

**BOROUGH OF NORTHVALE  
 REORGANIZATION MEETING  
 COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT  
 JANUARY 6, 2021  
 7:30 P.M.  
 Zoom Meeting ID: 453 996 0939  
 Password: 4Qz3LR  
 Phone in Number: 1 646 558 8656  
 Meeting ID: 453 996 0939  
 Password: 785974**

**MINUTES**

**CALL THE MEETING TO ORDER**

Chairman Amorosso called the meeting to order at 7:30 PM in the Borough Hall Office located at 116 Paris Avenue, Northvale, New Jersey 07647. Meeting included Board Members, and was open to members of the public using the Zoom virtual platform.

**STATEMENT**

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

*“This is a Reorganization 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 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. Please note the fire exits as required by law”*

**Mayor Marana swears in the following members: William Guyt, Dennis Pothos, and Peter Briscoe**

**Planning/Zoning Board – Mayor’s Appointments –**

YEAR	POSITION	NAME	TERM	BEGINNING	ENDING
2021	Class II	William Guyt	1 year	1/1/21	12/31/21
	Class IV	Dennis Pothos	4 year	1/1/21	12/31/24
	Alternate #1	Peter Briscoe	2 year	1/1/21	12/31/22
	Alternate #2	Wayne Degen	2 year	1/1/21	12/31/22
	Alternate #3	Vacant	2 year		
	Alternate #4	Vacant	2 year		

**Council’s Appointment to the Planning/Zoning Board – Class III**

Councilman John M. Hogan as the Council’s appointment to the Planning/Zoning Board for a one year term ending 12/31/21

**ROLL CALL:**

**PRESENT:** Chairman Amorosso, Mr. Giannotti, Mayor Marana, Mr. Vollmer  
Mr. Pothos, Mr. Briscoe (Alternate #1)

**PRESENT VIRTUALLY:** Councilman Hogan, Mr. Guyt  
Mr. Moran, Mr. Sillery,

**ALSO PRESENT:** Gregg Paster, Board Attorney, Marie Raffay, Borough Engineer  
(Present  
Virtually)  
Nicole Cowley, Board Secretary

**ABSENT:** Mr. Degen (Alterante # 2)

A motion to appoint Charles Amorosso as **Chairman of the Board** was made by Mr. Giannotti, seconded by Mr. Vollmer.

All present were in favor.

A motion to appoint Edward Giannotti as **Vice Chairman of the Board** was made by Mr. Amorosso, seconded by Mr. Sillery.

All present were in favor.

A motion to appoint Nicole Cowley as **Board Secretary** was made by Mr. Amorosso, seconded by Mr. Pothos.

All present were in favor.

A motion to appoint Gregg Paster, Esq. of Gregg E. Paster & Associates, 530 Sylvan Avenue, Englewood Cliffs, New Jersey as the **Board Attorney** was made by Mayor Marana, seconded by Mr. Giannotti.

All present were in favor.

A motion to appoint Maser Consulting, P.A., (Transitioning to Colliers Engineering & Design, Inc. in 2021) 400 Valley Road, Suite 304, Mount Arlington, New Jersey as the **Board Engineer** was made by Mayor Marana, seconded by Mr. Amorosso.

All present were in favor.

All members present were in favor of selecting the Record to be the **Official Newspaper** (which is also the official newspaper used by the Mayor and Council).

All members present were in favor to accept the **2021 Meeting Dates**.

All members present were in favor of the **Official Depositories** (the same banks as the Mayor and Council use for the deposits of escrow accounts).

**This concludes the REORGANIZATION portion of the meeting.**

At this time, Chairman Amorosso took the opportunity to read a letter prepared by Councilman Devlin expressing his gratitude for the ability to have served on the Planning Board/ Board of Adjustment for the past fourteen years. He thanked the Board for this experience.

## **REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING**

### **APPLICATION OF ANDREW RYOO** **120 PHILADELPHIA AVENUE** **BLOCK 919, LOT 2**

### **VARIANCE RELIEF**

Before the start of this application being heard, Mr. Giannotti stated for the record, he would be abstaining from this application as he resides within 200 feet of this property. Following this, Mr. Ryoo came before the Board to state his name and address and was sworn in for testimony by Attorney Paster. Mr. Ryoo began his testimony by explaining why he would like to put a fence up and explained his rationale for wanting to do so and the need for variance relief. Discussion regarding size and plan for the fencing continued. Mr. Ryoo explained his concerns including the safety of his pet and lack of privacy that comes with 3 foot fencing bordering Veterans Drive, which is a commercial area. In addition to these concerns, Mr. Ryoo added the 3 foot fencing requirement on this corner lot also poses a financial hardship as this becomes a custom made fence since a standard retail fence is 4 foot.

Chairman Amorosso commented the property has plenty of room to go back 25 feet and as of now, the plans show Mr. Ryoo would be going back 10 feet, so there is enough room. Chairman Amorosso questioned the need for a variance to begin with. In the documents of this application there is comment by Ms. Jeffrey pertaining to traffic related aspects. Chairman Amorosso suggested, anything traffic related be determined by the traffic bureau of the Northvale Police Department. Chairman Amorosso then proceeded to discuss options that would allow for Mr. Ryoo to complete this project within compliance of the codes and ordinances, including what would and would not require variances. Mr. Ryoo was not aware of the available options discussed. Attorney Paster added if Mr. Ryoo was willing to go back 25 feet, he could amend his application on the record to allow for the Board to vote on the left fence variance, 25 feet back. Mr. Ryoo asked for a few minutes to discuss with his wife who was present for the hearing. After Mr. Ryoo spoke with his wife, they decided it was difficult to envision the option

discussed. Chairman Amorosso suggested a continuation of the application to allow for Mr. and Mrs. Ryoo time to decide how they wanted to reevaluate and proceed. Mr. Ryoo agreed to a continuation of the application and it was decided this would take place at the next meeting on Jan 20, 2021. Attorney Paster stated for the record; if anyone was present for this hearing in support or in opposition of this application, it would be reheard and continued on Jan 20, 2021 without further noticing required.

