

**TOWNSHIP OF RIVER VALE
PLANNING BOARD
January 12, 2010
REORGANIZATION & REGULAR MEETING
MINUTES**

ADEQUATE NOTICE STATEMENT:

A Regular Meeting of the River Vale Planning Board was called to order at 8:00 p.m. The following statement was read: "This is a Regular Meeting of the Planning Board of the Township of River Vale. I am informed by the Clerk that adequate public notice has been provided by mailing notice to the Pascack Valley News/Post Review and The Record, by posting notice on the bulletin board in the Municipal Building, and by filing a copy of the notice to all persons who requested the same and prepaid the cost fixed by the Board".

The Planning Board saluted the flag.

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ROLL CALL:

Members Present:

Kenneth H. Koons	Chairman
George Shalhoub	Vice-Chairman
Scott Lippert	
Robert Menville	Class I (departed 8:32 pm)
Eric Wolf	
Peter Wayne	Class II
Dwight de Stefan	Class III (Councilman)
David Ward	
Eric Wolf	
Alfredo Alvarado	Alt. #1
John Morris	Alt. #2

Also Present:

Dennis Deutsch, Esq.	Board Attorney
Christopher Statile, PE	Board Engineer
Lauren Roehrer	Land Use Administrator

Absent: Mark Ericksen Secretary

REORGANIZATION MEETING

Kenneth Koons turned the meeting over to Dennis Deutsch, Esq. for the swearing in of the Board Members.

Swearing in of Board Members:

The following Members were sworn in by the Board Attorney:

- Alfredo Alvarado Alt #1 - Term ending 12/31/10
- John Morris - Alt #2 - Term ending 12/31/11
- Peter Wayne - Class II Member - Term ending 12/31/10
- Eric Wolf - Class IV Member - Term ending 12/31/11
- Dwight de Stefan - Class III 12/31/10
- David Ward - Class IV Member - Term ending 12/31/13

Election of Chairman:

Mr. Deutsch requested a nomination for Chairman. Mr. Menville nominated Kenneth Koons as Chairman, with second by Councilman de Stefan. There were no further nominations. Mr. Menville moved to close nominations, with second by Mr. de Stefan and all ayes. On roll call vote, all members voted yes on the nomination.

Chairman Koons extended thanks commented he considers it a privilege to be Chairman of the Planning Board. This is a strong Planning Board, it is what keeps the Town in good stead, and everyone wants to live here--especially with the schools and the configuration of what they do with the Town.

Election of Vice-Chairman:

Chairman Koons requested a nomination for Vice-Chairman. Mr. Menville nominated George Shalhoub as Vice-Chairman, with second by Chairman Koons. There were no further nominations. Chairman Koons moved to close nominations, with second by Mr. Menville and all ayes. On roll call vote, all members voted yes on the nomination.

Election of Secretary:

Chairman Koons requested a nomination for Secretary. Mr. Menville nominated Mark Ericksen as Secretary with second by Mr. Shalhoub. There were no further nominations. Chairman Koons moved to close nominations, with second Mr. Shalhoub and all ayes. On roll call vote, all members voted yes on the nomination.

Election of Board Attorney:

A motion to nominate Dennis Deutsch, Esq. as Planning Board Attorney was made by Chairman Koons and seconded by

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Councilman de Stefan. There were no further nominations. Chairman Koons moved to close nominations, with second by Councilman de Stefan and all ayes. On roll call vote, all members voted yes. Mr. Deutsch took his oath and was sworn in by Chairman Koons.

Attorney Deutsch thanked the Board for its vote of confidence.

Election of Board Engineer:

A motion to nominate Christopher Statile as Planning Board Engineer, was made by Chairman Koons with second by Mr. Menville. There were no further nominations. Chairman Koons moved to close nominations, with second by Mr. Menville and all ayes. On roll call vote, all members voted yes.

Mr. Statile took his oath and was sworn in by Board Attorney Deutsch. Mr. Menville commented Mr. Statile also became Township Engineer and congratulated him.

