

**BOROUGH OF NORTHVALE
REORGANIZATION MEETING
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT
JANUARY 5, 2022
7:30 P.M.**

MINUTES

CALL THE MEETING TO ORDER

Chairman Amorosso called the meeting to order at 7:30 PM in the Planning Board/Board of Adjustment meeting room located on the second floor of the Municipal Building at 116 Paris Avenue, Northvale, New Jersey 07647.

STATEMENT

Chairman Amorosso read the "Sunshine Statement" into the record as follows:

"This is a Reorganization meeting of the Combined Planning Board/Board of Adjustment of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official newspaper of the Borough, filed with the Municipal Clerk, and posted on the bulletin board in the Municipal Building. All notice requirements of Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at the public meetings."

ROLL CALL:

PRESENT: Chairman Amorosso, Mayor Marana, Councilman Hogan, Mr. Giannotti, Mr. Guyt, Mr. Moran, Mr. Pothos, Mr. Briscoe (Alt #1)
Mr. Degen (Alt#2) Mr. McNerney (Alt#3) Mr. Alfonso (Alt#4)

ALSO PRESENT: Gregg Paster, Board Attorney
Marie Raffay, Colliers Engineering
Austin Bejin, Colliers Engineering
Nicole Cowley, Board Secretary

ABSENT: Mr. Sillery, Mr. Vollmer

1. Appointment of Members

Planning/Zoning Board – Mayor’s Appointments –

YEAR	POSITION	NAME	TERM	BEGINNING	ENDING
2022	Class II	William Guyt	1 year	1/1/22	12/31/22
	Class IV	Charles Amorosso	4 year	1/1/22	12/31/25
	Class IV	Edward Giannotti	4 year	1/1/22	12/31/25
	Alternate #3	Gerard McNerney	2 year	1/1/22	12/31/23

Mayor Marana swears in the following members: William Guyt, Charles Amorosso, Edward Giannotti, and Gerard McNerney.

Council’s Appointment to the Planning/Zoning Board- Class III

Councilman John M. Hogan as the Council’s appointment to the Planning/Zoning Board for a one-year term ending 12/31/22.

1. Appointment of Chairman- Charles Amorosso
2. Appointment of Vice Chairman-Edward Giannotti
3. Appointment of Board Secretary- Nicole Cowley
4. Appointment of Board Attorney- Gregg Paster, Esq. of Gregg E. Paster & Assoc, 530 Sylvan Ave, Englewood Cliffs, New Jersey.
5. Appointment of Board Engineer- Collier’s Engineering & Design, Inc. 400 Valley Road, Suite 304 Mount Arlington, New Jersey.
6. Official Newspaper- The Record
7. 2022 Meeting Dates- as advertised
8. Official Depositories- Same banks as Mayor & Council for the purpose of escrow deposits.

A motion to **ACCEPT** all appointments for one-year was made by Mr. Giannotti and seconded by Mayor Marana.

ROLL CALL: All in favor.

This concludes the REORGANIZATION portion of the meeting.

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

APPLICATION OF JOANNA T. HILLS
477 TAPPAN ROAD
BLOCK 208 LOT 4

At the start of this application, Mayor Marana and Councilman Hogan recused themselves from hearing the application and stepped off the dais and into public seating.

Appearing before the Board was Attorney Nancy E. Saccente along with the Applicant, Joanna T. Hills. Ms. Hills was sworn in by Attorney Paster. Attorney Saccente proceeded to introduce herself and stated she had an office located in Hillsdale NJ. Attorney Saccente started by providing the Board with the history of this property before providing actual testimony. Attorney Saccente stated Ms. Hills and her late husband purchased this home in 2001 as a 2 family and was continuously rented as a 2 family until 2018. In early 2019, it was determined by Borough Officials, there was no documentation proving this dwelling as a legal 2 family property. Unfortunately, after much research the Applicant, Ms. Hills was unable to locate documentation confirming this as a 2-family dwelling.

