

**BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT
APRIL 3, 2019**

MINUTES

Chairman, Charles Amoroso calls the meeting to order at 7:30 p.m.

STATEMENT –

“This is a Regularly Scheduled Formal 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.”

ATTENDANCE:

PRESENT: MR. AMOROSSO, MAYOR MARANA, MR. DELAURA, MR. DEVLIN,
COUNCILMAN DELISIO, MR. GIANNOTTI, MR. VOLLMER,
MR. SILLERY, MR. MORAN (ALTERNATE #2), MR. HOGAN
(ALTERNATE #3) MR. POTHOS (ALTERNATE #4)

ALSO PRESENT: GREGG PASTER, ESQ., BOARD ATTORNEY AND CHRIS DOUR,
BOARD ENGINEER

ABSENT: MR. GUYT

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

**APPLICATION OF SPACE ONE LLC (THE UPS STORE),
246B LIVINGSTON STREET, BLOCK 303, LOTS 6/8 –
VARIANCE FOR A WALL SIGN**

Atty. Judith Reilly came forward to represent the applicant, The UPS Store.

The site consists of a multi-use shopping center with mixed uses of retail, restaurants, a supermarket, nail salon, dry cleaners, etc. The applicant does lease a portion of the building adjacent to Shop Rite. The applicant is proposing to add a twelve square foot sign located on the north side of the Shop Rite building. The sign will be constructed of metal and will not be illuminated. The dimension of the sign is two feet by six feet.

The meeting was *opened to the public*. Since no one from the public came forward, the meeting was *closed to the public*.

Exhibits are put into the record.

Exhibit A-1 – Letter from Mr. Slater dated March 19, 2019 granting the Landlord’s permission to install the sign

Exhibit A-2 – Letter from Mr. Onorato dated March 15, 2019 granting the Tanant’s (Shop Rite Supermarket) permission to install the sign

Exhibit A-3 – Application for Site Plan and Variance Approval executed by the Applicant

Exhibit A-4 – Affidavit of Proof of Service of Notice upon property owners and newspaper publication of Notice published at least ten days prior to the hearing

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

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Mr. Amorosso, Mayor Marana, Mr. DeLaura, Mr. Devlin, Councilman DeLisio, Mr. Moran – YES
Mr. Sillery – NO

APPLICATION OF VETERANS PROPERTY, LLC,
281 COUNTY ROAD, CRESSKILL, NJ 07626 PROPERTY LOCATION:
185 PARIS AVENUE, BLOCK 905, LOT 5 –
PRELIMINARY AND FINAL SITE PLAN AND VARIANCE APPLICATION

This application is for a use variance. The Mayor and Councilman DeLisio will have to recuse themselves.

Atty. Dean Stamos with law offices at Paris Avenue in Rockleigh, New Jersey came forward. Atty. Stamos noted that the applicant has removed a number of the requested variances from the initial submission.

The property is located at the intersection of Paris Avenue and Walnut Street. The property is located in the C-1 zone. The property is currently improved with a two-family dwelling. The current two-family dwelling is an existing non-conforming use.

The applicant’s engineer came forward. The applicant is proposing to construct a two story mixed use dwelling with five residential rental units and a 1,050 square foot of retail space. The applicant proposes to install fifteen parking stalls and a recycling and refuse area.

The applicant is requesting a use variance for the mixed use of residential and commercial uses.

The applicant has requested a variance for a parking space width of nine feet and a parking area of 162 square feet. He said that he has four parking spaces that comply with the 10 X 20 spaces for the commercial. Mr. Amorosso noted that Northvale's ordinance calls for 10 X 20 spaces.

Lot coverage was discussed. The applicant has reduced the mass of the building. The applicant is proposing a front yard setback of 10 feet from the property boundary along Paris Avenue, with a non-compliant setback to the center line of Paris Avenue of 33 feet, 35 feet is required.

Atty. Stamos said that he will amend the application, if deemed necessary, to the number of parking spaces for a parking stall variance, with the reservation of rights that under RSIS it meets those standards.

It was noted by our Board Engineer that the applicant is proposing a second story overhang above the parking area. The overhang is approximately 11 feet in height. There are three columns for the second-floor overhang. The columns reduce the parking width to approximately 8 feet wide for five parking stalls including a handicap parking stall.

