

**BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT
NOVEMBER 6, 2019
7:30 P.M.**

MINUTES

CALL THE MEETING TO ORDER

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

STATEMENT

Vice-Chairman Giannotti 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 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."

ROLL CALL

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

ALSO PRESENT: Gregg Paster, Board Attorney, Chris Dour, Board Engineer, Darlene Green, Planner, Frances Weston, Board Secretary

ABSENT: Chairman Amorosso, Mayor Marana

ALSO PRESENT: Ronda Reinstein, court reporter for Northvale Greens

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

**APPLICATION OF ERIN MORAN
164 WALNUT STREET
BLOCK 1011, LOT 10**

Letter received from Attorney Brian Chewcaskie on behalf of Erin Moran requesting an adjournment without further notice to December 4, 2019.

APPLICATION OF NORTHVALE GREENS, LLC
BLOCK 908, LOT 1 AND BLOCK 603, LOT 6

Atty. Matthew Capizzi of the law firm Capizzi Law Offices located at 11 Hillside Avenue in Tenafly, New Jersey came forward representing the applicant, Northvale Greens, LLC.

Atty. Capizzi stated that they came before the Board in September and would like to respond to the comments from the board and public. New plans were submitted to the Board, removing 2 units, reducing the length of Buildings C, D, surface lots were added, and a/c units will be within each unit, not on the rooftop.

Mr. Michael Hubschman of Hubschman Engineering came forward. He is still sworn in from the September 4, 2019 hearing.

Exhibit A-15 – Site Plan, Revision 2, dated September 19, 2019

Mr. Hubschman explained the revisions. Building C, D was shortened by 30' or so. Two units were removed from the building to make it smaller. There were concerns from the professionals about the parking area to the south of C, D so they shifted the building south to move parking to one large lot on the north. Originally 246 parking spaces were proposed, they will be increased to 258 spaces. By shifting the building, they gained 12 spaces. Those were the only changes to the site plan. Mr. Giannotti read a question from Tracy Jeffery, Zoning Official, about the egress. Mr. Hubschman advised that the architect will address her concern. Atty. Capizzi advised they can make the revisions. Mr. Sillery asked by adding 12 spaces, is parking permitted on some of those thoroughfares. Per Mr. Hubschman, there is no parking on thoroughfares. The entrance is on Paris and Industrial Parkway. Mr. Sillery asked if they are proposing to finish the blacktop on the roads. Discussion was had on the existing bond and who is going to finish the roads. Atty. Paster advised the Borough Attorney was pursuing the bond issue. Mr. Sillery asked Atty. Capizzi if they will finish the roads. Atty. Paster stated that the Borough should do litigation for the bond and the applicant did not step into the shoes of the previous developer. He said this is not the responsibility of this applicant. The town is not responsible for paving the roads. Atty. Capizzi states it is not a public road, it is a private road.

Vice-Chairman Giannotti **opened the meeting** to the public for questions of the Engineer.

Joann Reteguiz, 125 Rio Vista Lane – asked of the 34 surface lot spaces, how many are for disabled parking. In Building A, B there are none designated, there is an ADA space inside each unit. Ms. Reteguiz said they are only accessible by residents, not guests. Mr. Hubschman said they could put one in if required. He also advised that the Traffic Engineer will address this issue.

There being no further questions from the public, Vice-Chairman Giannotti **closed the meeting** to the public.

Mr. Robert Zamplin, licensed Architect, came forward. He is still under oath from the September 4, 2019 hearing.

Exhibit A-16 – Drawing A-1 revised floor plan for Buildings C, D, last revised September 20, 2019

Mr. Zamplin explained the revisions. They reduced the units by 2, shrunk 1,000 sq. feet of overall coverage. There is more efficient parking on the first floor. There are 44 interior parking spaces. All terraces are in line with the back line of the building facing out to Rockleigh County Club. Atty. Capizzi asked him to explain the change to the heat and cooling systems. Mr. Zamplin stated it is a vertical unit, no condensers on the ground or on the roof. They are self-contained within the unit. Mr. Zamplin said it will be entire brick facade on Building H on Paris Avenue.

