

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
APRIL 21, 2010**

MINUTES

**Chairman, Charles Amorosso reads the
Sunshine Statement into the record.**

ATTENDANCE:

PRESENT: MR. AMOROSSO, MR. DELISIO, MR. GIANNOTTI,
MAYOR HOGAN, MR. DELAURA, MR. PERRETTI,
COUNCILMAN SOKOLOSKI, MR. TREBINO,
MR. VOLLMER, MRS. WALKER (ALTERNATE #2),
MR. MARANA (ALTERNATE #3), MR. BARGNA
(ALTERNATE #4)

ALSO PRESENT: ATTY. JENNIFER KLEINMAN (IN PLACE OF
ATTY. GREGG PASTER), MR. LOUIS RAIMONDI

ABSENT: MR. DEVLIN (ALTERNATE #1)

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

WORK SESSION

**INFORMAL HEARING – Letter from Joe and Mercedes Bruno
Re: Il Giardino Pizza & Restaurant, 153 Paris Avenue, Block 901, Lot 13**

Mr. Joe Bruno came forward. He would like to have outdoor seating to be located at the side of the building facing Firenze Street. It is a 40 X 11 foot open space that the landlord has given approval to Mr. Bruno. Mr. Amorosso said that the first problem is that he is on the corner. The front of the building was there before the ordinance. The ordinance states that one must have 25 feet on each side of a corner lot. Mr. Amorosso stated that Mr. Bruno does not have 25 feet on the Firenze side.

Mr. Giannotti asked if Mr. Bruno had a plot plan. Mr. Bruno said he would submit a plan to all members. Mr. Giannotti said that Northvale's ordinance for outdoor seating is not allowed. Mr. Amorosso said that Panera Bread received a variance for their outdoor seating. Mr. Bruno was advised to get the plan.

Mayor Hogan said that he is not against the concept of outdoor seating.

APPLICATION OF PAOLO PETRILLO,
208 LIVINGSTON STREET, BLOCK 901, LOT 8 -
BULK AND USE VARIANCE APPLICATION

Mr. Robert Costa, the engineer representing the applicant, came forward.

Mr. Amorosso asked if there is a substantial difference from the application being presented tonight than the previous one that was denied by the Mayor and Council. Mr. Costa said that the Board approved the previous application and then appealed to the Mayor and Council. The Council overturned the zoning board's approval of that application. The applicant then redesigned the application proposing from six units to five units and they increased the parking. Mr. Costa said, in his opinion, going from six to five units and increasing the parking is a substantial difference and that the applicant can proceed.

Atty. Kleinman noted that it is Counsel's opinion that there is a significant change.

Mr. Costa will make certain corrections on the plan. He said that the applicant does not need a frontage variance. Mr. Perretti said to make the proper corrections and resubmit the revised plans to all Board members.

Mr. Costa said that Mr. Madaio will be having other witnesses besides himself and Mr. Cecco. Mr. Costa said that there will be a planner present at the formal hearing. The applicant does have County approval on the previous application. Mr. Costa will submit this new plan to the County as well to seek a new approval from them.

Mr. Giannotti asked if the experts that are to be present at the formal hearing will be given testimony as to traffic patterns, traffic flows, etc. Mr. Costa said that someone will discuss the traffic pattern situation.

Mr. Perretti asked if the building will be designed with a hip roof to bring it down. Mr. Cecco said that he didn't change the roof from the prior application but he will make the changes to the plan.

Mr. Costa said that the building is existing, the parking area is existing and the applicant is modifying the parking and adding an additional parking space to the north. Required parking spaces are 20 and the applicant is providing 20 spaces. No variances are needed. The applicant would need a waiver on the size of the spaces. The lot will be restriped and a handicapped ramp will be at the front door. The proposal also calls for the streetscape along of the frontage of the entire property and it calls for the decorative lighting.

The application meets the storm water quality and storm water management for the project.

Atty. Kleinman said that a "C" variance is required on the existing setback for the deli and a "D" variance for the apartment use.

Mr. Vollmer suggested that the applicant bring in a court stenographer. Mr. Costa said that he would recommend that the applicant have a court stenographer for the formal hearing.

Mr. Marana questioned - for a "D" variance what criteria does the Board have to consider and evaluate and what evidence has to be presented? Atty. Kleinman said that the board should lay out exactly what it is and what the Board is going to consider. It makes it easier so that nothing can get missed. Mr. Amorosso said that the applicant has to show hardship, the need for the negative and positive criteria in which Atty. Madaio will touch all the bases.

Councilman Sokoloski said that he and the Mayor cannot sit in on the application and cannot make any comments on the application during the process. He does agree with having a good transcript taken at the formal hearing. He would not want this to come back to the Mayor and Council again.

Mrs. Walker said that she understands that the Mayor and Councilman Sokoloski cannot speak during the meeting as a board member, but if they are sitting in the audience and they have a question, could they speak? Mr. Amorosso answered that they are advised not to say anything because if it goes back to the Mayor and Council, it could be a problem. They are officials of the Borough.

The formal hearing for this application will be scheduled for May 5, 2010.

**APPLICATION OF HYON LEE, 194 LIVINGSTON STREET,
BLOCK 909, LOT 24 – SITE PLAN AND USE VARIANCE APPLICATION**

At this time, David Watkins came forward. He has offices in Closter, New Jersey and is here tonight to represent the applicant, Hyon Lee. The applicant proposes to construct a medical building at the site. The applicant is at almost 16% green area with the application. Atty. Watkins said that there are a sufficient number of parking spaces, no variance is needed. The building is being moved to the rear because there is a better site distance.

This matter will be heard for a formal hearing on May 19, 2010.

FORMAL MEETING

APPROVAL OF MINUTES OF MARCH 17, 2010

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

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Mr. Amorosso, Mayor Hogan, Mr. Perretti,
Councilman Sokoloski, Mr. Trebino, Mr. Marana, Mr. Bargna - YES
Mr. DeLisio, Mr. DeLaura, Mrs. Walker – ABSTAINED
(They were absent at the March 17, 2010 meeting)
Mr. Devlin – ABSENT

Correspondence was discussed.

FOR DISCUSSION AND REVIEW

- **LETTER FROM WILLIAM BUDD, KAUKER & KAUKER**
DATED NOVEMBER 17, 2009
RE: PROFESSIONAL OFFICE ZONE
- **MEMO FROM WANDA WORNER TO LAURA BENVENUTO**
DATED APRIL 7, 2010 RE: ORDINANCE #876-2010 –
PROFESSIONAL OFFICE ZONE

The Sub-Committee for the Master Plan will meet next week to discuss some issues and corrections of the Ordinance. The zoning map will be reviewed by the sub-committee also.

General Discussion of the Board Members.

A motion to *adjourn* the meeting at 8:42 p.m. was made by Mr. Vollmer, seconded by Mr. Perretti.

All in Favor - "YES".

Meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Benvenuto".

Laura Benvenuto, Board Secretary

Correspondence was discussed.

FOR DISCUSSION AND REVIEW

ORDINANCE #876-2010
PROFESSIONAL OFFICE ZONE

The Council introduced the first reading of this ordinance. Mr. Perretti commented that members just received the ordinance, he needs more time for review. Mayor Hogan said he would table this if necessary. Mr. Amorosso said that the committee should get together to review this ordinance. He recommends that the Council table this until the review is made.

A motion to *adjourn* this meeting at 8:52 p.m. was made by Mr. Amorosso, seconded by Mr. Perretti.

All in Favor – “YES”.

Meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Benvenuto".

Laura Benvenuto, Board Secretary