Approval of Completeness Review Resolution:

A motion for approval of the Completeness Review Resolution, appointing the Board Engineer to do the completeness reviews on behalf of the Board, was made by Chairman Koons, seconded by Mr. Menville and carried unanimously on roll call vote. At the suggestion of Mr. Lippert, Mr. Deutsch elaborated for the new members.

Approval of By-Laws:

A motion for approval of the By-Laws for 2010 was made by Chairman Koons, seconded by Mr. Menville and carried unanimously on roll call vote.

Approval of Meeting Dates:

A motion for approval of the 2010 Meeting Dates after review and discussion, was made by Chairman Koons, seconded by Mr. Menville and carried unanimously.

REGULAR MEETING

The meeting was turned over to Chairman Koons, who stated it was an honor to be Chairman for such a dedicated group. Mr. Menville stated, since the computer down and he could not listen to a C/D of the last meeting which the Mayor attended, he respectfully requested to be recused for

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the remainder of the evening and departed at 8:32 p.m. A new Roll Call was taken:

ROLL CALL:

Members Present:

Kenneth H. Koons	Chairman
George Shalhoub	Vice-Chairman
Scott Lippert	
Eric Wolf	
Peter Wayne	Class II
Dwight de Stefan	Class III (Councilman)
David Ward	
Eric Wolf	
Alfredo Alvarado	Alt. #1
John Morris	Alt. #2

Also Present:

Dennis Deutsch, Esq.	Board Attorney
Christopher Statile, PE	Board Engineer
Lauren Roehrer	Land Use Administrator

Absent: Mark Ericksen Secretary
Robert Menville Class I (departed 8:32 pm)

MINUTES:

The Minutes of **12/21/09** were approved on motion of Chairman Koons, seconded by Mr. Shalhoub and carried.

PUBLIC HEARINGS:

1. **Chemiteck 2006, LLC & Palisades Plaza Park North, 634, 644, 650 & 654 Rivervale Rd, Block 7021, Lots 5, 5.01, Part of 6, 7 & Part of 8 - Preliminary Subdivision Approval, Final Subdivision Approval, Preliminary Site Plan Approval & Final Site Plan Approval -** Adjourned & carried to next meeting at request of applicant's attorney, with a new publication required and the time period extended.

2. **Salvatore Puleo, 652 Westwood Avenue - Application for Change of Use -** Attorney for applicant explained this was a change of ownership, but the same use, going from a pizzeria to a pizzeria. Just the owner has changed. The previous business name was Trattoria Grano. The applicant, Salvatore Puleo, 196 Hillcrest Avenue, Leonia, NJ, was sworn in. The attorney said there will be

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no interior or exterior changes to the site, but for adding a few tables to the establishment similar to other establishments. Chairman Koons asked if he has several tables inside. Mr. Puleo said they are being broken down. Mr. Koons commented he has a great amount of seating area in the back, and he is looking at about eight tables now of fours.

Mr. Deutsch advised the applicant submitted two photos, marked A1, showing tables, and A2 showing the front of the store. The attorney said the tables he is referring to are two on the exterior for the summertime. Mr. Shalhoub noted the ordinance said no outside seating. Mr. Puleo commented another business informed him that they had outdoor seating. The Chairman responded perhaps it was done without Planning Board approval. If Chef's Pantry seeks outdoor seating, they would have to come back. Mr. Lippert asked if the concern was parking. Chairman Koons said the rest of the eating establishments would want outdoor seating if this was allowed. He was looking at the parking for the patrons. Mr. de Stefan said he did not see any ordinances that prevented it. Mr. Ward commented it might act as a pedestrian barrier and may not be a safe environment.

Applicant stated he would have 14 tables - 12 would have two and two would have four seats. Presently there are 14 tables of 4. Mr. Statile said the ordinance allows 100. Chairman Koons asked about parking spaces. Chairman Koons commented he had no problem approving it for 32 seats. A discussion ensued about outside tables and chairs. Mr. Puleo said they would not be too big or small; they would be flexible, and if there were any problems he would take them in. The Board was concerned about other businesses. Mr. Ward was concerned about safety when exiting from Eckerd and there being a handicapped ramp right there. Mr. Puleo referred to a photo. Mr. Statile cautioned the Board about discussing outdoor dining with this particular applicant absent any zoning ordinance. Mr. de Stefan agreed it was a good idea, and this being the winter, the applicant should get his business up and running, and he would discuss this with the Mayor and Township Council. Mr. Lippert commented. Mr. Morris asked if approved and it becomes a problem, can they be removed. Chairman Koons commented they are getting too far afield and should just be concerned with the application before the Board for a change of ownership.

