# REGULAR MEETING OF THE MONTVALE PLANNING BOARD MINUTES
## Tuesday, February 20, 2024
## Municipal Complex 12 DePiero Drive, Montvale, NJ

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| 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 7:39 pm and led everyone in the Pledge of Allegiance.

ROLL CALL:

**PRESENT:** John Culhane; Christopher Gruber; Councilmember Koelling; William Lintner; John Ryan, Mayor Designee; Javid Huseynov; Sherwin Tsai; Joseph Puglisi and Chairman DePinto

**ALSO PRESENT:** Robert Regan, Board Attorney; Darlene Green, Borough Planner; Andrew Hipolit, Borough Engineer; John Kurz, Fire Prevention; Michael Halzak, Fire Prevention and R. Lorraine Hutter, Land Use Administrator

**ABSENT:** Dante Teagno and Frank Stefanelli

MISC. MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH ENGINEER/BOROUGH PLANNER: The Chairman announced that the Application for Minor Site Plan Review and Variance Application for the Estate of Elaine Depiero, 53 Craig Road, will to be carried to March 5th, 2024 at the applicant's request.

ZONING REPORT: None

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Tsai reported concerns regarding the pool location for 36 Marion Road regarding the change in ground water flow and requested it be reviewed by engineers. He also mentioned the upcoming clean up event on April 20th and encouraged Montvale residents to participate.

SITE PLAN COMMITTEE REPORT: Mr. Lintner reported the committee reviewed an application for 21 Philips Parkway proposing a 3-story storage facility. The build had been previously approved for an assisted living facility, which did not go forward. The applicate is a new owner and is hoping to come before the Planning Board sometime in April, 2024.

MASTER PLAN COMMITTEE REPORT: Mr. Lintner reported they only touched on the OR 4 and will go back to review the OR 4 presentation.

CORRESPONDENCE: On back table – None

APPROVAL OF MINUTES:

**October 3, 2023** - A motion to approve was made by Mr. Lintner and seconded by Mr. Ryan. There was no discussion on the motion. A roll call vote was taken with all members stating aye. Mr. Teagno and Mr. Stefanelli were absent.

**December 19, 2023 – to be carried to the next meeting. March 5th, 2024.**

DISSCUSSION: EV Ordinance – Ms. Green stated that she did not author this Ordinance and that there isn't a lot of testimony in it. The Ordinance is mostly boiler plate and that they do not have to adopt the Ordinance and refer to the State Statue. Mr. Gruber also stated that the Ordinance is very limited on inspection and installation rules and regulations for private residence. Ms. Green did point out that if they ever had to oppose a resident on the EV matter that there is no existing code specifically for the Borough and could cause problems. She also stated that the fire department has expressed concerns for safety, especially in the case of garage chargers. It was decided to send a memo to wait on the Ordinance to the Mayor and Council and that this version of the Ordinance not be adopted.

USE PERMITS:

1. **Block 702 Lot 2 – Ayman Jallad d/b/a 1 Magnolia LLC** – One Magnolia Avenue (900 sq. ft.) – Janice Gatto represents the applicant, Ayman Jallad of 1 Magnolia LLC. The Chairman read the application into the record. Mr. Regan swore in the client. The space will be used for packaged snacks and smoke shop, a convenience store, 1-2 employees will occupy the space, which will not be altered. A list of all employee zip codes was presented. An outdoor signage is required and parking will be 1-2 employee spaces, 2 visitor spaces, total marked

spaces is 6. Montvale Ordinance 400-86 B prohibits vape and hookah sales, so that must be removed from the application. If the client wishes to sell those items, they must submit an application for a Variance. The applicant agreed to remove those items from the application. A motion to approve was made by Mr. Lintner and seconded by Mr. Culhane. A roll call vote was taken with all stating aye.

2. **Block 3004 Lot 2 – Lion Creek Real Estate Capital**– 50 Chestnut Ridge Road, Suite 119 (3,120 sq ft.) – Andrew Bolson of Meyerson Fox and Conte represents the applicant, Abe Katz of Lion Creek Real Estate Capital. The Chairman read the application into the record. Mr. Regan swore in the client. The space will be used for administrative and general business purposes for an investment firm. 6 employees will occupy the space, which will be altered to create an open office area and 7 rooms or offices within the space, as laid out in Exhibit A. A list of all employee zip codes was presented as Exhibit B. No outdoor signage is required and parking will be 6 employee spaces and 2 visitor space was requested but all parking is common parking, as is the case for all suites in the building. A motion to approve was made by Mr. Huseynov and seconded by Councilmember Koelling. A roll call vote was taken with all stating aye.

PUBLIC HEARINGS (NEW):

1. **Block 603, Lots 8 and 42 – Fintan and Kelly Seely and Michael O'Donovan –** 107 Woodland Ave. and 83 Magnolia Ave. – Minor Subdivision
   **The applicant will to be carried to March 5th, 2024 for Revised Plans.**

2. **Block 1903, Lots 2, 3, 4, and 5 – Estate of Elaine Depiero –** 53 Craig Road – Application for Minor Site Plan Review and Variance Application.
   **At the applicant's request this matter will to be carried to March 5th, 2024.**

PUBLIC HEARINGS (CONT.):

RESOLUTIONS:

1. **Block 2702, Lot 1.01** - Resolution Granting a Use Permit and Approval of Signage to Natural Nails & Spa V Inc. d/b/a Natural Nails and Spa for Premises designated as Block 2702, Lot 1.01 (C1001) also known as 110 Market Street.
   The motion to introduce was made by Councilmember Koelling and seconded by Mr. Huseynov. There was no discussion or corrections on the motion.
   A roll call vote was taken with all members stating aye, Mr. Teagno and Mr. Stefanelli were absent.

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. Puglisi. All in favor stated aye.

Next Regular Scheduled Meeting: March 5th, 2024

Respectively submitted:

Theresa DiPopolo,
Assistant to the Land Use Administrator