

**BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT
DECEMBER 5, 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.”

ATTENDANCE:

PRESENT: MR. PERRETTI, MR. AMOROSSO, MR. DELAURA, MR. DEVLIN,
MR. DELISIO, MR. GIANNOTTI, MR. VOLLMER, MR. SILLERY,
MR. MORAN (ALTERNATE #3), MR. HOGAN (ALTERNATE #4)

ALSO PRESENT: ATTY. GREGG PASTER, BOARD ATTORNEY AND MRS. SUNNY MULLEN,
BOARD ENGINEER

ABSENT: MAYOR PIEHLER, CHIEF ESSMANN, MRS. WALKER (ALTERNATE #1)

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

**APPLICATION OF JOEL NEGRON, 415 SEMINO ROAD,
BLOCK 104, LOT 5 - ADDITION**

Mr. Joel Negron came forward who is the owner and was sworn in by Atty. Paster.

Mr. Francois Nicolas, architect for the applicant is present and was also sworn in by Atty. Paster.

Mr. Negron would like to obtain a variance approval for expanding his front porch. The minimum front setback is 30 feet and his proposed setback is 22 feet. The property is located in the R12.5 zone. The applicant would like to demolish the existing detached single story garage and to construct an attached two story garage. He would also like to construct a portico porch on the structure.

Mr. Perretti mentioned that it was brought to the board's attention by the zoning official about the separate living space upstairs and the separate entrance located in the rear of the building.

Mr. Nicolas stated that the applicant would like to have a room upstairs above the garage with a wet bar, full bathroom, bedroom and living area. He said it would not be used as an apartment.

Mr. Nicolas said that he did the addition on the applicant's neighbor's home. Mr. Perretti would like to have on the record the fact that it would be in line of sight with the rest of them. The architect said that this addition would be 22 feet setback.

Mr. Amorosso commented that to him it shows that this is going to be a mother daughter or a rental. It has a separate entrance in the rear and no sidewalk leading from the door. Mr. Nicolas said that there is access through the house and the applicant is not intending to rent or make it a mother/daughter.

Mr. Perretti stated that if the applicant is thinking of a mother/daughter, then he would have to come before the board to go through the process. The meeting was **opened to the public**. Since not one from the public came forward, the meeting was **closed to the public**.

Atty. Paster sums up the application.

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

ROLL CALL: Mr. Amorosso, Mr. Devlin, Mr. Perretti, Mr. DeLaura, Councilman DeLisio, Mr. Giannotti, Mr. Vollmer, Mr. Sillery, Mr. Moran, Mr. Hogan – YES

**APPLICATION OF JAE SANG KWON AND ELIZABETH M. LEE,
400 DAWN COURT, BLOCK 108, LOT 2 – VARIANCE TO INSTALL DECKING/PATIO**

Elizabeth Lee and Jae Sang Kwon were sworn in by Atty. Paster.

The property in question is located in the R12.5 Zone. The property is a single family home which includes a pavement driveway, patio, shed, swimming pool and two wood platforms. The single family dwelling is a conforming use.

The zoning official has indicated that the applicant has installed two separate composite wood platforms in the rear yard which violates the rear yard and side yard setback. The platforms were installed without any approvals. There is also a shed which does not conform with the setbacks. The applicant would like to obtain approval for the improvements made without any approvals.

The applicant has an existing setback of five feet. The limiting schedule requires a minimum rear yard setback of thirty feet. Regarding the side yard setback, the limiting schedule requires

a minimum side yard setback of ten feet for one side and an aggregate setback of the two sides of twenty five feet. At present, the applicant has a side yard setback of three feet on each side of their property. This is an existing non-conforming condition of the site due to the construction of the decks without approval.

The meeting is **opened to the public**.

Mr. Felix Collado of 402 Argenti Place came forward. He noted that he received a certified letter in the mail and wasn't sure what it was all about. The board told him that the letter was informing him of the variance the applicant is seeking.

The applicant was told to hire a professional engineer to give all the correct measurements, block and lot, etc.

The applicant waived the automatic approval so that the time limit can extend beyond that.

This matter will be scheduled again for a future date. The applicant will contact the board secretary when they contact an engineer and obtain the plans necessary to file to the Board.

APPROVAL OF MINUTES OF JULY 18, 2018

A motion to **approve** the minutes was made by Mr. Sillery, seconded by Mr. Hogan.

All those present were in favor.

APPROVAL OF MINUTES OF OCTOBER 17, 2018

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

All those present were in favor.

APPROVAL OF MINUTES OF NOVEMBER 7, 2018

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

All those present were in favor.

**APPROVAL OF RESOLUTION – JAMES CHUN,
176 HIGH STREET, BLOCK 820, LOT 10**

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

ROLL CALL: Mr. Amorosso, Mr. Vollmer, DeLaura, Mr. Giannotti, Mr. Moran, Mr. Hogan –
YES
Mr. Perretti – ABSTAINED

Correspondence was discussed.

Councilman DeLisio stated the VFW property is part of the affordable housing plan. He doesn't think it has been approved yet; however it's on the table. The housing element fair share plan comes before the board for approval and then to the Mayor and Council along with ordinances that may be adopted.

The Planning Board will get involved at the re-zoning level after introduction and to adopt the housing element fair share plan concept. Atty. Paster mentioned that the Mayor and Council can adopt the plan over the Board's objection.

The Planning Board Attorney, the Borough Attorney and the Planner sit with the Fair Share Housing Centers attorney and kick the plan around. The Master Plan will soon be in effect.

A motion to **adjourn** the meeting at 8:54 p.m. was made by Mr. Amorosso, seconded by Mr. Giannotti.

All present were in favor.

A motion to **adjourn** the meeting at 8:54 p.m. was made by Mr. Amorosso, seconded by Mr. Giannotti.

Meeting adjourned.

Respectfully submitted,

Laura Benvenuto, Board Secretary