

**BOROUGH OF NORTHVALE**  
**COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT**  
**JANUARY 25, 2022**  
**7:30 P.M.**

**MINUTES**

**CALL THE MEETING TO ORDER**

Vice Chairman Giannotti 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**

Vice Chairman Giannotti read the "Sunshine Statement" into the record as follows:

*"This is a regularly scheduled 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:** Mayor Marana, Councilman Hogan, Mr. Giannotti,  
Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Briscoe (Alt #1) Mr. Degen (Alt#2)  
Mr. Alfonso (Alt#4)

**ALSO PRESENT:** Gregg Paster, Board Attorney  
Marie Raffay, Colliers Engineering  
Frances Weston, Municipal Clerk

**ABSENT:** Chairman Amorosso, Mr. Vollmer, Mr. Pothos, Mr. McNerney

**REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING**

**APPLICATION OF CHO DAE PRESBYTERIAN CHURCH**  
**119 ROCKLAND AVE & 150 RAILROAD AVE**  
**BLOCK 1007 LOTS 1&2**

Mr. Giannotti stated for the record, Mayor Marana and Councilman Hogan would be stepping off the dais, recusing themselves from hearing the application as they cannot vote.

Jack Van Horne appeared before the Board as the Attorney representing the Applicant, Cho Dae Church who he explained is trying to help the Cresskill community in their time of need. Attorney Van Horne provided the background story of the students of Cresskill including pandemic specifics and Hurricane Ida that occurred in September of 2021. Hurricane Ida caused Cresskill Junior/Senior High School major damage and rendered the building as inoperable and in need of major remediation.

Attorney Van Horne proceeded to explain this application is technically requiring a D2/Use Variance and or modification of the existing use granted by prior Resolution from the Board in 2013, 2014 and 2015 and continued to explain specifics of Cho Dae Church's history. Attorney Van Horne further explained Cho Dae Church's request to allow permission for the Cresskill Board of Education to use the building to house their Junior and Senior High School students. Attorney Van Horne explained schooling would start at 9am and end at 2pm. Further explaining, the shortened day was to avoid the typical school and bus traffic from other surrounding schools. Attorney Van Horton stated there would be approximately 850 students and including staff, this would bring the total to about 925. Attorney Van Horne stated this is complaint with max capacity of the building being 950. Attorney Van Horton continued to explain the testimony the Board would hear which would explain the capacity, safety, traffic, and overall specifics of the usage being proposed. Attorney Van Horne added, the Cresskill Board of Education is open to all suggestions and recommendations the Board may have. Attorney Van Horne spoke on the usage impact being undeniably serving the public good and felt the negative impacts could be mitigated by several measures that can be agreed upon between all parties. Mr. Giannotti asked how long the usage is being requested for. Attorney Van Horne replied, the Applicant is requesting permission through September 2023; however, there is every hope and intention to be in the new building in September of 2022.

Next, Michael Burke was sworn in by Attorney Paster to provide testimony as Superintendent of Cresskill Schools. Mr. Burke explained his roles and responsibilities at Cresskill Schools. Mr. Burke proceeded to explain the background history of the last few years within Cresskill schools, including the pandemic and virtual learning as well as the flooding that occurred resulting from Hurricane Ida leaving the school with devastating damage. This damage caused the school to be inoperable, a few reasons being- asbestos removal, mold consideration damage to vents etc. Building Code inspectors deemed the building no longer a school but just a building. Attorney Van Horton asked Mr. Burke to express the impacts virtual learning has had on students and families to which Mr. Burke explained the difficulties that included mental health issues, isolation, anxiety and learning loss. Mr. Burke explained in mid-November, Cresskill was able to partner with St. Theresa's by rental with the ability to have 2 grades attending in-person learning