Next, Attorney Saccente called Ms. Hills to testify. Ms. Hills stated when she bought this property in 2001, both living spaces were being rented. Ms. Hills confirmed rental income was reported, as well as taxes being paid on the property as a 2 family. Attorney Saccente asked Ms. Hills to describe the two living spaces within the property, describing the spaces as the “main house” and “the apartment”. Ms. Hills proceeded to explain the layout of each space including the garage space. Chairman Amorosso questioned the whereabouts of the documentation confirming this as a legal 2 family. Ms. Hills did have a Borough issued CO that noted the home as a two family, but this is the only record available she had. Chairman Amorosso asked if there was documentation from the bank that confirmed this home was purchased as a two family. Attorney Saccente explained, Ms. Hills late husband was involved in things of this nature and Ms. Hills stated she was ill at the time they purchased the home, so she was unsure if these documents existed or of where they could be. Ms. Hills said she could provide a deed but was unsure if this would be helpful.

Mr. Giannotti had questions regarding the survey and additions that seem to have been added over time. Ms. Hills stated any changes that were made were prior to her owning the property. Conversation about this topic and the property’s history of ownership continued. Mr. Giannotti expressed concern related to granting relief for something that could have been done illegally, as this property does not have proper documentation stating this as a legal 2 family. Chairman Amorosso agreed and expressed concern as well.

Attorney Saccente spoke on the negative and positive impacts of the proposed use variance and explained how granting approval would not be detrimental to the neighborhood. Attorney Saccente further stated, there were no changes being proposed to the exterior and there are many positive attributes in granting approval including adequate parking. Attorney Saccente and Ms. Hill continued to discuss the specifics. There was further discussion regarding the survey that was provided which was dated in the year 2000. Mr. Giannotti felt the survey did not reflect the property as it is now. Chairman Amorosso called upon the Colliers Engineering Planner, Austin Bejin for comment. Mr. Bejin was present on behalf of Borough Planner, Darlene Green. Mr. Bejin stated he helped to prepare the Collier's Engineering letter that was provided to Attorney Saccente and Ms. Hills. Mr. Bejin proceeded to speak on the report and provided and how it explained the criteria needed to meet MLUL as well as the borough ordinances and Master Plan. Attorney Saccente spoke on the topic of special reasons to grant approval for this D1 Use Variance. She went on to explain how this existing home has been a 2-family for many years and is suited for the location with the need for housing. Ms. Hills explained she has had many families in previous years rent the "main house" (described as 477A) with the location near the school being ideal. Ms. Hills further testified to the tenant she currently has now and the previous tenant in the "apartment," (described as 477B) that was legally evicted in 2018 due to nonpayment of rent and destruction of the home. This was when Ms. Hills applied to the town to make improvement and was advised of the home not being on the town's record of legal 2-family homes.

Mr. Giannotti suggested Ms. Hills go back to the building department to gather further information needed to clarify and confirm when additions were completed, with or without permits. Additionally, Mr. Giannotti further suggested Ms. Hills obtain a new survey of the property. Attorney Paster stated a zoning table should be completed as well as a site plan as this would help with the planning criteria necessary. Attorney Saccente explained they didn't feel the expense was needed for this application. Chairman Amorosso explained when asking for a Use Variance it would be needed, especially considering it's questionable if the home is a legal 2-family. There is a list the Borough has of legal 2-families in Northvale, this address is not on any list past or present. Attorney Paster summed up for Attorney Saccente and Ms. Hills what he felt would be needed to continue this application, including the need for an engineer and planner to provide expert testimony. Further explaining, the Board can't work off lay testimony as expert testimony. Additionally, Mr. Giannotti stated there was conflicting record of how this property is being taxed. Ms. Hills stated she was paying taxes as a 2-family and the tax department of the Borough stated it is being taxed as one family. This will also need to be confirmed when this application continues.

Chairman Amorosso **opened the meeting** to the public for questions or comments.

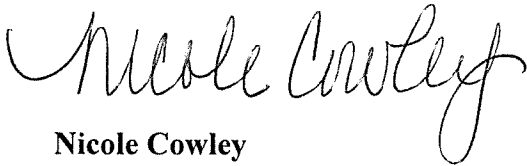
Frank Marinuzzi- 475 Tappan Rd- Wanted the record to reflect, as the next-door neighbor, he is personally against the variance being granted.

Chairman Amorosso **closed the meeting** to the public for questions or comments.

Chairman Amorosso stated for the record, the application will be carried at this time with no further noticing requirements needed. The continuation will be scheduled for February 16, 2022, for public notice purposes. If additional time is needed, the hearing will be rescheduled for the first March meeting date.

A motion to **adjourn** the meeting at 8:12 PM was made by Councilman Hogan seconded by Mr. Giannotti. All present in favor.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nicole Cowley".

Nicole Cowley
Board Secretary

Approved: 1/25/22