Mr. Moran asked if the buildings are completely sprinkled and will comply with all building codes. Mr. Moran also asked if the garage is enclosed or open. Mr. Zamplin answered they are enclosed. Mr. Moran asked if there are any basements. Mr. Zamplin replied there are no basements. Mr. Devlin asked if there are alarms for the a/c drain systems if they get flooded. Mr. Zamplin said yes it can be designed with sensors. Mr. Dour stated that Bldg. H is not part of the application. Atty. Capizzi said that Bldg H is being bricked. Mr. Dour asked if there will be brick on the other buildings. Mr. Dour stated that the top soil location showing by the pool is concern cause of the distance between the building and pool. Mr. Zamplin stated it can be moved. Mr. Dour said there is no lighting shown on Buildings C, D in the front. Mr. Zamplin answered all light fixtures same as all buildings, there are lights over the doorways. Mr. Dour stated that all concerns from his original and last letter have been addressed.

Vice-Chairman Giannotti **opened the meeting** to the public for questions of the Architect.

Joann Reteguiz, 125 Rio Vista Lane – asked if there any windows in the back of the building. Mr. Zamplin said there are no windows. She asked him to explain the terraces/decks. She asked if the walkways were eliminated in length. She said the walkway is shortened at the end of Building C, D.

There being no further questions from the public, Vice-Chairman Giannotti **closed the meeting** to the public.

Mr. Louis Luglio, Traffic Engineer comes forward and is sworn in to testify. He is a Licensed Professional Engineer in New Jersey and multiple states. He has a BS in Civil Engineering from NJIT and Masters in Transportation Planning. He has been practicing traffic and transportation planning for 32 years and has appeared before many boards. Atty. Paster recommends Mr. Luglio as an expert witness.

Atty. Capizzi asked Mr. Luglio to describe the overall traffic situation. Mr. Luglio testified that he visited the site and reviewed the site and architectural plans. He stated all roadways are 2 way and there is no parking on the roadways. There is an out only driveway on Industrial Parkway. Building G, E come in on the west side and travel left to right, with one way circulation. Building C, D is one way on north bound. Building G, E has left turn to ingress, C, D make right, split up even distribution between two roadways. Mr. Luglio said overall there is enough parking, 258 spaces provided, 232 are required. There are 34 spaces in the surface lot. There are six spaces off the roadway in pocket areas. Atty. Capizzi asked if there was ample parking for guests and owners. Mr. Luglio said there is ADA provided within each building. Mr. Moran asked if they are

age restricted at 50 and no child can live there. Atty. Capizzi said no child younger than 19. Mr. Moran asked if a traffic study was done when people are going to work. Mr. Luglio did not but said about 12-15 vehicles leave during the peak hours. Mr. Giannotti asked if they use the back driveway. Mr. Dour asked him if there is any conflict for entrance E opposite I, J. Mr. Luglio said I, J have an in and out driveway on the north side. Building E is ingress only, not much conflict. Mr. Dour asked if you can go either way on the road. Mr. Luglio replied yes you can.

Vice-Chairman Giannotti **opened the meeting** to the public for questions of the Traffic Engineer.

Joann Reteguiz, 125 Rio Vista Lane – asked if the analysis plan done in 2006 was still correct. Mr. Luglio said the number of units increased does not change the design and width of the roadways. She asked if traffic would increase. He said no. Mr. Giannotti asked if all parking meets standards.

There being no further questions from the public, Vice-Chairman Giannotti **closed the meeting** to the public.

Mr. Keenan Hughes, Licensed Planner, of 33-41 Newark Street, Hoboken, New Jersey is sworn in by Atty. Paster. He has testified dozens of time. Atty. Paster recommends him as a Professional Planner. Atty. Capizzi asked if he reviewed the variance requests and visited the site. He had. Mr. Hughes said the site is an island located in an industrial context. He explains the area and zone. Mr. Hughes explains they need 17.9 units per acre. He said they need a few bulk variances and explains the variances. He stated the association is in support of this project. There are no substantial negative impacts.

Vice-Chairman Giannotti **opened the meeting** to the public for questions of the Planner.

Joann Reteguiz, 125 Rio Vista Lane – asked questions about the C variance that is being requested.

There being no further questions from the public, Vice-Chairman Giannotti **closed the meeting** to the public.

Ms. Green, Borough Planner - had a few questions from her October 31st letter. On Page 8, #2 will these new units comply with the ordinance for 55 or older, Atty. Capizzi said it is 50 or older and they will comply. Also on Page 8, #5 development fees, Atty. Capizzi committed to the recommended payment. As for Landscape, page 12 she spoke with the Landscape Architect who is out of town about a few discrepancies. Atty. Capizzi has no issue. Mr. Paster explained payment in lieu will be \$112,000.