every 4 days. Other rental options Cresskill investigated were all very small and could not house the number of students needed and the tight number of staff they currently have would not allow for staff in multiple locations. Mr. Burke explained how the idea of Cho Dae transpired and explained the meetings that took place to move forward with a facility that would be able to house and educate the number of students needed. Cho Dae committed to renting to Cresskill while only leaving Cresskill responsible for utilities with no profit to the church. Mr. Burke continued to explain how the building's square footage was the only ideal prospect for Cresskill being the square footage was comparable to Cresskill School. Mr. Burke continued to explain the specific details surrounding how they determined the number of students that would attend the site by surveying Cresskill families. Attorney Van Horton asked Mr. Burke to explain how they determined the number of students that would be driving to the Cho Dae site. Mr. Burke explained at this time, there are a little less than 60 students who can drive to school out of 140. Mr. Burke also stated there are 350 parents who have responded they would like to take part in the bussing the district is providing with outside help of other districts since Cresskill does not have busses or provide bussing as a small district. Mr. Burke further explained this was another reason school would be from 9-2 since the districts who are allowing Cresskill to use their busses would need to transport their students first. Continued conversation pertaining to how Cresskill would use the Cho Dae facility continued, including classroom usage, cleaning and how Cresskill must ensure the building is reverted to the way Cho Dae needs it for their educational classes taking place on weekends. Mr. Burke spoke about renting trailers to store Cresskill's furniture on the weekends. Attorney Van Horne asked about the possibility of Cho Dae being used for summer school and Mr. Burke stated they would not be using the building for summer school or after school activities. After school activities would take place in Cresskill since Cresskill has a Rec center and can use St Theresa's church for these purposes. Mr. Burke added, the gym at Cresskill school is still able to be used since it was elevated and didn't endure the same damage as the rest of the school. The timetable of the renovations was discussed. Mr. Burke stated the vote for Referendum was happening at the time of this meeting and if it passed, funds would be available in the twenty days following. The hope was to have students and staff back in Cresskill schools by September of 2022.

Following this, questions were opened for the Board to Mr. Burke and Attorney Van Horne. Mr. Guyt asked when lunchtime would take place and Mr. Burke explained those specifics. Mr. Guyt explained he asked because the Northvale DPW does not have work being done near the school during the times Northvale School is having lunch/recess and will do the same while Cresskill is scheduled for lunch/recess. Mr. Sillery asked for confirmation that Cresskill will not need to use the town's parks. Mr. Burke stated they would be using Cresskill's parks. Mr. Degen asked a question about some of the work needed at Cresskill school and Mr. Burke responded with specific information. Mr. Giannotti asked about students leaving the premises for lunch, Mr. Burke stated lunch would be inside the school and students would be "brown bagging" it.

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

Patrick Marana- 412 Crest Dr- Asked a question about the security plan. Mr. Burke responded he would be meeting with Borough officials the next day. Mr. Giannotti added he was in contact with Northvale Chief of Police discussing traffic recommendations. Attorney Paster stated all comments and recommendations would be added under conditions of approval.

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

At this time, Attorney Paster swore in Joseph Staigar, Engineer on behalf of the Applicant. Mr. Staigar provided his credentials, experience and professional background qualifying as able to provide expert testimony. Attorney Van Horne asked if Mr. Staigar prepared the site plan, to which Mr. Staigar replied he did not but he did review it and felt he had the credentials to provide expert testimony. Mr. Staigar continued by going through the site plan for both the Board and the public that was present. Attorney Paster entered the plan into evidence as Applicant's Exhibit 1, Hubschman Engineering with a last revised date of 1/7/22. Mr. Staigar went over the entrance and exit specifics of the site, which included drop off and pick up procedures. Ms. Raffay asked for confirmation regarding these specifics and Mr. Staigar answered all questions from the Borough Engineer. Mr. Giannotti expressed his concern with left turns taking place after speaking with both Police Chief's from Northvale and Norwood. Mr. Giannotti said this would be discussed at the upcoming safety meeting and Mr. Staigar stated the applicant is more than willing to accept any recommendations from all Borough Officials. Mr. Staigar stated there was conversations about having an off-duty police officer direct traffic if need be. This topic would be further discussed at the upcoming meeting to finalize specifics. Continued testimony took place regarding traffic flow and safety. Additionally, parking was discussed as well. There are 387 parking spaces available which is compliant of requirements. Mr. Staigar stated staff and senior parking spaces would be designated. Mr. Staigar stated at this time, there is determined to be 60 senior class drivers and 75 staff members needing designated parking spaces. Cresskill is confident there will be car pooling taking place as it has been recommended and encouraged by the district. Mr. Giannotti and Ms. Raffay continued to ask for specifics about parking and traffic flow that Mr. Staigar explained in detail. Ms. Raffay suggested the proposed signage read "No Left Turn" as opposed to the current proposed signage that reads "Right Turn Only" and Mr. Staigar agreed.

