

BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT
AUGUST 21, 2019
7:30 P.M.

MINUTES

CALL THE MEETING TO ORDER

Chairman Amorosso called the meeting to order at 7:30 PM in the Planning/Board of Adjustment meeting room located on the second floor of the Municipal Building at 116 Paris Avenue, Northvale, New Jersey 07647.

STATEMENT

Chairman Amorosso read the “Sunshine Statement” into the record as follows:

“This is a regularly scheduled meeting of the Combined Planning Board/Board of Adjustment of the Borough of Northvale. The date, time and locatioin 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 not the fire exits as required by law at the public meetings.”

ROLL CALL

PRESENT: Mr. Amorosso, Mayor Marana, Mr. DeLaura, Mr. Devlin, Mr. Guyt, Councilman DeLisio, Mr. Giannotti, Mr. Sillery, Mr. Moran (Alternate #2), Mr. Hogan (Alternate #3), Mr. Pothos (Alternate #4)

ALSO PRESENT: Atty. Gregg Paster, Board Attorney, Chris Dour, Board Engineer

ABSENT: Mr. Vollmer

ALSO PRESENT: Alison Gulino, Certified Court Reporter

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

APPLICATION OF JOHN MONTEMARANO
438 ANDRE AVENUE, BLOCK 107, LOT 4
SUBDIVISION, VARIANCE

Mayor Marana and Councilman DeLisio reclude themselves.

Atty. Dean Stamos of the law firm of Ferraro & Stamos, LLP located at 22 Paris Avenue in Rockleigh, New Jersey came forward representing the applicant, John Montemarano.

All notices are in order.

The property is located on the south side of Andre Avenue. The property is located in the R-12.5 Residential Zone. The applicant would like to subdivide the lot into two lots of equal size. The applicant requires two "C" variances. According to Borough ordinance, lots must be 100 feet wide by 100 feet deep. The applicant proposes to subdivide the lot into two 75 foot wide lots.

Exhibit A1 – Site Plans

Shawn McClellan of 101 West Street, Hillsdale, NJ was sworn in by Attorney Paster. Mr. McClellan has been a licensed Engineer in New Jersey since 2004. Atty. Stamos asked if Mr. McClellan prepared the subdivision plot and if he was familiar with the property. Mr. McClellan described the work that is being proposed to be done at 438 Andre Avenue. Mr. McClellan reviewed the letter from Maser Consulting and agrees with everything in the letter. He said there are no significant trees to be removed. They will be installing seepage pits for the runoff water. They will need 2 variances, one for each lot. Mr. Moran asked if there were any sidewalks or curbs. There are no curbs. Mr. Giannotti stated the curbing should be continued to both houses. Mr. Amorosso told him to work with the Borough Engineer. Mr. DeLaura asked to address #6 in the site plan. Mr. McClellan explained there will be no steep slope disturbance. Mr. DeLaura asked if the run off will be to adjacent property. Mr. McClellan said the run off goes left to right now, he will put in seepage pits and swales and direct the water to the street.

Exhibit A2 – Northvale Tax Map

Chairman Amorosso **opened the meeting to the public** for questions for the Engineer.

Veronica Connolly, 440 Andre Avenue – asked what the width of each lot will be. They will each be 75 x 191 feet deep. How close will they be to her property. Mr. McClellan explained again about putting in seepage pits so no water will go to her property. Water will be directed to the street. She wanted to know what happens if she gets water. Mr. Amorosso told her to call the Planning Board Engineer. The Engineer will check every slope before any permits are issued. Mr. Amorosso said 10' on each side, combined 25'.

Chairman Amorosso **closed the meeting to the public.**

Kathryn Gregory, Gregory Associates, LLC 96 Linwood Plaza, Fort Lee, NJ was sworn in by Attorney Paster. She owns her own business for 12-1/2 years and is licensed in New Jersey. Ms. Gregory explained the lot and her analysis of the lot. Mr. DeLaura asked what the frontage on Lot 2 is. Ms. Gregory replied almost 59. Mr. DeLaura said every lot in that area has at least 100' frontage. This would be the only lot not having 100' frontage. Mr. DeLaura said this lot would not fit into the community.

Chairman Amorosso **opened the meeting to the public** for questions for the Planner. There being no questions or comments from the public, Chairman Amorosso **closed the meeting to the public.**

Mr. Paster reviewed the application. Mr. Giannotti asked how it will be determined which side gets 10' or 15'. They would like 15' on the lower side.

ROLL CALL VOTE

Motion by Mr. Sillery, 2nd by Mr. Giannotti.

ROLL CALL: Mr. Sillery, Mr. Giannotti, Mr. Amorosso, Mr. Devlin,
Mr. Guyt, Mr. Hogan, Mr. Moran, Mr. Pothos – **YES**
Mr. DeLaura – **NO**

ABSENT: Mr. Vollmer

Mr. Stamos asked for 5 minute break.

**APPROVAL OF RESOLUTION 19-12 – ADOPTING THE HOUSING ELEMENT
AND FAIR SHARE PLAN**

A motion to **approve** Resolution #19-12 was made by Mr. Giannotti, seconded by Mr. Sillery.