Chairman Amorosso explained to Mr. Ryoo he wanted him to have the time and understanding of the options he had and Attorney Paster suggested speaking with the Chief of Police about the traffic aspect. Chairman Amorosso stated he would speak to the Chief before the next hearing date.

**APPROVAL OF RESOLUTION #21-01**  
**411 CLINTON ASSOCIATES, LLC**  
**411 CLINTON AVENUE**  
**BLOCK 501 LOTS 18.01, 18.02, 18.03, 18.04**

Attorney Paster wanted to take this opportunity to brief the Board on this Resolution explaining Chris Dour, the Borough's engineer requested their be additional information provided in this Resolution specifically; the bedrooms be limited to three, specific detail to the improvements on Frances Lane including stabilizing the right of way and widening. This was in addition to the conditions that already existed to the condition section of the Resolution. With no additional comments from the applicant's Attorney, Attorney Paster confirmed this Resolution is indicative of what the Board approved.

A motion to **approve** the Resolution was made by Mr. Pothos, seconded by Mr. Sillery.

Attorney Paster noted for the record, only the 5 Board Members who voted in favor of the application will be voting on the Resolution.

**ROLL CALL:**

Chairman Amorosso, Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Pothos- **YES**

**APPROVAL OF MINUTES OF DECEMBER 2, 2020**

A motion to **approve** the Minutes was made by Mr. Giannotti, seconded by Mayor Marana

All present were in favor.

**CORRESPONDENCE**

Chairman Amorosso notified the Board and public of a letter received by the Borough's Engineer, Maser Consulting P.A. and their intention to transition their name to "Colliers Engineering & Design, Inc." sometime during 2021.

Next, Chairman Amorosso took the opportunity to ask the Board if there was any old or new business they would like to discuss. Attorney Paster spoke on a previous application, 179 Walnut Street. Attorney Paster explained there was some confusion with what was presented to the Board as a screened in porch is now a room with windows and walls etc. Attorney Paster asked the Board for their guidance on how to proceed. The applicant could come back before the Board for an adjustment, a full application, or an amendment. The Board requested the applicant come back before the Board for a full application.

Chairman Amorosso **opened the meeting** to the public for questions or comments

Mr&Mrs Parker of 408 Clinton Avenue requested to revisit the approval of 411 Clinton Ave that was just approved and discussed. Mrs. Parker spoke of the details of the appeal that was filed with the clerk. Mrs. Parker then questioned the status of the appeal. Mayor Marana took the opportunity to respond confirming the Mayor and Council did receive the appeal and was it found to be deficient in several regards. At the Sine Die Meeting, the last meeting of the year where unfinished business is resolved; Council voted to not hear the appeal which is within the Council's statutory right. Mrs. Parker asked what the grounds were to not hear the appeal. Mayor Marana responded to this by stating he felt this appeal was lacking merit. Other Council Members did not think that it was a good idea for one town board to be reviewing the work product of another autonomous town board. Based on the recommendation of the Borough Attorney, the council plans on eliminating the ordinance that allows appeals to the Council.

Mr. Giannotti added to this conversation by commenting about the concern of precedence being set by approving this application. Mr. Giannotti stated; it's his understanding per the laws, none of these cases set precedence and each case is decided upon its own merit.

Mayor Marana interjected and stated the Borough Attorney mailed a letter to the appellants advising of the decision to not hear the appeal as well as advising the appellants of their ability to pursue the appeal in Superior Court. Mr. Parker commented he had not received any such communication to date. Mayor Marana stated they should receive it soon and it was mailed by regular mail on either January 4 or 5. Mr. Parker stated for the record, he felt the concerns have fallen on deaf ears and is understanding of the process and wished he had a forum for the Board to hear the concerns. Mr. Parker added he is new to the process and admittedly missed the Dec 2<sup>nd</sup> hearing of this application. Mrs. Parker added she was not aware the appeal would be voted on at the Dec 29<sup>th</sup> Sine Die Meeting. Mayor Marana confirmed all meetings are legally advertised and part of the discussion of this matter took place during closed session of the Sine Die meeting, which is also advertised as well. Exact content of closed session matters are not advertised as some matters are privileged, sensitive information. Mayor Marana added he understands some residents are new to the process and stressed the importance of checking the Borough website for public meeting dates and agendas to keep informed.

All meetings are legally advertised for public knowledge. Mr. & Mrs. Parker expressed their frustration with the timeline of response and Mayor Marana acknowledged the frustration and added he has frustration as well, particularly pertaining to the multiple duplexes that already exist within the area. Mayor Marana feels the tax payers of this town have paid enough in "cleaning up" this non-conforming, foreclosed property. He does not feel as though the tax payers should pay anymore into this property. Mrs. Parker added she is not concerned with single family homes being built but is concerned with 2 family homes. Chairman Amorosso added these homes will be desirable as 2 family homes and proceeded to close discussion on this matter.

A motion to **adjourn** the meeting at 8:15PM was made by Mr. Giannotti seconded by Mr. Vollmer. All present in favor.

**Respectfully Submitted,**

A handwritten signature in cursive script that reads "Nicole Cowley".

**Nicole Cowley**  
**Board Secretary**

**Approved: 1.20.21**