Vice-Chairman Giannotti **opened the meeting** to the public for any statements for or against the project.

Pat Demartino, VP of Homeowners Association, 1307 Rio Vista Lane - has Mr. Hughes, President of Homeowners Association, letter in support of this project. Atty. Capizzi read Mr. Hughes letter. Mr. Demartino also has a petition of 66 signatures in support of the proposal. He stated his reasons for being in support of the project.

Linda Calandra, 1308 Rio Vista Lane, Co-Chair of Welcoming Committee – stated her support of this project.

Kathleen DeFillippos, 1309 Rio Vista Lane – asked the board to reconsider the proposal, she is one of the original residents, has seen the place get worse and explained how bad things were.

Joann Reteguiz, 125 Rio Vista Lane – read statement against the proposal. She feels there will be excessive noise, overcrowding, the walking path will be unsafe, and unhealthy.

Carolyn Schinkel, 1211 Rio Vista Lane – stated that she loves living there, very accommodating and pleasant, lovely community, feels safe.

Dominick Montalbo, 1208 Rio Vista Lane – moved here about 10 years ago and is in support of the application.

Donna Scaderi, listing agent – explained she has worked with Mark and Albert. They brought prices down, advertised, created a design center, offered elevator options to try to sell units. The majority of the people do not want 2 stories. Most people are looking for 1 story units.

There being no further comments from the public, Vice-Chairman Giannotti **closed the meeting** to the public.

Atty. Capizzi thanked the public and recaps the application and asks for the application to be approved.

Atty. Paster sums up the variances that will be needed.

A motion to **approve the application** was made by Mr. Vollmer, seconded by Mr. Pothos.

ROLL CALL: Mr. Vollmer, Mr. Pothos, Mr. DeLaura, Mr. Devlin, Mr. Guyt, Mr. Giannotti, Mr. Sillery, Mr. Hogan - YES

**APPLICATION OF LAB-TECH
170 LEGRAND AVENUE
BLOCK 1101, LOT 11- EXPANSION AND VARIANCES**

Atty. Judith Reilly of the law office of Judith C. Reilly located at 302 Scharer Avenue, Northvale, New Jersey came forward to represent the applicant, Lab-Tech. All notices are in order.

The property has an existing warehouse structure with parking stalls on the west side of the building. The site is located in the LI (Light Industrial) Zone. The applicant proposes an 11,107 square foot addition to the south side of the existing building. There are three loading doors and two man doors presently. The applicant would also like to modify the existing parking lot along Stonehurst Court, adding six additional parking spaces. There would be two ADA spaces near the entrances. They are also proposing loading docks for

the west elevation facing Stonehurst Court. The applicant requires a number of variances.

Atty. Reilly summarizes the application. They would like to add on to the existing warehouse and are requesting 3 variances. Rear yard variance is 50' required, 18' is being proposed, number of parking spaces - 44 proposed, waiver variance for the stall size of parking spaces 9 x 18. She has 3 witnesses to testify.

Mr. Anthony Albano, Licensed Engineer of Stonefield Engineering & Design LLC, 92 Park Avenue, Rutherford, New Jersey came forward and is sworn in by Atty. Paster. He is a Project Manager with a degree in civil engineering and has been practicing in the field of engineering over 10 years. He has appeared before multiple boards. Atty. Paster recommends Mr. Albano as a witness for this hearing.

Exhibit A-1 – Engineer Plan, last revised 8/15/19, 9 pages

Atty. Reilly asks Mr. Albano to describe the application. Mr. Albano testifies they are proposing an addition of 11,107 sq. feet to the south of the building. They will increase the parking spaces to 44 an increase of 6 spots. This is a low turnover facility. They will have ADA spaces closest to the building. They spoke with the DEP. There will be limited disturbance for the removal of debris in that area. Mr. Albano said they are adding lighting upgrades. Landscaping will be removed and replaced with soil and seed. Trash operation will be removed through doors. Atty. Reilly asks questions from Mr. Dour's letter. The Norwood stream runs through back of the property. Mr. Albano has been communicating with DEP and there are no red flags from the DEP. He stated the loading docks will be facing Stonehurst Court. Mr. Dour said the limited disturbance beyond to the north and east was explained. Mr. Dour asked if the lighting can be shielded. Mr. Albano answered that it can be lowered a little. Mr. Dour asked if the lighting will be on timers.

