN, Perryville III Corporate Park, 53 Frontage Road, Suite 120, PO Box 4107, Clinton, NJ 08809 as Planner for the Planning Board for the year 2023.

NOW, THEREFORE BE IT RESOLVED by the Borough of Montvale Planning Board as follows:

- 1) That the contract for professional general planning services be awarded to COLLIERS ENGINEERING & DESIGN.,
- 2) That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
- 3) The line-item appropriation or ordinance to be charged shall be the Escrow Fund as services for review of applications as paid for by the developer or applicant, or in the case where there is no developer or applicant, the Other Expense Portion of the 2023 Planning Board Budget.
- 4) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to PL 1975, c.127, which is attached to this resolution as Exhibit A.
- 5) The rates for said work are as outlined in the appropriate ordinance or agreement made with Mayor and Council of the Borough of Montvale in its award of the annual contract for services of Maser Consulting, PA, as the Planning Board Planner for the Borough of Montvale.
- 6) The Professional shall provide proof of insurance in form and amount satisfactory to the Borough:
  - (e) General Liability; Certificate naming the Borough of Montvale required.
  - (f) Worker's Compensation: Statutory requirements to be met. Certificate required.
  - (g) Auto Liability; Certificate required.
  - (h) Professional Errors and Omissions.
- 7) In addition, the contract shall include provisions relative to compliance with N.J.S.A. 19:44A-1 at seq.

BE IT FURTHER RESOLVED that a copy of this resolution be published in the official newspaper and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Borough Hall, 12 DePiero Drive, Montvale, NJ 07645.

DATE: \_\_\_\_\_

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

**RESOLUTION APPROVING THE PLANNING BOARD MEETING SCHEDULE**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, that the combined executive sessions and regular public meetings of the Planning Board for the year 2023 be held on the first and third Tuesday of every month at 7:30 PM, except as otherwise noted, all as set forth in the attached meeting notice; and,

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board post a schedule of meetings in the Municipal Building and send a copy to the official newspaper of the Borough of Montvale.

DATE:

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

## **MONTVALE PLANNING BOARD**

### **2023 ANNUAL SCHEDULE OF MEETINGS**

NOTICE IS HEREBY GIVEN that regular meetings of the Montvale Planning Board will be held at 7:30 PM in the Municipal Complex Building, 12 DePiero Drive, Montvale, New Jersey, on the dates hereinafter set forth:

#### **Tuesday, January 3 - Reorganizational and Regular Meeting**

Tuesday, January 17

Tuesday, February 7

Tuesday, February 21

Tuesday, March 7

Tuesday, March 21

Tuesday, April 4

Tuesday, April 18

Tuesday, May 2

Tuesday, May 16

Tuesday, June 6

Tuesday, June 20

**Tuesday, July 4 – Cancelled Independence Day**

Tuesday, July 18

Tuesday, August 1

Tuesday, August 15

Tuesday, September 5

Tuesday, September 19

Tuesday, October 3

Tuesday, October 17

**Tuesday, November 7 – Cancelled Election Day**

Tuesday, November 21

Tuesday, December 5

Tuesday, December 19

By Order of the Montvale Planning Board  
R. Lorraine Hutter  
Land Use Administrator

INTRODUCED BY:

SECONDED BY:

**BOROUGH OF MONTVALE  
PLANNING BOARD**

BE IT RESOLVED, by the Planning Board of the Borough of Montvale, N.J., that the following newspapers are hereby designated as the official newspapers for advertising for the year 2023:

The Bergen Record - Hackensack, N.J.

The Ridgewood News – Ridgewood, N.J.

DATE:

Planning Board  
Borough of Montvale

\_\_\_\_\_  
John DePinto, Planning Board Chairman

Certified to be a true copy of a Resolution adopted by the Planning Board of the Borough of Montvale at its Reorganization Meeting on Tuesday, January 3, 2023.

Attest:

\_\_\_\_\_  
R. Lorraine Hutter, Land Use Administrator

**EXHIBIT A**  
**P.L. 1975, C. 127 (N.J.A.C. 17:27) MANDATORY AFFIRMATIVE**  
**ACTION LANGUAGE PROCUREMENT, PROFESSIONAL AND**  
**SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to attempt to in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:2705.2 promulgated by the Treasurer pursuant to P.L.1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor union, that it does not discriminate on the basis of age, creed, color national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with applicable employment goals, consistent with the statues and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

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

**Tuesday, January 3, 2023**

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:** Taken at the beginning of the meeting.

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

**ENGINEER/BOROUGH PLANNER:** Mayor Ghassali came forward to make a brief statement. He stated that on behalf of the Council he would like to thank the planning board for all they have done to better the community. He also sent out to the residents a list of projects that will be coming up in 2023 regarding more open space, recreation facilities, and affordable housing that will be coming up in 2025. There have also been some changes in town regarding the new Borough Administrator as Joe Voytus and the new Borough Attorney as David Lafferty. In February, we will be appointing a new Clerk and Deputy Clerk as well as a new Captain, a new Lieutenant and a new Sergeant.

