

**TOWNSHIP OF RIVER VALE
PLANNING BOARD
February 11, 2011
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	
Peter Wayne	Class II
Dwight de Stefan	Class III (Councilman)
David Ward	
John Donovan	

Also Present:

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

Absent:	Alfredo Alvarado	Alt. #1
	John Morris	Alt. #2
	Robert Menville	Class I

MINUTES:

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The Minutes of **1/19/11** were approved on motion of Chairman Koons, seconded by Mr. Lippert and carried.

PUBLIC HEARINGS:

1. **LRB, LLC - 674 Westwood Avenue, Block 1801, Lots 16 and 17 - Site Plan Application with Variances.** The applicant proposes to convert 3,000 sq. ft. into office space and 880 sq. ft. into medical offices. Applicant requires a variance for five (5) parking spaces - Donald Onorato, Esq. represented the applicant. Mr. Frank, a principal of the applicant, was present, change from a dance studio to a property management company. They need approximately 28 spaces and he would be testifying as to what his business entails and what he would be doing there. Mr. Deutsch advised that the ordinance has changed, and he is required to be here for a Change of Use Application. He has reviewed the application. Edward Frank, 228 Rivervale Road, River Vale, NJ, business address, was sworn in and questioned by Mr. Onorato. He is employed by Arthur Edwards and real estate management and consulting firm. He is a principal of LRB, LLC, contracting to buy property at 674 Westwood Avenue, River Vale, NJ. Arthur Edwards will be taking space in the building. Right now it is currently designed as an open space dance studio and they would be doing modifications to add office cubicles for his staff. They currently operate right round the street from this space. The primary function of his business is real estate management, with no retail. There would be 12 employees, including himself. The remainder of the space is currently leased 4,000 sq. ft and 900 sq. ft. occupied by a doctor with part time office hours three times per week. They will take on about 3,000 sq ft. Dr. Beg has two employees, and there will be no parking conflicts. There are 23 parking spaces.

Mr. Deutsch questioned the applicant. All alterations will be internal, with no exterior changes, but they would change the sign from Let's Dance to a larger number of 674 to identify the building with decorative light and there would be a number on their door. They would like to make improvements to the parking lot, i.e., pave, restripe with adding handicapped access and curb cuts necessary and required. Mr. Koons asked about the number of employees. Mr. Frank said about 12 employees. Mr. Koons noted the plan showed there could be 20 people on premises at one time. Mr. de Stefan asked if Dr. Berg would be vacating, but Mr. Frank said he would be remaining. He could also

come in and give testimony. Mr. Koons calculated there could be four people attributed to Dr. Berg and 20 to the applicant. Mr. Frank said Dr. Berg's prior Resolution states he would not be expanding. Mr. de Stefan commented this use seems much more compatible and safe than the dance school use. Mr. Onorato said people will not be coming in and out all day like they did with the dance studio.

Mr. Deutsch advised they must comply with the sign ordinance or they would need to apply for a variance. Mr. de Stefan commented he felt it was a benefit to the town. There were no further questions or comments and none from the public. The hearing was closed upon motion of Chairman Koons, seconded by Mr. de Stefan and carried.

A motion for approval subject to Mr. Statile's recommendations was made by Mr. Shalhoub and seconded by Mr. de Stefan. On roll call vote, Mr. de Stefan, Mr. Shalhoub, Mr. Ward, Mr. Donovan, Mr. Ericksen, Mr. Wane, Mr. Lippert, and Chairman Koons voted yes.

2. 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 departed at approximately 8:20 p.m. Antimo Del Vecchio, Esq. represented the applicant and marked the revised plan as Exhibit A12. He indicated the Shade Tree and Department of Public Works representatives walked the site and some recommendations were made as to tree replacement via a replacement method vs. a dollar value method. They would not take down additional trees and will give extra trees as replacements in addition.

Lawrence J. Tenza, Spring Lake Heights, was previously qualified and accepted. They met with the aforesaid Township representatives, and it was suggested they use Colorado Spruce trees, and they amended plans to reflect that. Secondly they looked to see if any trees were allowed to remain. There were seven additional trees that might remain, although he was not confident they would totally survive. As of this evening, their engineer determined that the number seven has gone up to eight, and now there will be an additional 12, for a total of 20. The plans have been amended but not yet submitted. Most of the trees are maples and in the front yards. The last issue Mr.

