

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
SEPTEMBER 2, 2009**

MINUTES

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

ATTENDANCE:

PRESENT: MR. AMOROSSO, MR. DELISIO, MR. GIANNOTTI,
MAYOR HOGAN, MR. DELAURA, MR. PERRETTI,
COUNCILMAN SOKOLOSKI, MR. TREBINO,
MR. PIEHLER (ALTERNATE #1), MRS. WALKER,
(ALTERNATE #2), MR. MARANA (ALTERNATE #3)

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

ABSENT: MR. VOLLMER, MR. DEVLIN (ALTERNATE #4)

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

WORK SESSION

**APPLICATION OF SANG HEE PARK,
271-273 LIVINGSTON STREET, BLOCK 207, LOTS 3 & 5 –
APPLICATION FOR A SIGN VARIANCE**

The application is for 15 minutes parking signs to be placed at the Woori Mart Food Store located at the Northvale Square. It was noted by the applicant that the parking is limited and some of their customers complain saying they cannot find parking spaces.

The applicant mentioned that other store owners have placed the same signs (15 minute parking for their specific store). Mr. Amorosso said that there are 24 stores in the shopping center. If everyone had the same signs, there would be 72 parking spaces taken away for these three (3) 15 minute signs.

Mr. Giannotti said that there is no law enforcing private signs like these.

The applicant was told to call the Board Secretary if and when they want to come for a formal hearing.

FORMAL MEETING

**APPLICATION OF PAOLO PETRILLO,
208-210 LIVINGSTON STREET, BLOCK 901, LOTS 7 & 8 -
BULK AND USE VARIANCE**

Mayor Hogan and Councilman Sokoloski step down from this hearing of this application since it is a use variance.

The notice of public hearing was published on August 23, 2009 and all residents within 200 feet of the property were notified of the hearing.

Exhibit A-1 – application

Exhibit A-2 – notices and proof of publication

Mark Madaio, Esq., 31 Legion Drive, Bergenfield, New Jersey came forward to represent the applicant, Paolo Petrillo.

The proposal is to construct six (6) one bedroom units on Block 901, Lot 8. Atty. Madaio stated that the engineer for the applicant already filed the County application.

Mr. Joseph Cecco, architect for the applicant came forward to testify. Mr. Cecco was sworn in by Atty. Paster. Mr. Cecco has his office at 14 Broad Street in Norwood, New Jersey.

Exhibit A-3 – Mr. Cecco's architectural plans revised date July 10, 2009

Mr. Cecco described the property. There is a retail store that is on Livingston Street. There is a parcel behind the store for the construction of the rental units. The six (6) units will be located in a single structure and will be all one bedroom units for tenants 55 and over.

With regard to the layout, each of the units will have a separate entrance. Each of the units will have a garage facing Firenze Street as opposed to facing the parking lot and Livingston Street.

Mr. Cecco described the elevation as you pull in off of Firenze Street, the east elevation. The units will be brick faced finish with PVC windows with a standard roof. The north elevation has a set of double doors for the two apartments on the second floor. These doors are for the use of those apartments. The south elevation has three doors which provides access to three separate units. The west elevation accesses a separate apartment.

The layout of the first floor plan was described. There are two of the one bedroom units on the first floor. The entrance is on the south side. As you enter, you come into a living and dining room area; there is a kitchen area, a coat closet, bathroom and a bedroom. The bedroom is approximately 12 X 15, not an oversized room. On the first floor is also

a meter room which is accessible only through the garage. The layout of the upstairs was described. There are two units and each of the units is accessible by each of one of the staircases. The units upstairs are approximately 740 sq. ft. The bedrooms are slightly smaller, 12 X 12 and the kitchen is slightly smaller.

Atty. Madaio said that the two units which are located above the two units below, one unit is in the center which is 855 sq. ft. and that unit is exactly on top of the one below it and has the same layout. Next to that unit is another unit which is exactly the same unit, which is also 855 sq. ft. There are four units that are 855 sq. ft. and two units that are 740 sq. ft.

Mr. Cecco said that each unit will have a mechanical closet. The units will have baseboard type heat. They will be gas units. The location of the washer and dryer will be in the mechanical closet also. Mr. Cecco said that all of the garages are meant strictly for parking.

Mr. Amorosso asked why an elevator is not included in the plans. Mr. Cecco said that an elevator is not required. Mr. Amorosso said that people 55 years and older would be renting these units. Mr. Cecco answered that if you were to put in an elevator, then you would have to have a common lobby so that everyone could use it. If a person needed help in getting up stairs, they would have a device (a chair) on the stairway to help them up to their apartment.

There will be no roof top air conditioning unit or any units sticking out of the windows.

Mr. Perretti said that he is in favor of people parking in the garage. How likely is it that the garage is used for storage and the tenants park in the deli parking lot? Atty. Madaio said that, with rentals, they can control this issue in their lease.

