

**BOROUGH OF NORTHVALE  
PLANNING BOARD/BOARD OF ADJUSTMENT  
JUNE 16, 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. TREBINO,  
MR. VOLLMER, MR. MARANA (ALTERNATE #3),  
MR. BARGNA (ALTERNATE #4)

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

**ABSENT:** MAYOR HOGAN, COUNCILMAN SOKOLOSKI,  
MR. DEVLIN (ALTERNATE #1), MRS. WALKER  
(ALTERNATE #2)

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

**WORK SESSION**

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

**FORMAL MEETING**

**APPLICATION OF SAMUEL PRUYN,  
340 LAMBERT AVENUE, BLOCK 507, LOT 1 -  
VARIANCE FOR A FENCE**

Mr. Samuel Pruyne residing at 340 Lambert Avenue came forward. He was sworn in by Atty. Paster. Mr. Pruyne submitted a revised plan that included a small section heading up his driveway and a small gate between the driveway and his house. Mr. Pruyne is requesting a variance for a six foot fence in the northeast corner of the property. On the Hill Terrace side of his property, the most the Board would give on the side yard would be four feet. The variance the applicant is requesting is to install a six foot fence along the back and a four foot fence on the side and front.

The meeting was **opened to the public.**

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

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

ROLL CALL: Mr. DeLisio, Mr. Vollmer, Mr. Amorosso, Mr. Giannotti,  
Mr. DeLaura, Mr. Perretti, Mr. Trebino - YES

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

Atty. David Watkins came forward. He has offices in Closter, New Jersey and he is here tonight to represent the applicant, Christine Hyon Lee. Ms. Lee currently has an office in Closter which she rents. She would like to move her orthodontist practice to Northvale.

Atty. Watkins commented – although this requires a “D” variance for the use, the applicant’s engineer will testify that Northvale’s Master Plan calls for this property to be rezoned. Based on the criteria that allows the Board to grant a “D” variance, the Board must look at the Master Plan and establish whether or not the use of what the applicant is proposing is consistent with what the Master Plan is proposing. He further said that the Master Plan also says that when you look at the criteria for variance relief you don’t look at the R7.5 zone, you look at the C-1 zone. This application meets 99% of the criteria.

Mr. Michael Hubschman, engineer representing the applicant, came forward. Mr. Hubschman prepared the site plan that was submitted to all members of the Board. This plan was marked into the record as **Exhibit A-1**. He said that the property is 110 feet wide and 110 feet deep located on Livingston Street just south of the PNC Bank. He noted that the Master Plan proposes to rezone everything from Paris Avenue to Lot 23, which is two lots south of the applicant’s property to a Professional Office Zone and to continue this up to the other side of Firenze Street.

The C-1 zone criteria requires 5 foot front yard and the applicant is proposing a 8.5 foot front yard on the property because there is a small sidewalk easement. The building had to be pushed back a little bit for this reason. The C-1 zone requires a 10 foot side yard; the applicant is proposing to have the building on the northwest corner, proposing a 5 foot side yard because dimensionally this is how the parking layout had to work. The County wanted the entrance as far to the south as possible.

Directly north to the site is a parking lot for the PNC Bank. Mr. Hubschman said that there is no impact at all to the side yard. The building is a small building, it is 2270 sq. ft. The building is a two story building; it is a low building, 25 feet high. The rear yard setback is 40 feet and they are proposing 44.5 feet. Building coverage in the C zone, maximum is 40 %, the plan shows 20.9 %. Impervious coverage - 80% is the maximum in the C zone, the plan shows 85%.

Mr. Hubschman said that the County is requiring the applicant to extend the widened curb down. They have to do some paving and they will be complying with the Northvale streetscape in front of the site.

Mr. Amorosso said that the Police Chief recommends *no left hand turn out of the parking lot.*

The drainage plan was discussed. There are seepage pits and a trench drain, everything is piped out.

Mr. Hubschman stated that there would be the streetscape light in the front. One shoebox light in the rear and four building exit lights which lights up the lot. The site is uniquely situated for this type of development.

Regarding signage, Atty. Watkins said that the applicant would comply with the ordinance.

Mr. Raimondi's letter of June 14, 2010 was discussed.

Concerning the rear lighting, the applicant is proposing the shoe box lighting in the rear, standard, faces down and is angled. The two back building lights will shine down also. On the south side of the parking lot, there are just the two lights on the building. This is sufficient to light up the lot according to a lighting specialist.

The changes will be made on the plan and will be submitted to the Planning Board's Secretary for the file.

Atty. Paster marked additional exhibits into the record. **Exhibit A-2** – notices to the public and the newspaper, **Exhibit A-3** – the application and **Exhibit A-4** – a colorized rendering of the plan.

