

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
APRIL 6, 2016**

MINUTES

CALL THE MEETING TO ORDER –

Chairman Peter Perretti calls the meeting to order at 8:00 p.m.

STATEMENT –

This is a Regularly Scheduled Formal Meeting of the Combined Planning Board/Board of Adjustment of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official newspaper of the Borough, filed with the Borough Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at public meetings.

ATTENDANCE:

PRESENT: MR. PERRETTI, MR. AMOROSSO, MR. DELAURA, MR. DEVLIN,
MR. GIANNOTTI, COUNCILMAN SOKOLOSKI, MR. SILLERY
(ALTERNATE #2), MR. BARGNA (ALTERNATE #3), MR. MORAN
(ALTERNATE #4)

ALSO PRESENT: BOARD ATTORNEY, GREGG PASTER, BOARD ENGINEER,
MR. O’KREPKY

ABSENT: MAYOR PIEHLER, MR. TREBINO, MR. VOLLMER, MRS. WALKER
(ALTERNATE #1)

REGULARLY SCHEDULED FORMAL MEETING

**APPLICATION OF 240 PEGASUS ASSOCIATES, LLC, 240 PEGASUS AVENUE,
BLOCK 301, LOT 6 – BULK AND USE VARIANCES**

At this time, Holly T. Schepisi, Esq. of the law firm of Huntington Bailey, LLP, 373 Kinderkamack Road, Westwood, New Jersey came forward to represent the applicant.

At the conclusion of the last meeting, there were a couple of opened items. Mr. Sillery had asked the attorney for the applicant look into the height of the building and the history of whether variances were ever granted with respect to the height of the building. Atty. Schepisi

said that she worked with the town and found nothing pertaining of any of the approvals that were granted on the building.

Atty. Paster mentioned to put a variance in for the height of the building as a pre-existing condition. This application is a Board of Adjustment matter; therefore, Councilman Sokoloski will have to excuse himself from this hearing.

The Board considered the reports and testimony of the applicant's engineer, Jonathan R. Istriyani, P.E., of Stonefield Engineering and Design. Mr. Istriyani was previously sworn in by Atty. Paster. The property is in the LI-1 zone. He stated that the current plan with the lights presented to the board meets what is currently on site. The lighting levels at the site are satisfactory for safety, based on national standards and the state regulations regarding safety in the evening.

Mr. O'Krepky asked - what is the proposed foot candle reading at the property lines. What is the maximum reading at any property line? Mr. Istriyani said that the brightest would be the west side of the property line.

The elevated walkway was discussed behind the building. There will be adequate railings and hand rails that would comply with all safety requirements.

The monument sign was discussed. A variance for this sign is needed. The sign will be located at the western side of the driveway and will be a 20 foot high monument sign consisting of the address as well as the name of the facility – Pegasus Square (tentatively). There are eight (8) tenant spaces on the sign for any potential tenants. The total size of the sign is ten (10) feet wide by twenty (20) feet tall. The tenant spaces on the sign for any potential tenant are 8 feet wide by 1 foot 4 inches tall. A variance is needed for the width of the sign, six (6) foot max and the applicant is proposing ten (10) feet. And for the height of the sign with eight (8) feet max – the applicant is proposing 20 feet. An additional variance for the sign setback which is 20 feet from the right of way, the applicant is proposing five (5) feet.

Mr. Istriyani said that the applicant would like the sign to be visible from the main street where the adjacent shopping center is (Northvale Square). They want visibility from that road to let people know that the facility is there since it is in the industrial zone, a little further set back from the main commercial area.

It was noted that the existing Northvale Square sign is over 20 feet high.

The reason why the applicant wants to bring it five (5) feet to the road is for visibility, it's because of the way that the roadway bends. They don't want to put it too far back that it couldn't be seen from the main roadway. The property is right on the curve.

At this time, the applicant's planner, Mr. Steve Lydon of Burgess Associates, 25 Westwood Avenue in Westwood, New Jersey, came forward. Mr. Lydon was sworn in by Atty. Paster.

Mr. Lydon describes the site in detail of all the surrounding businesses in the area. He said that the positive criteria for the application was supported by the fact that this was a vacant building for many years. The property is not near a residential zone. This property would be suited for the intended use and would constitute an 'undue hardship' on the owner if not granted. Mr. Lydon stated that the application was found to be an overall beneficial impact on the public and the immediate area of the site location.

The meeting was **opened to the public**. There was no public opposition to the project.

