

REGULAR MEETING OF THE MONTVALE PLANNING BOARD
MINUTES

Tuesday, September 17, 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 7:34 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; Javid Huseynov; Sherwin Tsai; Joseph Puglisi and
Chairman DePinto

ALSO PRESENT: Robert Regan, Board Attorney and Fran Scordo, Borough Clerk

ABSENT: Christopher Gruber; Anita Bagdat; Darlene Green, Borough Planner; Jamie
Giurintano, Borough Engineer and R. Lorraine Hutter, Land Use Administrator

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

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Tsai inquired if there is an access link on the borough website for borough public documents, to which Ms. Scordo responded there is not and Mr. Regan stated that if the public wants access to any of the borough public documents the proper procedure is through the OPRA request.

SITE PLAN COMMITTEE REPORT: Mr. Lintner reported the committee reviewed two applications. The first application for 57 N Kinderkamack Road (Block 1504, Lot 6), which is the construction of a single-family home. The soil movement in the plans is close to being a major soil movement, which would need to go before the Planning Board. It was suggested to reduce the soil movement in order to not need a major soil movement permit. It was also suggested to upgrade the seepage ditch from 2" rainfall to 3" rainfall and remove the shower from the basement. If the applicant accepts these changes, then they may go directly to the building department and get permits for construction. The second application was for 12 DePiero Drive (Block 2802, Lot 1) for the installation of EV Chargers in the parking lot. The committee asked that the applicant wait for installation until that the police department and the borough give

feedback on the location and type of hardware to be used in this project. Once that feedback is received, they will proceed with either the project or making changes to the application.

MASTER PLAN COMMITTEE REPORT: None

ZONING REPORT: None

CORRESPONDENCE: On back table

APPROVAL OF MINUTES: None

DISCUSSION: Chairman DePinto discussed the ANJEC report that was sent by Robert Hanrahan of the Environmental Commission. The EC would like to be more involved in the Planning Board application process and some of the members took it upon themselves to walk the property of an applicant. Chairman DePinto wrote Mr. Hanrahan an email explaining that walking the property of an applicant without permission was inappropriate, which he confirmed with Robert Regan, Joe Voytus and Dave Lafferty. Mr. Hanrahan responded with the ANJEC report, which is not a government entity, but a private organization. Chairman DePinto was asked to poll the board members regarding send applications to the EC as we do the Police and Fire Departments for their letter of recommendation. The Borough Engineer stated to the Chairman that he recommends not sending the applications with plans until the Engineer has deemed the application and plans complete because the Borough Engineer would most likely have already addressed most concerns the EC would have. The concern the Chairman raised was would it be enough time for the EC to review the application and plans before the applicant would be required to go before the board. The board members discussed the matter with many agreeing with the Borough Engineer that the EC, which is only an advisory commission, be copied, with a notice of the 120-day deadline, after the Engineer deems that application complete in order to avoid redundancy. The Chairman stated that he will contact Mr. Hanrahan about the board's decision regarding the EC place in the Planning Board's application process.

USE PERMITS: None

PUBLIC HEARINGS (NEW): None

PUBLIC HEARINGS (CONT.):

1. **Block 2002 Lots 13 & 14 – 20 -24 Spring Valley Road – Montvale Grove – Final Major Site Plan Approval** – This item was not on the agenda but the applicant attorney, Antimo DelVecchio, requested a few minutes to discuss scheduling the hearing for the final approval for this application. Mr. DelVecchio requested to carry this item to the

October 1st meeting. The Chairman confirmed with Mr. Regan that public notice is not needed for the final approval. The Chairman also confirmed with board members their availability for that date in order to insure there are going to be enough eligible voting members for that night. The Chairman stated to Mr. DeVecchio that they will try to schedule them for the October 1st meeting, but that it is dependent on his client getting the final plans to the Planner and Engineer with enough time to do their review and that if they don't have the proper amount of time there is a possibility that his client can not be heard until the October 15th meeting.

RESOLUTIONS:

1. **Resolution Granting Variance Relief to Michael J. Funtsch for Premises Designated as Block 805, Lot 6** – The motion to introduce was made by Mr. Lintner and seconded by Mr. Culhane. There was no discussion or additional changes to be made to the Resolution. A roll call vote was taken with present members stating aye. Mr. Gruber and Ms. Bagdat were absent.
2. **Resolution Granting Preliminary & Final Site Plan Approval, Variances, Approval of an Environmental Impact Statement, & a Major Soil Movement Permit to Marmont Montvale, LLC for Premises Designated as Block 3201, Lot 4** – The motion to introduce was made by Mr. Teagno and seconded by Mr. Tsai.

Mr. Regan stated that there are many changes to be made to this Resolution. On page 9, paragraph 15, 4th line, the sentence referencing the fencing should read “Fencing at each of the three basins...”. Page 10, paragraph 17, 6th line, should read “10:00pm”. Page 13, paragraph 22, 6th line, should read “underserved”. Page 13, paragraph 23, 7th line, remove “or 24% according to census data”. Page 16, paragraph 27, 1st line, add references to the revised plans and updated report of the Borough Engineer. As well as marking additional items into evidence, items A10 thru A14. A10 – Site Plan Drawings from L2A Land Design, 17 sheets dated 8/19/24; A11 – Architectural Plans from SAA Architects, 5 sheets date 8/19/24; A12 – Landscape Plans from Arnold Associates, 2 sheets date 8/16/24; A13 – Stormwater Management from L2A Land Design dated 8/19/24; and A14 – Stormwater Map Maintenance Manual from L2A Land Design dated 8/19/24. Page 16 and paragraph 27, 3rd line, spelling correction to “Planning Board”. Page 28, paragraph 30, 1st line, “approved by” should be replaced with “provided to”.

There was no additional discussion of the Resolution. A roll call vote was taken with present members stating aye. Councilmember Koelling and Mr. Ryan abstained. Mr. Gruber and Ms. Bagdat were absent.

3. **Resolution Granting Amended Site Plan Approval & Variance Relief to Montvale Real Estate Ventures, LLC for Premises Designated as Block 1902, Lot 6** – The motion to introduce was made by Mr. Culhane and seconded by Mr. Tsai.

Mr. Regan stated that there is one change to be made to this Resolution. Page 8, adding a paragraph 15 referencing the revised site plan drawings dated 9/3/24 and marking them as A4 at the 9/17/24 meeting.

There was no additional discussion or additional changes to be made to the Resolution. A roll call vote was taken with present members stating aye. Mr. Gruber and Ms. Bagdat 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 Mr. Stefanelli and seconded by Councilmember Koelling. All in favor stated aye.

Next Regular Scheduled Meeting: October 1st, 2024

Respectively submitted:

Theresa Di Popolo,
Assistant to the Land Use Administrator