Next, Attorney Van Horne and Mr. Staigar discussed and provided testimony pertaining to the history of this R 7.5 Zone and past Resolution history of approval and conditions. There was testimony confirming Cho Dae Church's given approval by the Northvale Planning/Zoning Board with a condition of approval that prohibited weekday, private school use. However, under the extenuating circumstances and with the MLUL, this use is an inherently beneficial use promoting the health, benefit, and welfare of the public and does fulfill the positive criteria. Regarding the negative criteria, Attorney Van Horn questioned Mr. Staigar on this aspect. Mr. Staigar stated the negative criteria was listed in the engineer report, and is typically known to

include lighting, which is not a negative impact as the usage is happening during the day. The aesthetics are not changing, the building is remaining the same. Parking is sufficient and is not a part of the negative criteria as there will not be additional street parking needed. Traffic as negative criterion is being managed by the shortened school day with later arrival and earlier departure times. Continued testimony pertaining to negative and criteria took place.

Mr. Giannotti then asked the Board if they had any questions or comments. Mr. Guyt asked for clarification as to how often the students and staff would be using the outdoor space, Mr. Burke responded with specifics. Mr. Moran asked a question specific to the site plan and waste removal. Mr. Sillery asked if a D Variance was granted, does the variance granted just cease in 2 years. Attorney Van Horne provided his opinion of project completion to which he replied, hopefully Sept 2023 at latest. Ms. Raffay asked to go back to bus drop off/pick up and traffic items to touch on aspects from the report Colliers Engineering prepared. Next; Darlene Green, the Borough's Planner from Colliers, asked a question about the prior Resolution from 2014 requiring the two lots to be merged and she wanted to know if that has taken place to date. Attorney Van Horne was unsure and said he would check and was willing to have that as a condition of approval as well. Ms. Green explained she was inquiring as this was a drainage concern back in 2014 and basically a house keeping item from prior Resolution that should have been carried out. Mr. Sillery stated as per the Borough's Ordinance there is no outdoor storage permitted and prior testimony stated there is a need and Mr. Sillery suggested the applicant request a variance for this need during occupancy. Attorney Van Horne replied by saying the language in his notice stated the possibility of any further variance relief needed or requested, so he was hereby requesting variance relief for the outdoor storage needed. Mr. Moran asked if the storage units needed would remain through the summer months when school was not in session, he also stated he understood it was probably hard to determine this as of now. Attorney Van Horne said they would be willing to comply with the Borough's wishes and would remove the storage units if need be.

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

Chris Bombino-123 Rockland Ave- Commented the presentation of the application and how it was laid out. Mr. Bombino raised his concern regarding the traffic and stated he believed Norwood is going to bare the brunt of the traffic. Mr. Bombino expressed interest in being updated about the upcoming Borough Officials meeting with Cresskill. Mr. Bombino stated he felt it was imperative the "No Left Turn" sign be present and enforced upon exiting the property. Mr. Bombino also expressed concern about the bussing drop off and pick up. Mr. Bombino also stated he would like to see the trailers be kept off to the side of the building closer to Chestnut St.

Attorney Paster asked if the school will still be practicing fire drills and Mr. Burke said they would be, in conjunction with the fire dept and would still need to adhere to all safety and emergency guidelines.