Mr. Hubschman noted that the parking spaces are 9 X 18. A variance is needed for the size of the spaces.

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

Mr. Joseph Cecco came forward and was sworn in by Atty. Paster. Mr. Cecco said the building will consist of cement plaster stucco. There is an entrance to the doctor's first floor where she will occupy the entire first floor on the south side. You would come into a waiting room and reception area. Behind the reception area, there is a handicapped bathroom and office. Behind that is the operating area where the chairs would be.

On the east side, there is another handicapped bathroom and another office, a janitor's closet and a staircase to get up to the second floor of the building. Most of the rooms are 8 X 10 or 8 X 12. Atty. Watkins stated that there is no tenant for the second floor at this time.

Mr. DeLaura commented – how could the Board could pass something when there is no knowledge of what is going on upstairs. Atty. Watkins said that the ordinance doesn't say that for each unit you need a certain amount of parking spaces. It says regarding the square footage of the building, this is the number of required parking spaces.

Mr. DeLaura said that the doctor has patients coming in and out. If there should be four separate groups upstairs and the doctor has her patients coming in and out, are there enough parking spaces, will there be more traffic going in and out of the building?

Atty. Watkins said that they will agree to a maximum of two tenants upstairs when the time comes. Atty. Paster mentioned that whoever does occupy the space upstairs, they have to come before the mini review board anyway.

The meeting was **opened to the public**. No one has come forward from the public; the meeting was **closed to the public**.

Ms. Christine Hyon Lee came forward and was sworn in by Atty. Paster. She is currently located at 277 Closter Dock Road in Closter, New Jersey. She currently sees patients three days a week from 9:00 a.m. to 6:00 p.m. She testified that the bulk of the patients are after school hours, from 3:00 p.m. to 6:00 p.m. Ms. Lee is an orthodontist.

Ms. Lee will have a receptionist and two staff members to help her. They are not medical doctors. She said if the Board would like her to limit the upstairs to two units, she would do so.

The number of patients per day would be approximately 20. Most of them children and in the afternoon after school. Ms. Lee has two assistants in the afternoon.

The meeting was **opened to the public** for any questions of Ms. Lee. Since no one from the public came forward, the meeting was **closed to the public**.

Atty. Paster said the applicant seeks a "D-1" variance for use of the property, for a side yard setback, 10 foot required, 5 foot provided, lot coverage, green area, 50% required, 15.7 provided, a variance for the size of the parking stalls, 9 X 18 where 10 X 20 is required. Streetscape, lighting and signage are to be complied with the ordinance. There will be Belgium block curbing, maximum of 2 tenants on the second floor, professional use only and conditions of the County and the Board Engineer's correspondence.

Mr. Raimondi said he mentioned the buffer between the commercial and the residential, under Section 200-7 (c). Atty. Watkins said to be safe, he would like to amend the application to request the variance for the buffer. It was noted that there would be either a PVC or a board on board, solid fence on the rear side of the property.

A motion to **approve** the application with the variances stipulated by Atty. Paster was made by Mr. Giannotti, seconded by Mr. Vollmer.

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Mr. Amorosso, Mr. DeLisio, Mr. Perretti,  
Mr. Trebino - YES  
Mr. DeLaura - NO

Mr. Amorosso asked Atty. Watkins if he would send a letter to the Bergen County Historical Society about the building that abuts Ms. Lee's future building that they should come up and inspect it and either takes it off the rolls as a Bergen County Historical Society or have it cleaned up.

**APPLICATION OF INVESTORS FIRST MORTGAGE CORP.,**  
**171 PARIS AVENUE, BLOCK 904, LOT 7 – SITE PLAN WITH VARIANCES**

This matter was carried to the August 4<sup>th</sup> meeting. No further notice is required.

**APPROVAL OF MINUTES OF JUNE 2, 2010**

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

ROLL CALL: Mr. Amorosso, Mr. Trebino, Mr. Giannotti, Mr. DeLaura, Mr. Perretti,  
Mr. Vollmer, Mr. Bargna - YES  
Mr. DeLisio, Mr. Marana - ABSTAINED (they were absent at the  
June 2<sup>nd</sup> meeting  
Mayor Hogan, Mr. Devlin, Mrs. Walker - ABSENT


*Correspondence* was discussed.

A motion to **adjourn** the meeting at 9:22 p.m. was made by Mr. Vollmer, seconded by Mr. DeLisio.

All in Favor - "YES".

**Meeting adjourned.**

**Respectfully submitted,**

  
**Laura Benvenuto, Board Secretary**