

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
MARCH 4, 2009**

MINUTES

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

ATTENDANCE:

PRESENT: MR. AMOROSSO, MR. GIANNOTTI, MAYOR HOGAN,
MR. PERRETTI, MR. TREBINO, MR. PIEHLER (ALTERNATE #1),
MRS. WALKER (ALTERNATE #2), MR. DEVLIN (ALTERNATE #4)

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

ABSENT: MR. DELISIO, MR. DELAURA, COUNCILMAN SOKOLOSKI,
MR. VOLLMER, MR. MARANA (ALTERNATE #3)

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

WORK SESSION

**APPLICATION OF HOUSING DEVELOPMENT CORP.
OF BERGEN COUNTY, 176 PARIS AVENUE, BLOCK 912, LOT 2 -
USE VARIANCE**

At this time, Atty. Terrence J. Corriston of Breslin and Breslin, P.A. came forward. Atty. Corriston has offices at 41 Main Street in Hackensack, NJ 07601. Atty. Corriston represents the applicant, Housing Development Corporation.

This is a continuing work session resulting from requests for changes that the Board requested to the plans. There was a question that came up at the last meeting in terms of how to define the differences between the proposed uses which were an affordable housing use and how that might comply with the existing zones for affordable housing. The applicant was advised to submit it under the AH2 zone. Atty. Corriston amended the application.

Atty. Paster said that he spoke to Mr. Lawrence, architect speaking on behalf of the applicant, and Atty. Corriston. His interpretation is that the AHZ zone would maximize your COAH credits and the AH2 zone, if all age restricted, would not maximize your COAH credits. If the Board chooses to grant the variance for all age restricted, that would be perfectly okay to do, it's just not maximizing your credits under the COAH plan. Atty. Paster commented that the AH2 would be perfectly adequate.

Mr. Frank J. Lawrence, Vice President of James R. Guerra, P.A. Architects came forward. Mr. Lawrence noted the changes to the plans. A change made was to make a one way in drive off of Paris Avenue. The Board recommended that they do an exit onto Franklin. What the applicant did was to create the 12 foot one way drive out onto Franklin. Another change to the plans was that they shrunk the size of the building approximately about 9% the square footage.

Another concern was that there was no entrance off of Franklin Street. Mr. Lawrence said that the original scheme had the entrance and exit into the building off the parking lot. What the applicant did was to redesign the building. On the revised plans, they show that the sidewalk is continued on Franklin. Mr. Lawrence said that they simplified the building. Mr. Amorosso said that they have done everything the Board had asked.

Mr. Lawrence mentioned that the tree would be preserved.

Mr. Raimondi asked how would the curb along the side by the tree effect the tree rather than reducing the parking. Mr. Lawrence said that you only need a 12 foot entrance into the drive. The applicant does need 24 feet for backup. Mr. Amorosso suggested doing away with the one parking space.

Mr. Perretti commented that he thought the parking up against the building would be better, an ingress and egress off Paris Avenue would be better also and to move the building towards the property line on the south end and getting it off Paris Avenue another 7 feet.

Does the applicant want to proceed with two way traffic? Mr. Amorosso doesn't know if the County is going to approve in and out. Mr. Perretti said that he likes the one way traffic. Mr. Raimondi said it is good to have a one way in and one way out. The corner would be a problem.

Mayor Hogan said that this application would be an improvement to the site.

Mr. Raimondi suggested that the applicant put the curb where the curb stops are. He also requested a drainage study.

The two engineers are to get together to discuss all the details.

The applicant will call the Board Secretary as to when they can set up a date to proceed to a formal hearing.

FORMAL MEETING

APPLICATION OF OMNIPOINT COMMUNICATIONS, INC.,
35 INDUSTRIAL PARKWAY, BLOCK 608, LOTS 1 AND 2 -
USE VARIANCE

Since this is a use variance application, Mayor Hogan and Councilman Sokoloski cannot vote on the application. Since Councilman Sokoloski is absent, Mr. Devlin sits in Councilman Sokoloski's seat.

Atty. Frank Ferraro came forward. Atty. Ferraro is the attorney representing the applicant.

Atty. Paster reviewed the notifications and the mailings and all is in order according to statute.

Atty. Ferraro stated that the owner at 35 Industrial Parkway had come before the Board for a mini review with respect to any tenants that were in the building. The owner also removed the refrigerator unit that was outside of his building. These were issues the last time the applicant came before the Board.

The application proposed is for a 110-foot monopole, a wireless telecommunication facility at 35 Industrial Parkway. The applicant is looking for a use variance, a height variance and a side yard setback. At the first hearing, there was testimony from the radio frequency emissions expert who gave testimony as to confirm that the facility will operate within FCC allowable limits for emissions.

At this time, Brian Lainson, the site engineer for the applicant, came forward. Mr. Lainson is from Pennoni Associates, 105 Fieldcrest Avenue, Edison, New Jersey. Mr. Lainson is a civil engineer, a licensed professional engineer in the State of New Jersey. Mr. Lainson went over the revised sheets of the plans, C0101 and C0102, last revised 2/11/09.

Exhibits were marked.

Exhibit A-5 – the revised sheets C0101 and C0102, last revised 2/11/09.

Exhibit A-6 – Sheet Z0101 last revised 2/11/09

Exhibit A-7 – Sheet 0102

Exhibit A-8 – Noise analysis report

Exhibit A-9 – Letters that were sent to alternative property owners within the search range

Exhibit A-10 – Existing sites and our proposed locations

NOTE: (see attached transcript for the formal hearing of the application)

THE TRANSCRIPT IS AVAILABLE AT THE PLANNING BOARD OFFICE

**APPROVAL OF RESOLUTION –
ORGANICA NATURAL FOODS,
246 LIVINGSTON STRET, BLOCK 303, LOT 8**

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

ROLL CALL: Mr. Giannotti, Mrs. Walker, Mr. Amorosso, Mayor Hogan, Mr. Trebino - YES

**APPROVAL OF RESOLUTION –
TWENTY TWENTY FITNESS LLC,
100 STONEHURST COURT, BLOCK 1101, LOT 9**

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

ROLL CALL: Mr. Giannotti, Mrs. Walker, Mr. Amorosso, Mr. Trebino - YES

**APPROVAL OF RESOLUTION –
FRANK AND JENNIFER FERRARO,
183 HIGH STREET, BLOCK 819, LOT 4**

A motion to **approve** the Resolution was made by Mrs. Walker, seconded by Mr. Trebino.

ROLL CALL: Mrs. Walker, Mr. Trebino, Mr. Amorosso, Mr. Giannotti - YES

APPROVAL OF MINUTES OF FEBRUARY 18, 2009

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

ROLL CALL: Mr. Giannotti, Mrs. Walker, Mr. Amorosso, Mayor Hogan, Mr. Trebino - YES

Correspondence was discussed.

A motion to **adjourn** this meeting at 10:32 p.m. was made by Mr. Giannotti, seconded by Mr. Amorosso.

All in Favor - "YES".

Meeting adjourned.

Respectfully submitted,



Laura Benvenuto, Board Secretary