

**TOWNSHIP OF RIVER VALE
PLANNING BOARD
October 18, 2010
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
Mark Ericksen	Secretary
Scott Lippert	
Robert Menville	Class I
Peter Wayne	Class II
John Donovan	(arrived approx. 8:20 pm)

Also Present:

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

Absent:	Dwight de Stefan	Class III (Councilman)
	David Ward	
	Alfredo Alvarado	Alt. #1
	John Morris	Alt. #2

Robert Menville stated that he listened to the tape of the 9/20/10 meeting and signed a Certification

MINUTES:

The Minutes of **9/20/10** were approved on motion of Chairman Koons, seconded by Mr. Shalhoub and carried.

DISCUSSION:

1. River Vale Developers, LLC - Request for Amendment to Site Plan for Belgian Block Curbing - Scott T. Loventhal, Principal of applicant, appeared at request of Township Engineer regarding their request for a waiver of public roadways, and that the concrete curb be modified to a Belgium block detail. Chairman Koons asked how they would be covered with snow plowing. The applicant would be responsible to do the plowing. They submitted a request to the Township Council and have already prepared a Public Offering Statement for approval. Mr. Deutsch advised he was not aware the application was made to the Town and asked for a copy of a letter certifying they would be responsible for the plowing. They requested a confirmation as to what services the Township would provide under the NJ Municipal Services act. In essence, they were seeking a modification of the site plan. The modified plan would be sent to Mr. Statile. Mr. Deutsch advised the applicant was seeking a de minimus change to the site plan.

A motion to approve the request for a de minimus change to the site plan to permit Belgium block in lieu of concrete paving, conditioned upon receipt of a stipulation by letter that the applicant would maintain the roadway to the satisfaction of the Board Engineer, was made by Mr. Menville and seconded by Mr. Lippert. On roll call vote, Mr. Shalhoub, Mr. Menville, Mr. Ericksen, Mr. Wayne, Mr. Lippert, and Chairman Koons voted yes.

Mr. Donovan arrived at approximately 8:20 p.m.

PUBLIC HEARINGS:

1. Bear Ban Builders, LLC, Rivervale Rd, Block 2103, Lot 10 - Application for Preliminary Major Subdivision, Major Soil Movement and Tree Removal. The applicant proposes to divide the lot into eight (8) lots for the construction of eight (8) single family homes - Mr. Lippert recused himself and stepped down from the dais. Revised plans received from R.L. Engineering, revised to 10/6/10, consisting of ten sheets, marked Exhibit A7. The Stormwater Management Report was marked A8, and Test Pit Logs &

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Permeability Test Results dated 10/4/10, prepared by R.L. Engineering was marked A9. Mr. Statile submitted a continuation review dated 10/18/10.

Mr. Eichenlaub continued under oath and reviewed the revised plans and exhibits. There were four test pits to determine suitability of on-site storm drainage mitigation, witnessed by Mr. Statile's office. Soils were classified as K5, and the soil was sand. Sheet 4 was the Grading/Drainage/Utility Plan. Sheet 4A was added to clarify the enlargement of the grading and utility plan. He also described Sheet 5, stating the Soil Erosion/Sediment Control Plan was approved. As to dwellings being shown, he updated the Sheet 6, Tree Removal & Preservation Plan. Sheets 7 & 8 were the Detail sheets, with Sheet 9 being the Landscape Plan. Mr. Del Vecchio questioned Mr. Eichenlaub as to the test pit results. No issues were encountered with the height of the water table or bedrock that would cause an area of concern or require an alternative design, he explained. There were no construction issues, and it was stipulated that each of the homes would be provided with a sump pump in the basement.

Questions regarding the test pits followed. Chairman Koons, as to the stipulation, asked why they would put in the sump pumps and pits, and Mr. Eichenlaub responded they put them in all the houses these days. Robert Meyers, Bear Ban Builders, was sworn in the record, stated they put a pit and a pump in every house, for insurance, because the soil can change, and this way you are done and covered. Chairman Koons asked why the water would not run into the basements. Mr. Eichenlaub said the water would be drawn below the bottom of the basement, and the basements would be waterproof, with foundation drains. Chairman Koons deferred to Mr. Statile, who said basements are damp-proof, not water proof. Any lateral travel of water would move around the foundation. Mr. Eichenlaub commented water would travel to the seepage pits in the rear yards. The tanks would be moved to the rear of the property 10' from the foundation wall. There were no further questions of the K5 soil.

