REGULAR MEETING OF THE MONTVALE PLANNING BOARD MINUTES
Tuesday, May 7, 2024
Municipal Complex 12 DePiero Drive, Montvale, NJ

> Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

Chairman DePinto opened the meeting at 7:44 pm and led everyone in the Pledge of Allegiance.

ROLL CALL:

PRESENT: John Culhane; Councilmember Koelling; William Lintner; John Ryan, Mayor Designee; Frank Stefanelli; Dante Teagno; Joseph Puglisi; Anita Bagdat and Chairman DePinto

ALSO PRESENT: Robert Regan, Board Attorney; Darlene Green, Borough Planner; Jamie Giurintano, Borough Engineer; Michael Halzack, Deputy Fire Inspector and R. Lorraine Hutter, Land Use Administrator

ABSENT: Christopher Gruber; Sherwin Tsai and Javid Huseynov

MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER/BOROUGH PLANNER: None

ZONING REPORT: To be carried to the next scheduled meeting

ENVIRONMENTAL COMMISSION LIAISON REPORT: To be carried to the next scheduled meeting

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli reported the committee reviewed six applications. The first application for 12 Van Riper (Block 3302, Lot 1) proposed the use of temporary banners facing the Garden State Parkway in order to promote leasing availability adhering to the six-month limit. The second application for 7 Flintlock Rd. (Block 1301, Lot 24.06) needs to submit plans and the discussion suggested that the applicant might want to discuss the matter with the others in the area in order to create subdivisions and separate lots. The third application for 5 June Lane (Block 2203, Lot 17) is looking to update and put an addition on the back of the house as well as a second floor. The applicant will be submitting a variance application to the Planning Board shortly. The fourth application for 133-149 Kinderkamack Rd. (Block 703, Lot 7) would like to install a new Hotbox for domestic water and fire in order to replace the existing one that is underground. The fifth application for 34 Forest

Ave. (Block 1401, Lot 4) would like to do a subdivision of the property, but does not have enough land on the front and must do an engineering study to see if the subdivide is possible. The last application for 100 Summit Ave. (Block 1102, Lot 3) reviewed minor changes base on the last approval and moving forward for a building agreement.

MASTER PLAN COMMITTEE REPORT: None

CORRESPONDENCE: On back table

APPROVAL OF MINUTES:

1. **November 21, 2023** - A motion to approve was made by Mr. Lintner and seconded by Councilmember Koelling. There was no discussion on the motion. A roll call vote was taken with all present members stating aye. Mr. Gruber, Mr. Tsai and Mr. Huseynov were absent. Mr. Puglisi and Ms. Bagdat abstained.

2. **April 16, 2024** - A motion to approve was made by Mr. Culhane and seconded by Mr. Teagno. There was no discussion on the motion. A roll call vote was taken with all present members stating aye. Mr. Gruber, Mr. Tsai and Mr. Huseynov were absent.

USE PERMITS:

1. **Block 3101, Lot 1, 2 and 3 – RDS Aesthetics d/b/a 4Ever Young Anit-Aging Solutions** – 20 Chestnut Ridge Road, Suite 22 (2,450 sq. ft.) – John A. Conte, Jr. of Meyerson Fox and Conte represents the applicant, Douglas Salz, President of RDS Aesthetics, Inc. d/b/a 4Ever Young Anit-Aging Solutions. The Chairman read the application into the record. Mr. Regan swore in the client. The space will be used for an upscale retail medical clinic offering non-surgical, non-invasive skin and anti-aging treatments, they have 1 employee currently but anticipate a future total of 6 employees to occupy the space, which will be altered to have 13 rooms. A list of 1 employee zip code was presented, an outdoor sign is required and parking will be 6 employee spaces and all other for parking in common. Mr. Salz then went on to discuss safety measures regarding having a licensed nurse practitioner on staff as well as security measures being taking regarding medical supplies. The Chairman read a letter from the Montvale Board of Health regarding concerns about this business. They especially focused on the wording of the non-invasive skin treatments that involved injects, which by their standards any treatment that breaks the skin would be consider invasive, medical and professional supervision of non-medical staff and medical waste disposal. Mr. Salz stated that an outside waste disposal company will be contracted but that an agreement with a particular company has not been arranged as of yet. The Chairman proposed that an agreement of providing a copy of the contract with a waste disposal company be a provision of approval in order to attach to the use permit file, to which the applicant agreed. The Chairman also stated that the question regarding medical supervision had previously been addressed by the applicant and that once staff has been retained to fill

the positions a letter of employment should also be provided in order to attach to the use permit file, to which the applicant agreed. Mr. Conte proposed that once Mr. Salz has retained all the licensed professionals that will be performing the treatments and supervising the medical supplies that they present their employees to the Montvale Board of Heath for approval and provide the letters of agreement for the use permit file. Mr. Halzack questioned chemicals being use in the business and ventilation of the space regarding chemical combustion and requested that they confer with the Building Department in order to prevent any ventilation issues. Mr. Conte stated that he agrees with the Planning Board and has advised his client to confer with both the Montvale Board of Health and Building Department in order to address all concerns and provide the requested documents to add to the use permit file in the future. The Chairman also advised the applicant that when submitting to the Building Department to make certain that the sign being proposed be in accordance with the code set forth by the Planning Board. A motion to approve was made by Mr. Stefanelli and seconded by Councilmember Koelling. A roll call vote was taken with all present stating aye.