ROLL CALL: Mr. Giannotti, Mr. Sillery, Mr. Amorosso, Mr. DeLaura,
Mr. Devlin, Mr. Guyt, Mr. Hogan, Mr. Moran, Mr. Pothos – **YES**

ABSTAIN: Mayor Marana, Councilman DeLisio

ABSENT: Mr. Vollmer

APPROVAL OF MINUTES OF AUGUST 7, 2019

A motion to **approve** the Minutes of August 7th meeting was made by Mr. Sillery, seconded by Mr. Amorosso.

ROLL CALL: All in favor

**ENDORSE FOR ADOPTION BY MAYOR AND COUNCIL ORDINANCES
#1003-2019 - #1007-2019**

A motion to endorse for adoption the ordinances was made by Mr. Amorosso, seconded by Mr. Giannotti.

ROLL CALL: Mr. Amorosso, Mr. Giannotti, Mayor Marana, Mr. DeLaura,
Mr. Devlin, Mr. Guyt, Councilman DeLisio, Mr. Sillery– **YES**

ABSENT: Mr. Vollmer

**APPLICATION OF EASTERN ALLIED CONSTRUCTION, INC.
PROPERTY ADDRESS: 192 LIVINGSTON STREET
BLOCK 909, LOT 6
BULK VARIANCES**

Atty. Paster stated that the property at 192 Livingston Street is part of the Fair Share Planning Affordable Housing settlement. The applicant is entitled to the new zoning rather than the old zoning.

Atty. Dean Stamos of the law firm of Ferraro & Stamos, LLP located at 22 Paris Avenue in Rockleigh, New Jersey came forward representing the applicant, Eastern Allied Construction, Inc.

The property is located at the east side of Livingston Street. The building is currently operating as Northvale Auto Parts. The property is located in the Professional Office Zone and is bordered by the PO Zone to the north, east and south, with the R-7.5 Zone to the West. The applicant is proposing to demolish the existing site and construct an 8,928 square foot multi-family dwelling with a 7,440 square foot (footprint), with 5 one bedroom rental apartments on the first floor and 9 one bedroom rental apartments on the second floor. The second floor overhangs the first floor by 48 feet and proposing parking for 8 cars below the second floor. Multi variances are being requested.

Attorney Paster explains to the audience about Affordable Housing. This building is part of the Paris Avenue overlay. Northvale does not have to build 300 but as many as they can. The Borough must provide as many units as they can.

Chairman Amorosso **opened the meeting to the public** for questions for Attorney Paster.

Tomasina Schwarz, 109 Paris Avenue – asked what the Paris Avenue overlay is. Mr. Paster explained it covers 20 lots near Paris/Livingston. Mayor Marana stated it starts east of St. Anthony's up to the 4 corners to Livingston and up to, and including, Northvale Auto Parts. She asked if the Borough created the zone and why. Mr. Paster explained it is part of the settlement with the Fair Share Housing center. Mr. Paster stated this is part of area of town that is ripe for this type of redevelopment per our Planner. Ms. Schwartz stated her first reaction is that this is a disaster. Livingston Street is a busy street. Mr. Amorosso said only 2 units of this development would go to Affordable Housing. She said the Planner misguided the board. She said it is the least desirable place to live for lesser income people. Mr. Paster said they are not saying that. Mayor Marana said you have to comply with state mandates, if the town does not comply, a developer comes in to remedy and Borough could get a 10 story building.

Chairman Amorosso **closed the meeting to the public.**

Mayor Marana and Councilman DeLisio recluse themselves. Mr. Moran also recluses himself as he lives within the 200' from 192 Livingston.

Chairman Amorosso asked if all the notices were provided and escrow paid. Everything is in order. Mr. Stamos said it is a local builder interested in the property. He built the houses on Washington Street. This building is an eyesore. The applicant will demolish the building and clean up any environmental issues. It is a total of 14 units. Mr. Giannotti asked if the owner was at the meeting. He had to leave as he had a family emergency.

Mr. Mark Martins of 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in by Attorney Paster. He is a Professional Engineer in the State of New Jersey. Attorney Paster said he qualifies as he has been here many times in the past.