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A motion for approval was made by Chairman Koons, subject to conformance with the sign ordinance, and seconded by Councilman de Stefan. There were no further questions or comments. On roll call voted, all members voted yes. Councilman de Stefan commented he would have the Council consider this very quickly.

RESOLUTIONS:

1. 207 Rivervale Rd, LLC, 207 Rivervale Rd, Block 1719, Lot 5-Preliminary and Final Site Plan with Variances- Chairman Koons moved the Resolution deemed as read. Mr. Deutsch said that because this meeting was a week earlier, he sent a copy to the applicant's attorney. There were several comments and discussions with Mr. Del Vecchio, and they worked out the language. There was one issue where their notes differed. There is a red lined version and a final version. He leaves it to their recollection dealing with 20' vs. 18'. Mr. Statile said Mr. Deutsch had it correct and explained they decided to go down from 20' to 18' for the width between the parking spaces. Mr. Wayne wanted to add one hour fire-rated sheetrock. Mr. Deutsch advised it must be recollected that it was approved, and if it was the consensus of the Board that he left it out, then he will put it in. There was no exact recollection, but they thought the architect said 5/8" walls. Mr. Deutsch suggested taking a brief recess to be able to speak with Mr. Del Vecchio, who was present, but not permitted to speak to this on the record.

A brief recess was taken at 8:44 p.m. for discussion between attorneys. Upon reconvening at 8:50 p.m. the Board discussed 5/8" sheetrock/one hour fire-rated. Paragraph 14(g) addressed this. Mr. Statile suggested keeping it one hour. Mr. Deutsch advised it is important that he get in the Resolution how they recalled it was stated: 5/8" sheetrock on the bottom of the trusses and walls for a one hour rating fire prevention. Mr. Shalhoub said he recalled a one hour rating. Mr. Deutsch advised there should be a vote. Mr. Statile had written one hour rating also. Mr. Deutsch asked for a vote. Chairman Koons read the motion for a change to Paragraph 14(g), with a second by Mr. Shalhoub and roll call. The motion carried unanimously. The Chairman moved for approval of the Resolution with second by Mr. de Stefan. On roll call vote, Mr. de Stefan, Mr. Shalhoub, Mr. Ward, Mr. Wayne, Mr. Lippet, and Chairman

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Koons voted yes. Mr. Alvarado and Mr. Morris were not eligible to vote.

3. The Chef's Pantry, 650 Westwood Avenue, Block 1719, Lot 3 - Application for Change in Use - Chairman Koons moved for approval of the Resolution deemed as read, with second by Mr. Shalhoub. On roll call vote, all members voted yes.

OPEN TO PUBLIC - None

DISCUSSION:

Chairman Koons recognized the following persons who had served on this Board: Ron Tucci, who just moved; Chris Wahmann, who encountered health problems, was a surveyor and brought great insight to Board; and Bruce Carillo, who was involved in an auto accident and was unable to continue. He also asked the Members to address the Chair when they want to speak for the record.

He welcomed all the Members who served and gave up their time. He had the pleasure of attending the Reorganization of the Township. Mr. Wayne was doing a double shift as Deputy Fire Chief. The new members have to attend the Land Use Class in March. Also Lauren Roehrer would order Land Use books. Mr. Lippert commended Mr. Deutsch for his report on approvals.

Mr. Deutsch advised he was awaiting a decision on 727 Westwood Avenue. Mr. de Stefan noted everyone should also get a Cox book. Chairman Koons also thanked Mr. de Stefan for his years of service.

PAYMENT OF INVOICES: None

NEXT MEETING: Tuesday, February 16, 2010

ADJOURNMENT: On motion made, seconded and carried, the meeting was adjourned at approximately 9:30 p.m.

Respectfully submitted,

**Mary R. Verducci, Paralegal
Recording Secretary**

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