

**BOROUGH OF NORTHVALE  
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT  
FEBRUARY 7, 2018**

**MINUTES**

*Chairman, Peter Perretti calls the meeting to order at 7:30 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 Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at the public meetings.”*

**Atty. Paster swears in Members Police Chief William Essmann and Mr. Ed Devlin, since they were not at our Reorganization Meeting.**

**ATTENDANCE:**

**PRESENT:** MR. PERRETTI, MR. DEVLIN, CHIEF ESSMANN, COUNCILMAN DELISIO, MR. GIANNOTTI, MRS. WALKER (ALTERNATE #1), MR. SILLERY (ALTERNATE #2), MR. HOGAN (ALTERNATE #4)

**ALSO PRESENT:** BOARD ATTORNEY, GREGG PASTER AND BOARD ENGINEER, SUNNY MULLEN

**ABSENT:** MR. AMOROSSO, MAYOR PIEHLER, MR. DELAURA, MR. VOLLMER, MR. MORAN (ALTERNATE #3)

**REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING**

**APPLICATION OF LAWRENCE REGAN, 148 WALNUT STREET,  
BLOCK 1011, LOT 6.01 – VARIANCE FOR HANDICAP RAMPS**

Atty. David Watkins with offices in Closter, New Jersey came forward to represent the applicant. The application was approved from a zoning standpoint in 2016. Mr. Michael Hubschman came forward and is an expert witness who has testified before the Board many times. Mr. Hubschman was sworn in by Atty. Paster.

The applicant seeks approval for a C-2 bulk variance to permit encroachment into the required front yard setback by a handicap access ramp on the premises. The proposed ramp is ADA compliant and supports a beneficial use and would be in the public interest.

The property is located in the LI Zone; however, via Resolutions 15-01 , 15-02 and 15-03, use variance, subdivision approval and site plan approval, changing the zoning of the property to R7.5 which requires a 25 foot setback for required front yards and an application for a C-2 bulk variance was filed with the Northvale Planning Board in order to get an approval of the variance and installation of the handicapped access ramp.

**Exhibits were marked into the record.**

**Exhibit A-1: Affidavit of proof of service upon property owners and newspaper publication of notice**

**Exhibit A-2: Variance application and property survey, entitled "Final As-Built Survey Lot 6.01, Block 1011 dated October 20, 2017 by Michael Hubschman, P.E. consisting of one sheet**

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

ROLL CALL: Mr. Giannotti, Mr. Perretti, Mr. Devlin, Chief Essmann, Councilman DeLisio, Mrs. Walker, Mr. Sillery, Mr. Hogan - YES

**APPLICATION OF CLEARVIEW EQUITIES, LLC, D.A.D. TOWNHOMES LLC AND NORTHVALE GREEN LLC, 199 PARIS AVENUE, BLOCK 908, LOT 1 AND BLOCK 603, LOT 6 – SITE PLAN AND VARIANCE FOR BUILDING HEIGHT ON BUILDING A AND BUILDING B**

Atty. David Watkins of 285 Closter Dock Road in Closter, New Jersey came forward to represent the applicant.

The applicant is asking for site plan approval amendment with variance relief for height variance on buildings A and B at 199 Paris Avenue and 208 Industrial Parkway.

**Exhibits were marked into the record.**

**Exhibit A-1: Notice of publication and proof of mailing as required by law**

**Exhibit A-2: Application for site plan amendment dated December 6, 2017, including deeds and tax records of the subject properties**

**Exhibit A-3: Site plan, prepared by Hubschman Enineering, P.A., entitled Site Plan for Bldgs. A and B Height Variances, Rio Vista Greens, Block 901, Lot 1 and Block 603, Lot 6 and dated October 2, 2017, consisting of one page**

Mr. Michael Hubschman, engineer representing the applicant was sworn in by Atty. Paster.

For Building A, a height variance to allow for a height of 36.55 feet where 35 feet is required and for building B, a height variance to allow for a height of 36.64 feet where 35 feet is required.

It was stated that the variance is required since the ridge height of the roof is compliant, but the average height is slightly in excess of the required limit. The applicant will comply with all previous conditions as set forth in the prior Resolutions of the board.

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

ROLL CALL: Mr. Perretti, Mr. Devlin, Chief Essmann, Councilman DeLisio, Mr. Giannotti, Mrs. Walker, Mr. Sillery, Mr. Hogan - YES

**APPROVAL OF MINUTES – NOVEMBER 1, 2017**

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

All those present were in favor.

**APPROVAL OF MINUTES – DECEMBER 6, 2017**

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

All those present were in favor.

**APPROVAL OF MINUTES OF JANUARY 3, 2018**

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

All those present were in favor.

**APPROVAL OF RESOLUTION – NORTHVALE CAR WASH,  
262 LIVINGSTON STREET, BLOCK 301, LOT 2**

A motion to **approve** the resolution was made by Mr. Sillery, seconded by Mr. Perretti.

ROLL CALL: Mr. Sillery, Mr. Perretti, Mr. Giannotti, Mrs. Walker, Mr. Sillery, Mr. Hogan - YES

**APPROVAL OF RESOLUTION – WALLY'S HOT BAGELS, LLC,  
246 LIVINGSTON STREET, BLOCK 303, LOTS 5, 6, 8, 13 AND 15**

A motion to **approve** the resolution was made by Mr. Giannotti, seconded by Mrs. Walker.

ROLL CALL: Mr. Giannotti, Mrs. Walker, Mr. Perretti, Mr. Sillery - YES

**Correspondence** was discussed.

A motion to **adjourn** this meeting at 8:45 p.m. was made by Mr. Devlin, seconded by Mr. Giannotti. All present were in favor to adjourn.

**Meeting adjourned.**

**Respectfully submitted,**

A handwritten signature in cursive script that reads "Laura Benvenuto".

**Laura Benvenuto, Board Secretary**