Exhibit A1 – Site Plan consisting of 7 pages, dated August 8, 2019

Mr. Martins described the site plans, existing conditions, and the colorized site plan. He stated that the building is falling apart. He described the new proposal, 2 story building, 14 units, 1 bedroom. Access will be from Livingston Street. New building will be situated toward the rear. Fronting will be on Livingston Street, rear yard Firenze street. He explained the height 27.27', proposing 20 parking spaces, 10 north side of driveway, 10 south, 9 x 18 some underneath overhang from 2nd floor. 24' driveway opening, 25' between spaces. Application will be sent to County Planning Dept for approval since Livingston Street is a county road. Chairman Amorosso said there has to be right turn only out of Livingston Street. County will want too. Exit should be Firenze Street. Plus parking spaces are 10 x 20, need a variance, our ordinance says 10 x 20. Need parking size variance. Mr. Martins has no issues with Maser Consulting's letter. Mr. Sillery asked lot size, how much of an acre. Mr. Martins testified 1/3 of acre. Mr. Sillery was concerned about the fire department having access to the side of the building. Fire Dept can have access from Livingston and Firenze Street. Building will be fully sprinkled, access from front Livingston and rear Firenze. Mr. Martins said the trash enclosure is off of Firenze Street. They could choose Firenze as front yard, ordinance lets you choose. Mr. Devlin had many concerns and stated this is total over development and not in the best interest of Northvale. Mr. DeLaura asked if a traffic study had been done. Where is overflow parking going to go. Mr. Martins said they will have a traffic engineer come to the next meeting. Mr. Guyt agreed with having right turn only onto Livingston Street. Mr. Giannotti asked about hazardous clean up. Mr. Stamos answered that the buyer would clean up. Mr. Amorosso said right turn only a must, way building situated is an eyesore, parking spots 10 x 20, need 25 spaces, you gave 20. Mr. Hogan asked if Firenze Street was the front side, how far from front yard would dumpster be. Mr. Martins answered 3'. Mr. Martins explained the lighting plan, front of Livingston Street either side, porch lights. Firenze lights will be shielded from the other properties. Mr. Dour said board wants redesign, no glare from lights, traffic concerns, address the dumpster, a lot of issues board has raised. Mr. Dour said they did address a lot of the original questions of lighting and seepage. Mr. Dour said it is working towards something if increased parking and egress. Mr. Devlin said there are excessive units. Mr. Dour said they should go with 10 units. Mr. Sillery said go with 10 and adjust front or rear yard. Mr. Paster advised if there are 10 units you need 2 affordable units. Mr. Pothos asked if there is a driveway from Firenze, there is no parking on Firenze, and has emergency personnel been notified. Mr. Stamos said not on applicant's checklist to advise those departments. Mr. Pothos stated no one reached out to fire, ambulance or police. Mr. Stamos replied the application gets submitted to board and they get copies for comments. Ambulance Corps was notified as the building is within 200'.

Chairman Amorosso **opened the meeting to the public** for questions of the Engineer only.

Chris Carlson, 185 Scharer Avenue – Lived in town 51 years, thinks what is being proposed is utterly ridiculous.

Michael Bob, 178 Firenze – asked if the affordable act for multi family. Mr. Paster said units have to have certain percentage of 1, 2, 3 bedrooms – in this application 2, 1 bedroom units is fine. Will the dumpster face Firenze Street. Mr. Amorosso said will not face Firenze if front is changed. Firenze Street was repaved what will happen if there is any road destruction. Mr. Martins stated that when the road is opened for the utilities they will repave those sections.

Oznur Balzi-Yucel, 189 Firenze Street – Lived here over 10 years. She has a traffic concern, Firenze very busy street, Livingston busy and dangerous, how can they guarantee safety. Mr. Amorosso said they cannot guarantee. Mr. Giannotti said the plan does not show any driveway on Firenze Street. She is worried about pollution issues with the additional cars and the noise from the cars. Mr. Paster said a traffic engineer will come and testify. She said all the people are rejecting this project.

Tomasina Schwarz, 109 Paris Avenue – Is Firenze part of Paris Avenue overlay. Mr. Paster answered this lot fronts onto Livingston. Mr. Amorosso said just that section. How many square feet would building be without requested variances. The Engineer will have that answer at the next meeting. Ms. Schwarz asked how many square feet now. Mr. Martins replied 11,960 sq feet with variances. Is this the only lot that goes front to back. Mr. Martins answered this one and the bank. How large are bedrooms. The Architect will answer at next meeting.

Ryan Moran, 192 Scharer Avenue – will there be a generator. Mr. Martins answered no.

Theodore Andreopoulous, 183 Firenze Street – representing her parents that live there. Website shows this address as a historic site. Mr. Amorosso said website is incorrect. Mr. Giannotti said the building is not on the national or state historic registry. Northvale has 2 historic sites, one has been converted to a restaurant, the other is a residence. She asked if the hearing is going to be opened to public for general comments tonight. Mr. Amorosso said not tonight, still need testimony of other experts. No further notices will be sent. Her parents received the notice on 8/14, postmarked 8/8. Attorney Paster advised that the mailings went out on 8/8. The Statute requires notices have to be mailed 10 calendar days before the meeting.

Michael Bob, 178 Firenze Street – If there is an exit on Firenze can it be a left only. Mr. Martins said there is no driveway out to Firenze.

Jim Petrocelli, 195 Firenze – Never received notice.

Chairman Amorosso **closed the meeting to the public.**

Attorney Paster asked Mr. Stamos when they would like to come back. Mr. Stamos replied the September 18th meeting. Attorney Paster said no new notices need to be sent.

A motion to **adjourn** the meeting at 9:50 PM was made by Mr. Giannotti seconded by Mr. Sillery.

All present in favor.

Respectfully Submitted,

**Frances Weston
Board Secretary**

Approved: September 4, 2019

DRAFT - SUBJECT TO CHANGE