

**BOROUGH OF NORTHVALE  
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT**

**June 3, 2020**

**7:30 P.M.**

**Zoom meeting ID: 988 9166 6691**

**Password: 839200**

**Phone in number: 1 646 558 8656**

**MINUTES**

**CALL THE MEETING TO ORDER**

Chairman Amorosso called the meeting to order at 7:43 PM using Zoom virtual platform.

**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 Zoom meeting information for this meeting has been advertised in the official newspaper of the Borough, filed with the Acting 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."*

**ROLL CALL**

**PRESENT:** Chairman Amorosso, Mayor Marana, Councilman Devlin, Mr. Delaura, Mr. Giannotti, Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Hogan, Mr. Pothos

**ALSO PRESENT:** Atty. Paster, Chris Dour, Frances Weston and Nicole Cowley, Board Secretary

**ABSENT:** Mr. Vollmer, Mr. Degen, Mr. Briscoe.

**REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING**

**INTERPRETATION OF DENAIL FROM TRACY JEFFREYS FOR A POOL  
PERMIT- JOHN HOGAN  
BLOCK 501 LOT 12**

Mr. John Hogan, 414 Simon Way came before the Board during this meeting for an interpretation of denial given by Tracy Jefferys due to a 10 foot, rear yard setback. Mr.

Hogan challenges this and the denial and argues there is no indication of said rear yard setback in the current ordinances. Mr. Hogan began by stating his communications and timelines with Tracy Jeffreys. Mr. Hogan added, Tracy suggested redesigning the pool to be in accordance with this rear yard setback and additionally, suggested Mr. Hogan come before the Board to apply for a variance. Mr. Hogan checked with his pool company to review the borough's ordinances including the rear to rear yard setback, and confirmed with the company they did not agree with Tracy's interpretation. Mr. Hogan also hired an engineer to draw up the plans who agreed there was no such setback. Mr. Hogan explained his difficulty in receiving his paperwork as well as communicating with Tracy due to her schedule with the Borough. Mr. Hogan expressed his willingness to follow whatever guidelines and ordinances stated in the Borough's ordinances and feels this is an improvement to his property which also serves as an improvement to the town.

Chairman Amorosso opened comments from the Board members to which Councilman Devlin interjected his personal experience when building his pool and commented he was confused by this situation. Mayor Marana joined the discussion and relayed his thoughts that included, the way in which the current ordinance is being enforced and the way it reads is not the same. He checked on this with the borough attorney and has come to the conclusion this ordinance needs to be tightened up. Mr. Sillery then asked for clarification from Mr. Hogan as to what exactly he is asking of the Board. Mr. Hogan replied with confirmation. Mr. Sillery then went on to discuss another applicant that had a similar situation such as Mr. Hogan's and the Board decided in favor of that applicant. Mr. Gianotti commented his agreement in the ordinance mentioning nothing about rear yard setbacks. Mayor Marana agreed this is the issue with the ordinance. Chairman Amorosso interjected into the conversation to state Board Member, Mr. John M. Hogan was recused from this discussion. Mr. John M. Hogan was in agreement and commented his audio was not on and he was recusing himself. Chairman Amorosso asked for any closing comments to which Mr. Sillery and Mayor Marana used this opportunity to do so. Chairman Amorosso then asked Atty. Paster for his input. Atty. Paster interjected stating he did not disagree with any of the statements presented however he spoke of the potential for conflict of interest between the attorneys involved in this situation as each have worked with the applicant on a personal and professional level and suggested a conflict council handle this on behalf of the Board and the Borough to avoid any potential questioning of conflict but advised the Board to act in its own discretion. Discussion continued amongst the Board. In conclusion, official action was taken to override the permit denial provided by the Zoning Official and essentially grant the permit.

A motion to **approve** the application was made by Mr. Sillery, seconded by Mr. Gianotti.

**ROLL CALL:** Chairman Amorosso, Mayor Marana, Councilman Devlin, Mr. Delaura, Mr. Gianotti, Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Pothos

**RECUSED:** Mr. John M. Hogan

### **2020 LAND USE PLAN ELEMENT AMENDMENT**

Darlene Green came to this meeting to go through the changes being made to this document. This document was adopted back in February. Thereafter, Darlene met with

Mr. Sillery and Mr. Gianotti about some of the ordinances that were going to be implemented. Discussion in regards to Walnut St and Chestnut St and the amount of uses pertaining to that area and mostly along the Norwood border. The zoning does not match what is along the ground and really doesn't make sense. Discussions began, including Mayor Marana in regards to re-zoning. Darlene Green discussed advertising these changes and what properties this would affect with changes and updates. In short, Darlene described most changes as clean up. Mayor Marana interjected with his comments as well as Mr. Gianotti. After notices are provided to the state, county and surrounding towns, this amendment can be formally adopted. Darlene will work with Nicole to complete this process as well as Fran Weston.

### **DISCUSSIONS:**

The Board discussed on going meetings using this platform and upcoming applications that are complete and ready to be presented. Nicole Cowley discussed some options with the Board while keeping restrictions and guidelines in mind. Atty. Paster explained his experience with using virtual platforms and the many ways to be able to hear applications virtually.

### **ADJOURNMENT**

A motion to **adjourn** the meeting at 8:22 PM was made by Mr. Gianotti, seconded by Mr. Sillery.  
All present were in favor.

Respectfully Submitted,

Nicole Cowley  
Board Secretary

Approved: July 1, 2020