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Statile conveyed was he was not satisfied with the caliper inch. They developed a chart. Since they are looking at larger, more costly trees, they selected a wholesaler that gives quality trees at a higher value. Mr. Del Vecchio indicated they want to provide one final plan/set of drawings after they finalize with the County.

Mr. Koons asked for Mr. Statile's input. He compared Halicut tree prices which are the most expensive for a 2" caliper. The NJDEP has a standard methodology, which he explained. Certain trees, like arborvitaes, do not qualify. Mr. Del Vecchio stated the applicant has agreed to calculate both ways. The ordinance has not dictated how, but either way, they are compliant. Mr. Koons commented it must be to the satisfaction of Mr. Statile. Mr. Statile would like the trees to be banded, and the trees in the right-of-way should be counted. Applicant would comply. There would be no foliage hanging over a driveway, Mr. Tenza commented. There was nothing further for Mr. Tenza, and no questions from the public.

Richard Eichenlaub continued under oath. They had preliminary meetings with the County and engineers as to what they would like to see on Rivervale Road. There will be one more meeting with the County which would allow them to finalize their plans for transmittal to the Board. Mr. Eichenlaub gave an overview of the road design. Their low point will be between the sixth and seventh lots and would be carried to the East side as well. They are lowering the grade on that side of the road by 14-15". That impacts the driveways and trees would have to be removed. They are going to submit plans to the utilities as well to determine the impacts and gain feedback from them. The other concerns are the driveway grades.

Mr. Deutsch asked for clarification. Mr. Del Vecchio stated they are looking for input from the Board as to design, and then after meeting with the County, they will finalize their plan. Mr. Deutsch advised and confirmed that any comments by the Board are not binding, since the applicant has not confirmed what they are presenting to the Board; this is just a conceptual. Mr. Del Vecchio confirmed and agreed. Mr. Koons commented the Board would never agree to the people across the street being affected by changes to their driveways. Mr. Statile commented it will actually be a benefit. Mr. Koons felt those people will not accept this. Mr. Del Vecchio stated they are not going on

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private property to do any work. They are hearing comment from the Board that they are troubled with the magnitude of lowering driveway grades. Mr. Statile explained that if they create a low area, the water will be directed to drain there. They are trying to correct the problems on both sides of the street. Mr. Eichenlaub stated they could keep the drainage on their side. This is something that still has to be ironed out with the County. They have been back and forth with the County and Mr. Statile's office and are attempting to get a meeting with the County next week. Mr. Del Vecchio said they are also attempting to comply with the slope. They also do not know which option for improvements they will take. They do not want to go onto private property. Mr. Koons commented when they come up with their best proposal, that is what the Board will consider. Mr. Donovan felt they were speaking about what might happen and at this point suggested waiting to see the outcome when finalized and they could come back and present the plan to the Board.

Mr. Del Vecchio concluded his comments, and stated they would present final plans. They extended courtesy of obtaining comments from the Board prior to meeting with the County who has final jurisdiction. Mr. Koons said the County has final over the road, but this Board would not approve something if it was not in the best interest of the Town or something they found objectionable. Mr. Del Vecchio rested his case for the evening. Mr. de Stefan inquired about ruins at the site, but they do not constitute historical sites. However, they may be something buried there with historical value. He asked that they consider this, and it was noted by Mr. Del Vecchio. There were no further questions or comments and none from the public.

The matter was carried to the 3/21/11 meeting with time extended by Mr. Del Vecchio.

RESOLUTIONS:

1. **Resolution Appointing Board Planner** - Discussion Tabled upon motion of Chairman Koons with second by Mr. de Stefan and carried.

OPEN TO PUBLIC - None

DISCUSSION:

PAYMENT OF INVOICES: None

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NEXT MEETING: Monday, March 21, 2011

ADJOURNMENT: On motion made, seconded and carried, the meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted,

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