The following documents were marked into evidence:

- Exhibit A-1** Application for variance and site plan approval, affidavit of proof of service of notice upon property owners and the newspaper publication of notice of hearing
- Exhibit A-2** JSA, LLC architectural project 15-351 floor plan dated 1/15/16 consisting of three (3) pages
- Exhibit A-3** Engineering plans of Stonefield Engineering and Design project ID#T-15270 dated January 15, 2016 entitle preliminary and final site plans, 240 Pegasus Associates, LLC consisting of twelve (12) sheets
- Exhibit A-4** Colorized version of sheet C-4 of Exhibit A-3-Site Plan by Stonefield Engineering and Design
- Exhibit A-5** Turning radius drawing for emergency vehicle access by Stonefield Engineering dated March 14, 2016 consisting of one (1) page
- Exhibit A-6** Color rendering of the elevated walkway, ramp and stairs consisting of one (1) page
- Exhibit A-7** Proposed monument sign rendering illustrating day and night time views consisting of two (2) pages
- Exhibit A-8** Aerial photo of site dated April 6, 2016 – property of Maxim Family Trust

A motion to **approve** the application was made by Mr. Amorosso, seconded by Mr. Giannotti.

ROLL CALL: Mr. Amorosso, Mr. Giannotti, Mr. Perretti, Mr. DeLaura, Mr. Devlin, Mr. Sillery, Mr. Moran - YES

APPLICATION OF JESSICA CHUNG, 35 GREGORY AVENUE,
WEST ORANGE, NEW JERSEY 07052
PROPERTY ADDRESS: 531 WHITE AVENUE, BLOCK 702, LOT 11
CONDITIONAL USE – MOTHER/DAUGHTER DWELLING

Atty. Judith Reilly, on behalf of the applicant, came forward. The previous use was a mother/daughter, single family house. According to the town's ordinance, when the occupants change, the new owner and the occupant must come before the Planning Board to get the authorization to continue the use as a mother/daughter.

There was a fire in the house and when the new home was built – it was built as a mother/daughter. There is a front door that services both – utilities (a single meter) both electric, water and gas. The relationship of the parties is that there are two parties – there is a family as a mother/father and adult son in the larger unit and a mother and a younger son in the smaller unit.

Parking was discussed. There is a paved area off of Hughes Street which accommodates at least four (4) cars, probably more. The amount of cars now being used in the families would be three (3) cars.

The following exhibits were marked into evidence:

Exhibit A-1 Application for a conditional use variance application including the site survey

Exhibit A-2 Affidavit of proof of service of notice upon property owners and newspaper publication of notice

Mrs. Jessica Chung, owner of the property and her husband, Mr. Andrew Young came forward and were sworn in by Atty. Paster. Atty. Paster said that they are first cousins once removed from the owner.

No bulk variances are required and the applicant is seeking to bring her nieces and their spouses into the home. The applicant wants to continue the existing dwelling a pre-existing mother/daughter single family dwelling on the premises to house the applicant's nieces and their husbands and families which requires a conditional use variance.

A motion to **continue the use of a mother/daughter dwelling** was made by Mr. Giannotti, seconded by Mr. Devlin.

ROLL CALL: Mr. Giannotti, Mr. Devlin, Mr. Perretti, Mr. Amorosso, Mr. DeLaura,
 Councilman Sokoloski, Mr. Sillery, Mr. Bargna, Mr. Moran - YES

**Mini Review Request – 240 Pegasus Associates,
240 Pegasus Avenue, Block 301, Lot 6**

Mr. George Aaron, CEO of Safeguard Biosystems of 52 Brayton Street in Englewood, NJ came forward. He would like to occupy 2,340 square feet at 240 Pegasus Avenue. His company is able to detect confectious disease in blood and urine. His business consists of a development facility for laboratory systems.

Mr. Aaron said that he would not have any customers come to the building nor do they do any retail business. The space would be used strictly for office, laboratory and bio-research. He will not be storing any hazardous or flammable products on-site.

His business will need 8 parking spaces for his staff and the current site has 65 private parking spaces. The hours of operation are Monday – Friday 9:00 a.m. to 5:00 p.m.

Mr. Giannotti and Mr. Perretti approve the mini review request.

APPROVAL OF MINUTES – FEBRUARY 17, 2016

A motion to **approve** the minutes was made by Mr. Giannotti, seconded by Mr. Devlin.

ROLL CALL: Mr. Giannotti, Mr. Devlin, Mr. Amorosso, Councilman Sokoloski, Mr. Sillery,
Mr. Moran - YES

**APPROVAL OF RESOLUTION – PETER DANIELE,
316 SCHARER AVENUE, BLOCK 510, LOT 14**

A motion to **approve** the Resolution was made by seconded by Mr. Amorosso, seconded by Mr. Moran.

ROLL CALL: Mr. Amorosso, Mr. Moran, Councilman Sokoloski - YES

Correspondence was discussed.

A motion to **adjourn** this meeting at 9:39 p.m. was made by Mr. Perretti , seconded by Mr. Devlin.

All present were in favor.

Meeting adjourned.

Respectfully submitted,

Laura Benvenuto, Board Secretary