Mr. DeLaura asked how many spaces are in the parking lot right now. Atty. Madaio said there are 33 parking spaces. Mr. DeLaura said some tenants may have more than one car. The overflow of cars will go out into the parking lot of the deli. Atty. Madaio said that Mr. Costa, engineer for the applicant, will discuss this issue when he arrives.

It was mentioned that there could be no storage under the stairs. Mr. DeLaura said the tenants should be encouraged to pull into the garage and to enter the building from the garage. He feels that there should be a door from every garage into the units. Mr. Amorosso agreed. The way the units are located and where the garages are situated, Mr. Cecco said that it would be difficult to have a door installed from each of the garages.

On the staircases that go upstairs, Mr. Amorosso asked why there isn't a door that closes on the top of the staircases. Mr. Cecco said he left them opened. The chairman mentioned that fire hazard wise, this is a bad idea leaving the door opened, you would be creating a draft.

Mr. Cecco said that the total building would be sprinklered. Mr. Cecco said that he could put in a door if the Board wanted him to.

The site plan prepared by Costa Engineering, revised date August 21, 2009 was marked as **Exhibit A-4**. The plan consists of seven sheets.

Regarding the parking, there is one space for every 300 square feet of commercial, 2,000 square feet of retail divided by 300 equals 6.67 spaces. For private apartments, there are 1.8 spaces for every one bedroom apartment. The applicant has 8 apartments which include the 6 units to be proposed and 2 in the old building, that gives the applicant 14.4 spaces required. There are a total of 21 spaces required and they have a total of 20 spaces provided.

Mr. Amorosso said that Northvale's ordinance says one parking space for each bedroom. There are six units and all is needed are six parking spaces. There are 14 spaces now in which the owner needs for his business. Atty. Madaio stated, using the Borough standard, the applicant is required to have 15 spaces and they have 20.

Mr. Perretti asked if they could incorporate a hip roof to make it look a little lower without any structural problems. Mr. Amorosso thinks it would look more attractive as well. Atty. Madio has no objections to the design change.

Concerning the west elevation, Mr. Raimondi asked if there is any chance of putting in windows on the side that is blank. Atty. Madaio said they could put in some windows.

Mr. Marana asked how big is the space, the gap between the store and the proposed structure. Mr. Cecco answered, approximately 25 feet.

Mr. DeLisio comments, on the common area, the area between the two structures, is there any reason why the applicant wouldn't use pavers as opposed to pea gravel which tends to spread all over the place. Atty. Madaio said that he had no problem doing pavers. The applicant could leave it all grass, as long as they do not have a coverage problem, they can go pavers instead of pea gravel.

Mr. Piehler asked about the trash containers. Mr. Cecco said that there is a dumpster area at the site behind the deli. This is where the tenants would drop their trash also. Mr. Giannotti asked about the tenants receiving their mail. Mr. Cecco will discuss this with the postmaster.

The meeting was now **opened to the public** to make comments or ask questions of the architect.

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

At this time, Mr. Robert Costa, engineer for the applicant, came forward and was sworn in by Atty. Paster. He has offices at 325 South River Street in Hackensack, New Jersey.

Mr. Costa is the site engineer and prepared the plans submitted to the Board.

Exhibit A-5 – colorized site plan, page 2 of the engineering plans
Exhibit A-6 – Mr. Raimondi’s letter of August 27, 2009

The existing condition is the front building on Livingston Street. The building to the rear is the structure which the applicant is proposing. Mr. Costa stated that the structure proposes ingress and egress off of Firenze and six garage parking spaces facing that street.

Mr. Costa stated that he and Mr. Raimondi discussed the plan at length. The detention system was moved out into the back towards Firenze Street. Instead of tearing up the parking lot and possibly causing a traffic problem, they would move the sanitary sewer, the water main and then the risers would come out of the mechanical room that the architect has proposed behind parking space, garage number 18. Mr. Costa said by doing so, he changed the drainage to seepage pits and separated them, where in the event of a failure for those pipes, someone could physically get in there, take it out and put it back together without destroying the drainage system.

Mr. Costa said that the plans show gas meters at the north side of the proposed building, it really is up to public service, it could be at the north or at the south. The electric is anticipated overhead. The utility company is the one who will dictate as to where it should be. It was mentioned that the meters could be outside; however, the exact location will be determined by the utility company.

The applicant will incorporate the streetscape along the front of Livingston Street to match the Town’s streetscape.

The green area coverage was discussed. Atty. Paster said that the applicant does not need a variance for the green area.

Parking was discussed. Atty. Madaio mentioned that Mr. Costa did his calculations by the RSIS standards. Under the RSIS standards, 21 spaces are required and the applicant has 20 spaces. Under the standards of the Borough of Northvale, 15 spaces are required and the applicant has 20 spaces.

