

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
JANUARY 20, 2010**

MINUTES

**Chairman Charles Amorosso reads the Sunshine Statement
into the record at 8:00 p.m.**

ATTENDANCE

PRESENT: MR. AMOROSSO, MR. DELISIO, MR. GIANNOTTI,
MR. DELAURA, MR. PERRETTI, MR. VOLLMER,
MR. DEVLIN (ALTERNATE #1), MRS. WALKER
(ALTERNATE #2), MR. MARANA (ALTERNATE #3)

ALSO PRESENT: ATTY. GREGG PASTER, MR. LOUIS RAIMONDI

ABSENT: MAYOR HOGAN, COUNCILMAN SOKOLOSKI,
MR. TREBINO, MR. BARGNA (ALTERNATE #4)

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

WORK SESSION

No applications were submitted for the work session portion of the meeting.

FORMAL MEETING

APPROVAL OF MINUTES OF JANUARY 6, 2010

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

ROLL CALL: Mr. Giannotti, Mr. DeLisio, Mr. Amorosso, Mr. DeLaura, Mr. Perretti,
Mr. Devlin, Mrs. Walker, Mr. Marana - YES
Mr. Vollmer - ABSTAINED

**APPROVAL OF RESOLUTION –
GEORGE VOLLMER, BRADLEY AVENUE
AND VOLLMER COURT, BLOCK 209, LOTS 3.03 AND 3.04**

Mr. Vollmer steps down from this item on the agenda.

Since there were corrections to be made to this Resolution, Atty. Paster will revise the Resolution and send it on to the Board Secretary for distribution.

A motion to **approve** this Resolution with the corrections mentioned by Atty. Paster was made by Mr. Giannotti, seconded by Mr. Amorosso.

ROLL CALL: Mr. Giannotti, Mr. Amorosso, Mr. DeLisio, Mr. DeLaura, Mr. Perretti, Mrs. Walker - YES

Correspondence was discussed.

**APPROVAL OF RESOLUTION IN THE
MATTER OF THE APPEAL OF PAOLO PETRILLO –
FUNDING APPROPRIATED TO COMPENSATE
COUNSEL FOR COSTS AND SERVICES IN DEFENSE
OF THE SUIT**

A motion to **approve** the Resolution was made by Mr. Giannotti, seconded by Mr. Perretti.

ROLL CALL: Mr. Giannotti, Mr. Perretti, Mr. Amorosso, Mr. DeLisio, Mr. DeLaura, Mr. Vollmer, Mr. Devlin, Mrs. Walker, Mr. Marana - YES

General Discussion Mr. Amorosso asked the following question to the Board's Attorney. If an application is overturned by the Mayor and Council, does the applicant have the opportunity to come back with the same application for the Planning Board to hear it again?

Atty. Paster answered "yes". There is nothing in the Land Use Law preventing the applicant from reapplying and supplementing his application. Atty. Paster said that he would prepare a memo stating this as requested by Mr. Perretti. Mr. Perretti asked Atty. Paster to also check on the procedure of an applicant reapplying again to the Board for example, re-noticing people within 200 feet of the property, re-advertising, etc. Atty. Paster said that he will be thorough in his findings.

Mr. Perretti commented that in the future, all Board members should state their reasons for their vote on an application whether they are for or against the application.

A motion to **adjourn** the meeting at 8:27 p.m. was made by Mr. Perretti, seconded by Mr. Vollmer.

All those present were in favor.

The meeting went into a Closed Session at this time.

At 8:50 p.m., Mr. Amorosso reopened the meeting.

APPROVAL OF RESOLUTION IN THE MATTER OF
T-MOBILE NORTHEAST F/K/A
OMNIPOINT COMMUNICATIONS LAWSUIT

A motion to **approve** the Resolution was made by Mr. Amorosso, seconded by Mr. Vollmer.

ROLL CALL: Mr. Amorosso, Mr. Vollmer, Mr. DeLisio, Mr. Giannotti, Mr. DeLaura,
Mr. Perretti, Mr. Devlin, Mrs. Walker, Mr. Marana - YES

A motion to **adjourn** the meeting was made by Mr. Vollmer, seconded by Mr. Perretti.

All in Favor - "YES".

Meeting adjourned.

Respectfully submitted,



Laura Benvenuto, Board Secretary