2. **Block 1102, Lot 1 – Meyerson, Fox & Conte** – One Paragon Drive, Suite 205 (4,300 sq. ft.) – John A. Conte, Jr. of Meyerson Fox and Conte represents the applicant, the firm Meyerson Fox and Conte, PA. The Chairman read the application into the record. The applicant current occupies space in the same building (15,050 sq. ft.). The new space will be used for additional office space for expansion of law office, a total of 44 employees will occupy the updated space, which will be altered to have 11 additional rooms, and the combined office spaces will be collectively known as Suite 240. A list of all employee zip codes was presented. An outdoor sign is not required and parking will be 44 employee spaces and all other for parking in common. A motion to approve was made by Mr. Lintner and seconded by Mr. Culhane. A roll call vote was taken with all present stating aye.

3. **Block 1902, Lot 8 – Perio Implant Moon LLC – Dr. Laura Moon, DDS** – 160 Summit Avenue, Suite 206 (2,243 sq. ft.) – Priscilla Triolo of Bittiger, Elias, Triolo & Diehl PC represents the applicant, Dr. Laura Moon of Perio Implant Moon LLC. The Chairman read the application into the record. Mr. Regan swore in the client. The space will be used for a licensed professional periodontic practice, a total of 4 employees will occupy the space, which will be altered to have 9 rooms to accommodate a dental office. An outdoor sign is not required and parking will be 4 employee spaces and all other for parking in common. Mr. Halzack questioned if any gases or oxygen would be stored, as well as if there would be x-ray and/or radiological equipment. The applicant stated that there would be x-ray and radiological equipment, as well as modified local anesthesia but no general anesthesia and patients would be breathing on their own accord. A motion to approve was made by Mr. Teagno and seconded by Mr. Stefanelli. A roll call vote was taken with all present stating aye.

PUBLIC HEARINGS (NEW): None

PUBLIC HEARINGS (CONT.): None

RESOLUTIONS:

1. **<u>Proposed Element of the Borough of Montvale's Master Plan, which is entitled "Borough of Montvale Environmental Resource Inventory"</u> –**
   The motion to introduce was made by Mr. Ryan and seconded by Mr. Stefanelli. There was no discussion or changes to be made to the Resolution. A roll call vote was taken with all present members stating aye and Ms. Bagdat abstained.

2. **<u>Resolution Granting Minor Subdivision Approval, Site Plan Approval, and Related Variances and Waivers to the Estate of Elaine M. DePiero by Glen DePiero, Executor for premises designated as Block 1903, Lots 2, 3, 4 and 5 also known as 53 Craig Road</u> –** The motion to introduce was made by Mr. Lintner and seconded by Mr. Stefanelli. Mr. Regan reviewed a few small changes and corrections that had been made to the Resolution. No other members had any discussion on the Resolution. A roll call vote was taken with all present members stating aye. Mr. Ryan, Councilmember Koelling, Mr. Puglisi and Ms. Bagdat abstained.

DISSCUSSION:

1. **OR Signage –** The Chairman reviewed a request made by the governing body of Montvale regarding looking into sign regulations in the OR District and a memorandum which had been sent recommending 6 changes.
   The Chairman stated that most of the changes were agreeable but he objects to the change of the sizing of the signs from 32 sq. ft. to 48 sq. ft. and the addition of 1 color choice changing the sign restrictions from 4 colors to 5 by not including the background color in the restriction of the 4-color choice.
   Ms. Green stated the reasoning behind these recommended changes is that the mayor's office has received a great deal of commentary regard how difficult it is for signage in the OR zones and looking for ways to entice commercial businesses to move into the area. The Board members discussed the color change and agreed that the addition of the 5th color was not agreeable to them.
   The Board members discussed the size change and it was stated that the thinking behind the change is because if a sign is a monument styled sign that has a stone or granite base that the base is included in the overall calculation of the size of the sign. The Chairman recommended rewording the restriction of the sign size to exclude the base utilizing the requirements already in place for the height of the sign from the ground.
   The Chairman requested that Ms. Green go back to the governing body with the boards recommended changes before drafting the Ordinance.

2. **EV Ordinance –** The Board reviewed the changes that had been made and discussed Ms. Green's suggestion of changing the wording of commercial to non-residential. The

Board’s discussion also addressed that the local Ordinance would be more specific to the Borough of Montvale instead of the very general New Jersey State Statue, to which installing EV charging stations would only go thru the Building Department and not the Planning Board. The Chairman asked that the revision be made and presented to the governing body at their next meeting.

OTHER BUSINESS: None

OPEN MEETING TO THE PUBLIC: No one from the public came forward.

ADJOURNMENT: A motion to adjourn was made by Councilmember Koelling and seconded by Mr. Stefanelli. All in favor stated aye.

Next Regular Scheduled Meeting: May 21th, 2024

Respectively submitted:

Theresa DiPopolo,
Assistant to the Land Use Administrator