The board's engineer also stated that the applicant is proposing to widen Walnut Street a maximum of 3.5 feet. The roadway widening will allow the applicant to meet the existing curbing to be installed at the corner of the intersections.

The applicant is also proposing to install curbing, road and sidewalk within the Borough Right-of-Way along the property's frontage on Walnut Street. Calculations were provided regarding the increase in sanitary sewer flow. The applicant has indicated to the board that they will televise the existing sewer lateral in Walnut Street.

Seepage pits will be installed in a 40 foot long by 12 foot wide by 6 foot deep area under the proposed parking lot. All roof leaders will be directed to the pits.

An ADA ramp at the intersection of Paris Avenue and Walnut Street is proposed.

Lighting was discussed.

The meeting was **opened to the public** for questions to the engineer.

Patrick Murphy of 206A Franklin Street of Northvale came forward. Landscaping was discussed. He asked if a sprinkler system will be installed. The engineer answered that the applicant proposes to install a sprinkler system.

Exhibits were marked into the record.

Exhibit A-1 – Affidavit of Proof of Service of Notice upon property owners and newspaper publication of notice

Exhibit A-2 – Application for Site Plan Approval with Use and other Variances executed by the applications dated October 1, 2018

Exhibit A-3 – Engineering site plan (colorized version of Sheet 3) entitled ‘Preliminary & Final Site Plan Proposed Mixed Use Retail/Residential Building’ dated September 18, 2018, last revised on March 20, 2019 by Mark Martins Engineering, LLC consisting of one sheet

Exhibit A-4 – Architectural drawings titled “Proposed Commercial/Residential Building’, dated August 20, 2018, revised on December 20, 2018, last revised March 20, 2019, by Mario Lachanaris, Architect LLC consisting of two pages

Exhibit A-5 – Site photos taken by Lisa Phillips, PP

Exhibit A-6 – Borough of Northvale tax map with zoning overlay in the site area

Lisa Phillips came forward. She has a Bachelor of Science degree in City Planning for the Pennsylvania State University and has been licensed since 1992. She has also received her American Institute of Certified Planner Certification and is certified nationally as well. She started her career with Burgis Associates and worked there for ten years. She was a municipal planner for many municipalities. Ms. Phillips has been accepted for her testimony.

Ms. Phillips described the area. She doesn't feel that there would be any kind of detriment. She feels that the applicant is suited for this use. Ms. Phillips stated that this would be an improvement aesthetically – taking a non-conforming two family and making it more conforming by providing commercial and having the mixed use. She feels that mixed use would be a benefit and would be a positive aspect to the town.

The board determined that the relief requested by the Applicant cannot be granted without substantially impacting on the public good and without impairing the intent and purpose of the Master Plan. There were numerous, substantial negative criteria associated with the project.

Atty. Paster sums up the variances requested by this applicant. They are a D1 use variance, a front yard setback to Paris Avenue, parking space width and parking space area.

A motion to **deny** the application was made by Mr. Amorosso, seconded by Mr. Sillery. After all deliberation and discussion, on the question three votes in the affirmative were recorded and four in the negative.

ROLL CALL: Mr. Amorosso, Mr. Sillery, Mr. Giannotti – YES
Mr. Vollmer, Mr. Moran, Mr. Hogan, Mr. Pothos – NO

A motion to approve the application with the requested variances was heard from Mr. Sillery, seconded by Chairman Amorosso. After all deliberation and discussion, with 5 affirmative votes required to grant the D1 use variance, on the question two votes in the affirmative were recorded and five in the negative.

APPROVAL OF MINUTES OF JANUARY 16, 2019

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

All present were in favor.

APPROVAL OF MINUTES OF FEBRUARY 6, 2019

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

All present were in favor.

APPROVAL OF MINUTES OF MARCH 6, 2019

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

All present were in favor.

Correspondence was discussed.

A motion to **adjourn** the meeting at 9:18 p.m. was made by Mr. Giannotti, seconded by Mr. Moran.

All present were in favor.

Meeting adjourned.

Respectfully submitted,

Laura Benvenuto, Board Secretary