Mr. DeLaura asked what the current dimensions of the parking spots are. Mr. Albano said they are faded and cannot tell, they estimate 17-1/2 now and will be extending to 18. Mr. DeLaura said decreasing the stalls a significant amount, how many do you need for people in the building. Mr. Albano answered 38 spaces is satisfactory for operation today. Mr. DeLaura asked what if someone buys the building and needs 71 spaces, you are taking away parking to add an addition. Mr. Albano stated that for this operation this is what is required. Atty. Reilly explained the warehouse is moving from Rockland County and has one employee coming. The need for employees has decreased. Mr. Albano said there will be no landscape in front of the building. Mr. Sillery asked what is the hardship for the rear setback. Atty. Reilly said they need the addition. She said that there is no other way to put the warehouse addition space on the property.

Vice-Chairman Giannotti **opened the meeting** to the public for questions of the Engineer. There being no questions from the public, the meeting is **closed to the public**.

Mr. Song Su Kim came forward and was sworn in by Atty. Paster. He is a licensed Architect in the State of NJ, owns his practice over 16 years and has 2 master degrees in architecture, one from South Korea and one from NJIT and has appeared before boards. Atty. Paster accepted him as an expert witness in Architect.

Exhibit A-2 – Architectural Plans dated 8/14/19, 4 pages

Atty. Reilly asked Mr. Kim to explain the addition for the warehouse. Mr. Kim explains the addition to the warehouse. It will have a brick finish and will be single story.

Vice-Chairman Giannotti **opened the meeting** to public for questions of the Architect. There being no questions from the public, the meeting is **closed to the public**.

Mr. Daniel Pildes of 170 Legrand Avenue comes forward and was sworn in by Atty. Paster.

Atty. Reilly asks Mr. Pildes if he is the applicant and owns this property. He confirmed he is. Atty. Reilly asked why he needs this addition. Mr. Pildes testified that he has two spaces which are hard to operate. He is moving to this warehouse at 170 Legrand. He has a shipment once a month, at present one person commandeering the entire place (sometimes 2 or 3 people). They use about 28-30 parking spaces now. There is no need for more. Mr. Giannotti asked what business is in there now. Mr. Pildes answered it is full optical distribution. Atty. Reilly asked him to explain parking needs from several years ago to now. Mr. Pildes stated there are fewer employees, dropped from 45 employees to maximum 30 cars in the parking lot. He said everything is more computerized now. Mr. Sillery asked what the hardship is if it is 50' rear setback required and you are asking for 18'. Mr. Pildes said there is only one way to fit the building expansion. Atty. Reilly asked what is on the side of the building. Mr. Pildes answered grass and paved driveway to back of the building. Mr. Sillery asked how many feet between buildings. Mr. Pildes said almost 50' between buildings. Mr. Sillery asked if there was any landscape going in. Mr. Pildes said just grass and his neighbor put trees. Atty. Paster asked if he was willing to put in some trees. Mr. Pildes agreed he would put in trees. Mr. Paster asked how many employees are on the payroll. Mr. Pildes said approximately 30 employees. Mr. Giannotti asked if they back in off the street to the loading docks. Mr. Pildes said they drive in and turn in to the dock about once a month.

Vice-Chairman Giannotti **opened the meeting** to the public. There being no questions from the public, the meeting was **closed to the public**.

Atty. Paster sums up the variances that will be needed.

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

ROLL CALL: Mr. Devlin, Mr. Moran, Mr. DeLaura, Mr. Guyt, Councilman DeLisio, Mr. Giannotti, Mr. Vollmer, Mr. Sillery, Mr. Hogan-**YES**

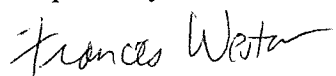
Vice-Chairman Giannotti **opened the meeting** to the public.

Mr. Joel Negron, 415 Semino Road – explained that he had been before the board and was approved. He said Tracy will not approve his permit. The board discussed the plans and Vice Chairman Giannotti will follow up with the Code Official.

A motion to **approve** the Minutes of the September 18th meeting was made by Mr. Devlin, seconded by Mr. Pothos. All present were in favor.

A motion to **adjourn** the meeting at 10:15 PM was made by Mr. Pothos, seconded by Mr. Devlin. All present in favor.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Frances Weston".

Frances Weston
Board Secretary

Approved: December 4, 2019