**ZONING REPORT:** Mr. Gruber – Building 400 at The District has their permit ready for pickup and payment. AR Landmark on 12 Van Riper Ave is still anticipated to be completed by Summer of 2023. The convenience store and gas station on Kinderkamack Road did not connect to sewer, gas and water in the street prior to the county's repaving of Kinderkamack Road. They are trying to work out how to get around the 5-year moratorium of road cutting to make up the necessary connections. The other projects in town are progressing slowly due to supply issues, the holiday season and weather.

## **ENVIRONMENTAL COMMISSION LIAISON REPORT:**

**SITE PLAN COMMITTEE REPORT:** Mr. Lintner – There were 3 applicants that came before the board this evening. The first was 2 Van Wick Street which is a house that is an existing, non-conforming front yard where 70 is required and he currently has 69.8. He would like to add a front stoop and portico to the front which would increase the non-conformance by 3 feet. The committee advised him that if he does want to proceed then he would need to come



obtain a variance. The next is 10 Pineview Terrace which has a deck and patio on the adjacent piece of property. He finished the project and he needs to get a survey to present to the board to state that the resolution should be modified or have an attachment that because of an early mistake that the property will be correctly identified with 39.81 in coverage. The last applicant is the owner of 135 Chestnut Ridge Road and 155 Chestnut Ridge Road. This applicant would like to install some charging stations however since landscaping was going to be an issue as well as the type of charging stations he provided, he is going to do more research and come back to the board at a later date.

**CORRESPONDENCE:** On back table

**MASTER PLAN COMMITTEE REPORT:** There was no meeting tonight. The next scheduled meeting will be January 17, 2023.

**APPROVAL OF MINUTES:** None

**DISCUSSION:** None

**USE PERMITS:**

Block 1001 Lot 1 – Gold Ventures, LLC – 135 Chestnut Ridge Road (2,191 sq. ft.)

Michael Greenberg from the Law Offices of Michael J. Greenberg, LLC stepped forward to represent client Evan Gold. Mr. Regan swore in Mr. Gold. Chairman DePinto then read the application aloud into the record. Mr. Gold identified both signatures on the application. Attached to the application is a floor plan as well as a list of zip codes. Mr. Gold gave a brief overview of the intended use of the premises. He will be using the space for a Real Estate Management Firm so the type of work they do is all administrative. Chairman DePinto polled the board for questions and no questions arose. Mr. Gruber stated that he will need to come to the building department for the CO.

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

Block 3201 Lot 3 – ALP Inc. – 17 Philips Parkway (25,755 sq. ft.)

Andy Del Vecchio of Beattie Padovano, LLC stepped forward to represent the client, Ronni Frey. Mr. Regan swore in Ms. Frey. Mr. Del Vecchio stated that there were no changes that were made to the application that was submitted. Chairman DePinto then read the application into the record. Mr. Del Vecchio identified both signatures that were on the application. Attached to the application was a list of zip codes as well as a Montvale Police Report. Ms. Frey gave a brief overview of her business. She stated that she stores artwork for artist Peter Max and when they are sold, they pack them up and ship them. Anything leaving the site they drive to UPS themselves in their own vehicles. When shipments come in it is by boxcar but that only happens about twice per month. There will be no gallery shows at all so the only people coming in and out of the facility will be the employees. Mr. Gruber stated that they will need to submit demolition plans and come to him for the CO.

A motion to approve 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.

Block 1001 Lot 2 – Shawn Danziger, CRPC – 155 Chestnut Ridge Road, Ste. 100 (1,400 sq. ft.)

Shawn Danziger came forward to represent himself. There were no changes to the application was submitted. Chairman DePinto then read the application aloud into the record. Mr. Danziger currently occupies space across the hall but he would like to move into this new space. Mr. Danziger identified the two signatures on the application. Attached to the application was the Montvale Police Department report and a list of zip codes. Mr. Danziger gave a brief overview of his business. He is a financial advisor for people who are already retired.

A motion to approve was made by Mr. Teagno 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 (CONT):**

Block 2002 Lots 13 & 14 - Montvale Grove, LLC – 20-24 Spring Valley Road – Preliminary Major Site Plan and Major Subdivision Approval – **Carried to January 17, 2023**

**PUBLIC HEARINGS (NEW):** None

**RESOLUTIONS:**

**Pay to Play** – A motion to introduce was made by Mr. Lintner and seconded by Councilmember Koelling. A roll call vote was taken with all members stating aye.

**Other Business:** Ms. Hutter stated that the State has mandated to the town and passed an ordinance in regard to any business in Montvale has to register to the town with a certificate of insurance and pay \$50 annually. This will need to be a separate check given to us along with the Use Permit check of \$225. More information will be given once we know more.

**Open Meeting to the Public:** No one from the public was present.

**Adjournment:** A motion to adjourn was made by Mr. Lintner and seconded by Mr. Culhane. All in favor stated aye.

**Next Regular Scheduled Meeting:** January 17, 2023

**Respectfully Submitted,**

**Erica Davenport  
Assistant to the Land Use Administrator**