

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
MARCH 6, 2013**

MINUTES

**Chairman, Peter Perretti, reads the Sunshine Statement
into the record at 8:00 p.m.**

ATTENDANCE:

PRESENT: MR. PERRETTI, MR. AMOROSSO, MAYOR BAZELA,
MR. GIANNOTTI, MR. TREBINO, MR. VOLLMER, MR. DEVLIN
(ALTERNATE #1), MR. SILLERY (ALTERNATE #3),
MR. BARGNA (ALTERNATE #4)

ALSO PRESENT: ATTY. JAMES DRONZEK (BOARD ATTORNEY)
MR. PAUL NIEHOFF (BOARD ENGINEER)

ABSENT: MR. DELAURA, COUNCILMAN SOKOLOSKI,
MRS. WALKER (ALTERNATE #2)

REGULARLY SCHEDULED FORMAL MEETING

**APPLICATION OF CHO DAE COMMUNITY CHURCH OF NJ,
119 ROCKLAND AVENUE, BLOCK 1007, LOT 1 AND 150 RAILROAD AVENUE,
BLOCK 1007, LOT 2 – SITE PLAN APPROVAL**

Mr. Perretti recuses himself from the application for he is within 200 feet of the property in question. Vice Chairman, Charles Amorosso steps up to take his place.

Atty. Jack Van Horne of Reeve & Van Horne came forward to represent the applicant. His office is located at 65 North Dean Street in Englewood, New Jersey.

He advised the Board that the Church has agreed to change their schedule with regard to the services to be held at 119 Rockland Avenue. The first service on a Sunday would be at 10:00 a.m. and a second service at 11:30 a.m.

At this time, Mrs. Darlene Green came forward. Mrs. Green is a professional planner with Maser Consulting. She stated that the applicant is seeking a D-1 use variance for the Church and seven (7) C Bulk Variances for the buffer width, the building height, the green area, parking space width and area, parking area buffer, loading and fence height. She commented that a Church is a beneficial use which satisfies the positive criteria.

Mrs. Green said that the lighting plan which was submitted showed that there will be limited spillage at the property line. Historically, this has been a mixed use site. In the past, there were

multiple tenants that functioned as offices, as light industrial and a variety of uses. If this application is approved, it will continue to be a mixed use building.

Mr. Amorosso asks Mrs. Green if it is feasible for the Borough to approve the application with industry on both sides and a Church in the middle. Mrs. Green answered “yes”. She said that the Board would be approving a mixed use building. It’s just that the uses are unusual. Mr. Giannotti said that it’s a mixed use because of the different companies in there but it’s a light industry building with office space, manufacturing and shipping. It’s a light industry use that’s permitted in our ordinance. This is something new, it’s not continuing a mixed use.

Mr. Vollmer said that being the factories are in there we continue to generate tax revenue. How is this rated? Mrs. Green said she thinks it would be proportional. She said that the Borough’s Tax Assessor would have to look into this.

Atty. Van Horne said that the applicant has agreed not to exercise its right to real estate tax exemption on the parsonage, which is a significant position that the applicant is willing to take.

Atty. Van Horne does his summation. The variances may be granted if the Board finds that the purposes of the Municipal Land Use Law will be advanced and the benefits of deviation from the Law and the ordinances would substantially out way the detriments. The applicant is proposing to use the two parcels and combine them and convert the majority of the existing industrial building to use primarily as a House of Worship, parking lot and parsonage. Within the existing building, they intend to retain the two light industrial spaces which was described in testimony. Atty. Van Horne continued to say that all of the factors given in testimony weigh in favor of granting the application.

Atty. Van Horne said with regard to the mixed use, the applicant will stipulate to whatever the Board wants them to do at the end of the current leases. They will either continue to maintain this as rentable commercial space or they will convert it to a use by the Church. The applicant is willing to comply with the issues that concern the Board and Atty. Van Horne stated that the applicant has shown great flexibility in amending the application throughout the process and asks that the Board grant the application.

Mr. Sillery asked about a tenant in the building that has shipping containers sitting on the property. Will these containers be removed? Mr. Lee said that they will be removed. Once again, the times of services were discussed

Mr. Giannotti talked about lessening the traffic coming down to Northvale.

Mr. Amorosso said that there are two tenants that want to remain. When does the lease expire? 2019 for Tip Top and 2017 for the other. Mr. Amorosso said that his suggestion would be that when the leases expire and they want to continue to lease them, they come back to the Board at that time. All were in agreement.

Atty. Dronzek said the variances required are the “D” variance for the conversion of the property to a use as a House of Worship which is not permitted in the LI zone, seven “C” variances that

have to be considered, a variance for the buffer width, a variance for the height of the building on Lot 1, variance for the green area, a variance for the width of the parking spaces and area, a parking area buffer, a variance required for off street loading spaces and a variance for the fence height.

A motion to **approve** the application with all the stipulations mentioned by the Board Attorney, was made by Mr. Vollmer, seconded by Mr. Devlin.

ROLL CALL: Mr. Vollmer, Mr. Devlin, Mr. Giannotti, Mr. Trebino, Mr. Sillery,
Mr. Bargna - YES
Mr. Amorosso - ABSTAINED

APPROVAL OF MINUTES OF FEBRUARY 20, 2013

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

All present were in favor.

Mr. Vollmer – ABSTAINED (he was absent at the February 20, 2013 meeting)

Correspondence was discussed.

General Discussion by board members.

A motion to **adjourn** this meeting at 9:24 p.m. was made by Mr. Giannotti, seconded by Mr. Vollmer.

All present were in favor.

Meeting adjourned.

Respectfully submitted,

Laura Benvenuto, Board Secretary