This site is located in the commercial zone and it is a zone which permits C-1 uses; however, they intend to use the rear portion of the site for residential. In the course of doing this, the structure is located behind the existing structure. Mr. Costa said that the site already has residential uses on it. The proposed application would be an expansion of that non-conforming element that it is not a new use on the site.

Mr. Costa stated that there is no detriment to the zone plan or requirements or anything else by having the rental units face Firenze Street. There are two units already in the

front; the front is already a mixed use structure. The applicant would be increasing the number of residential units but that use already exists on the site.

Mr. Costa said that he sent a copy of the plan to soil erosion. Soil erosion said because he had made a previous submission, they would re-stamp the plans without fees. Mr. Costa spoke to Mike Varner, County of Bergen Planning Commission on Monday and said that the applicant would submit an application to them as well.

Mr. Giannotti mentioned that the owner of the property to the north of the proposed site had a problem with the borderline. Mr. Costa said that this issue was straightened out.

Mr. DeLaura asked if there has been any survey taken as to the need for a 55 and older unit rental and if the applicant could fill the units.

Mr. Costa said that he has not taken such a survey. What happens if the landlord is unable to fill the units with people 55 years and older? Atty. Madaio said that the board resolution could limit this condition and the landlord could limit this also. This condition will be in the resolution. The resolution should read 55 and older and no child under 19 years of age.

Atty. Paster asked Atty. Madaio – how do you reconcile this condition with People Housing Opportunity. Atty. Madaio said that he cannot reconcile this matter immediately. He said that this is his concern. He has always understood that senior citizens were a class of persons that you could limit housing just to them. There are many, many 55 and over communities.

Mr. Raimondi read the comments from Fire Marshal, Joseph Zavarino. Mr. Zavarino would like the curb on the left side, the north side of the traffic aisle. The use will require fire suppression throughout. The location of the fire department connection should be indicated by the Fire Department and fire zone at location on site plan and fire lane signage and yellow curb is requested.

Also commented by the Fire Chief, Howard Ostrow, was the possibility of a new fire hydrant to be placed on Firenze Street because the closest hydrant is a minimum of 450 feet away. Mr. Costa will discuss this issue with the Fire Marshall.

Mr. DeLaura commented that he thinks there will be a traffic impact with the cars going in and out.

The meeting was **opened to the public** for questions or comments to the engineer. Since no one from the public came forward, the meeting was **closed to the public**.

Atty. Paster mentions the variances requested. All conditions will be included in the Resolution.

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

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

Alternate members Lisa Walker and Pat Marana were involved in the deliberation and did not voice any objections to this application.

APPROVAL OF MINUTES OF AUGUST 5, 2009

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

ROLL CALL: Mr. Giannotti, Mr. Perretti, Mr. Amorosso, Mayor Hogan, Mr. DeLaura, Councilman Sokoloski, Mr. Trebino, Mr. Piehler, Mrs. Walker, Mr. Marana - YES

APPROVAL OF MINUTES OF AUGUST 19, 2009

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

ROLL CALL: Mr. Perretti, Mr. Amorosso, Mr. DeLisio, Mr. Giannotti, Mayor Hogan, Councilman Sokoloski, Mr. Trebino, Mr. Piehler, Mr. Devlin - YES

APPROVAL OF RESOLUTION –
DIANA HINOJOSA, 223 WASHINGTON STREET,
BLOCK 605, LOT 2

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

ROLL CALL: Mr. Giannotti, Mr. Perretti, Mr. Amorosso, Mayor Hogan, Mr. DeLaura, Councilman Sokoloski, Mr. Trebino, Mr. Piehler - YES

APPROVAL OF RESOLUTION –
ROBERT LIPPMAN, 407 ARGENTI PLACE,
BLOCK 106, LOTS 16 & 19

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

ROLL CALL: Mr. Amorosso, Mr. Giannotti, Mayor Hogan, Mr. DeLaura, Mr. Perretti, Councilman Sokoloski, Mr. Trebino, Mr. Piehler - YES

Correspondence was discussed at this time.

Discussion- Atty. Paster said that he was summoned to appear in Court on the Omnipoint Communications Application that the Board had denied. He would like to draw up a Resolution to incorporate some funds for his services. Councilman Sokoloski said that the funds would probably have to come out of the Planning Board budget as they have it now. Atty. Paster said that \$2,500.00 for this year shall cover it. Atty. Paster will prepare a Resolution for the next meeting.

A motion to **adjourn** this meeting at 9:48 p.m. was made by Mr. Giannotti, seconded by Mr. Amorosso.

All in Favor – “Yes”.

Meeting adjourned.

Respectfully submitted,

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

Laura Benvenuto, Board Secretary