Mr. Eichenlaub moved on to runoff. He was satisfied that the drainage for this subdivision with work with the requirements of the RSIS. Based upon review and discussions with the County, River Vale Road would have to be approved. Mr. Eichenlaub described the drainage and seepage system on

the plans. As for the ponding, they agreed to reduce the area to not have a depression behind the driveway collection point for "0" ponding. Mr. Del Vecchio reviewed the driveway and stormwater drainage details with Mr. Eichenlaub for the record. There were individual swales on the individual lots. Mr. Donovan had a question. Mr. Statile explained a development consisting of one acre of disturbance falls under major development requiring treatment of the water and to be approved by the DEP, and he would want to see drainage in the middle of the driveways. Mr. Statile requested that they supersize the 15" square lawn inlet grates to 24" the grates in the rear properties tied into the seepage pits of the properties, which they stipulated to.

As part of the test pits, they opened up two manholes and a catch basin South of them on Rivervale Road and saw water running in a southerly direction. It was found that the pipe was silted up to halfway up the pipe. This is caused by a lack of maintenance. The County has no record of it. It had a flat pitch, and if cleaned, it would operate at twice its capacity. Mr. Del Vecchio advised they were awaiting a response from the County as to drainage on Rivervale Road. They could use all different mechanisms, but need direction from the County and will satisfy drainage requirements out to Rivervale Road. He had no additional testimony but that they are complying with the County's requirements and awaiting their plan for Rivervale Road. Mr. Statile said it is an issue of public safety. Mr. Del Vecchio will work with the County and defers at this time as to what they will do on their side of the street

Mr. Eichenlaub discussed tree removal (270) and replacement trees to be installed (342). The selection of trees will be left up to the Board and Shade Tree Commission. Mr. Statile recommended a detailed tree plan. Chairman Koons commented since they are relocating the seepage pits from the front to the rear, they may be able to save some trees. Mr. Eichenlaub stated he would be willing to review the plan to see if they could do so. Mr. Menville also requested a tree replacement plan. Chairman Koons requested an Environmental Impact Statement and inquired if that would be received prior to the next month's hearing. Mr. Del Vecchio would advise. Due to the lateness of the hour, 9:40 p.m., with another hearing next on the agenda, the matter would be carried to the November

10th meeting. Mr. Del Vecchio gave an extension of time through the November meeting.

The Board took a recess at 9:40 p.m. and reconvened with a roll call. Present were Mr. Shalhoub, Mr. Menville, Mr. Donovan, Mr. Ericksen, Mr. Wayne, and Mr. Lippert. Chairman recused himself on the Blue Hill application, and Mr. Shalhoub sat as Chairman.

2. Blue Hill Estates, Inc., 707 and 707A Orangeburgh Road, Block 202.01, Lots 15, 15.01 and 16.05 - Chairman Koons recused himself and stepped down from the dais. Mr. Shalhoub was sitting as Chairman. James D'Elia, Esq. appeared on behalf of the applicant for final subdivision approval. Mr. Eichenlaub was sworn in and testified to the plan and Mr. Statile's letter. He reviewed the letter with the applicants. They would retain the size of the homes, as long as there was no variance. The footprint is within the Code. Mr. Shalhoub commented as long as they fall within the setbacks and ordinances. Mr. Statile commented regarding building orientation, noting one of the houses faces the side of another. Mr. Lippert commented there would be no issue if they are in compliance with the ordinance and the ordinance allows it, it is allowed whether it is good planning or not. Mr. Deutsch advised it is the builder's problem as an aesthetic situation. Mr. Eichenlaub stated any house they put on the lot will not require a variance. They showed a maximum size house, which will be no bigger than that or smaller. Mr. Menville asked if the driveways could be shifted at all, and Mr. Eichenlaub stated they are pretty much set. The drainage patterns are as indicated. Mr. Deutsch confirmed with applicant that final plans were submitted, revised to 5/26/10, consisting of nine sheets and marked into evidence. They will build within the building envelope, but do not know the exact size. Mr. Donovan agreed with Mr. Lippert, but proper planning is part of the major site plan procedure.

Mr. D'Elia continued with response to Mr. Statile's report by line item. Applicants agreed to place caps on the East sewer lines and all old septic tanks to be removed. They agreed to take down utility poles on the Koons property. Mr. D'Elia noted on Page four of nine a change was made. The testimony was concluded. The matter was opened to the public, but there were no questions.

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Mr. Lippert moved for approval, subject to the stipulations and conditions as discussed. The motion was seconded by Mr. Menville. Mr. Donovan inquired, and was advised he was eligible to vote. On roll call vote, Mr. Menville, Mr. Ericksen, Mr. Wayne, Mr. Lippert, and Mr. Shalhoub voted yes. Mr. Donovan abstained. The Board Members stated they were satisfied all issues were covered.

Mr. Koons returned to the dais.

RESOLUTIONS: None

PAYMENT OF INVOICES: None

NEXT MEETING: Wednesday, November 10, 2010

ADJOURNMENT: On motion made, seconded and carried, the meeting was adjourned at approximately 10:40 p.m.

Respectfully submitted,

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