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

Next, Attorney Van Horne called Michael Elkin, Applicant's Architect. Mr. Elkin has testified before the Northvale Planning/Zoning Board before and was approved to provide expert testimony. Attorney Paster confirmed credentials and swore in Mr. Elkin.

Attorney Van Horne asked Mr. Elkin to provide specific testimony regarding the architectural plans and how the building would be used, showing exits as acceptable by code. Mr. Elkin also provided the same specifics from an architectural standpoint of the grounds/property and how the arrival and departure would take place. Mr. Elkin spoke about where restrooms were located and explained how the usage of this building as a weekend school does not differ from how it would be used during the week. Testimony regarding positive and negative criteria continued and aligned with previous testimony earlier in the hearing.

Mr. Sillery asked about students who opted out of attending in person school at Cho Dae. It was stated this number is about 50 students. Mr. Sillery asked how this would be handled if these students decided they wanted to attend Cho Dae for in person learning. The architect stated if all students changed their mind, this would exceed capacity by a few, but with the survey provided this is not thought to happen. Mr. Giannotti asked about state approval for this occupancy and what the protocol and specifics were for this, and Mr. Burke explained in detail. Mr. Guyt asked about further negative impacts as it pertains to sewer. Mr. Guyt commented this was an area of concern from a DPW standpoint due to the increase usage on this site 5 days a week. This was discussed in further detail among the Mr. Elkin and the Board with the any possible burden on the Northvale taxpayer being considered. Mayor Marana came to the public microphone to explain how the Borough is going about handling this aspect. Mr. Moran asked further questions about the exit plan of the building and the architect answered his questions. With no further questions or comments from the Board, Attorney Paster took the opportunity to comment stating he would be working with the Borough Attorney to carry out agreements that will take place between municipalities.

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

With no questions or comments, Vice Chairman Giannotti **closed the meeting** to the public for questions or comments.

Attorney Paster provided a specific summary of the application and what the Board would be voting on based on what the Applicant is requesting. Ms. Green commented her input as well. It was again clarified, if Cho Dae Church were to return in two years requesting their school be

used in this capacity, it is understood this will not be acceptable. This usage is being considered as an extraordinary circumstance.

A Motion to **approve** the application was made by Mr. Sillery and seconded by Mr. Guyt.

**ROLL CALL:**

Mr. Giannotti, Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Briscoe (Alt#1) Mr. Degen (Alt#2)  
Mr. Alfonso- **YES**

Mayor Marana, Councilman Hogan- **RECUSED**

Chairman Amorosso, Mr. Vollmer, Mr. Pothos, Mr. McNerney- **ABSENT**

**APPROVAL OF MINUTES OF DECEMBER 1, 2021**

A motion to **approve** the minutes of the December 1, 2021, meeting was made by Mr. Moran and seconded by Mr. Degen.

**ROLL CALL-** All in favor.

**APPROVAL OF CLOSED SESSION MINUTES OF DECEMBER 1, 2021**

A motion to **approve** the closed session minutes of the December 1, 2021, meeting was made by Mr. Moran and seconded by Mr. Degen.

**ROLL CALL-** All in favor.

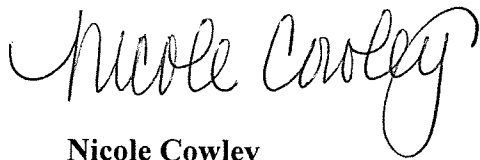
**APPROVAL OF MINUTES OF JANUARY 5, 2022**

A motion to **approve** the minutes of the January 5, 2022, Reorganization meeting was made by Mr. Sillery and seconded by Mr. Briscoe.

**ROLL CALL-** All in favor

A motion to **adjourn** the meeting at 8:45 PM was made by Councilman Hogan, seconded by Mr. Alfonso. All present in favor.

**Respectfully Submitted,**

A handwritten signature in black ink that reads "Nicole Cowley". The signature is written in a cursive style with a large, looping initial "N".

**Nicole Cowley  
Board Secretary**

**Approved: 2/16/22**