

**TOWNSHIP OF RIVER VALE
PLANNING BOARD
September 21, 2009
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
Robert Menville	Class I (departed 8:40 pm)

Mark Ericksen	Secretary
Ron Tucci	
Peter Wayne	Class II
Dwight de Stefan	Class III (Councilman)
David Ward	Alt. #1
Scott Lippert	Alt. #2

Also Present:

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

Absent: Bruce Carillo
Chris Wahmann

MINUTES:

The Minutes of 8/17/09 were tabled until the next meeting on 10/19/09.

PUBLIC HEARINGS:

1. Chemiteck 2006, LLC & Palisades Plaza Park North, 634, 644, 650 & 654 Rivervale Road, Block 701, Lots 5, 5.01, 5.02, Part of 6, 7, & Part of 8 - Preliminary Subdivision Approval, Final Subdivision Approval, Preliminary Site Plan Approval & Final Site Plan Approval - Adjourned to 10/19/09 with renote required by the applicant.

RESOLUTIONS:

1. Jewish Home Assisted Living, 685 Westwood Avenue, Block 2101, Lot 2 - Final Site Plan Approval - Carried until a professional testing facility hired by the Jewish Home gives a report that it conforms;

2. Blue Hill Estates, 719, 707 & 707A Orangeburgh Road, Block 202.01, Lots 9, 15, 15.01, 16.05 - Preliminary Major Subdivision, Final Subdivision and Minor Subdivision - (Kenneth Koons recused) - Carried to 10/19/09 - Chairman Koons recused himself and stepped down from the dais. Mr. Shalhoub acted as Chairman. Mr. Deutsch requested that the Board vote to carry the consideration of the Resolution. It is a complex matter with changes in the application and an ultimate a decision of the Board that was somewhat complex. It is his practice to send a draft of the Resolution to the applicant's attorney and objecting attorney for comments regarding any language that is unclear or anything missed. Otherwise, they come in and comment on something that could have been rectified or corrected earlier. So far he only heard from the attorneys today, and he did not have time to review the comments. The attorney was late in getting the comments to him and waived any time limitations and requested to be carried. Mr. Deutsch continued. It is only massaging language--he does not take comments about changing language with regard to what happened. Also, if the changes are lengthy, he will submit a subsequent Resolution if necessary.

A motion to carry the Resolution to the next meeting was made by Mr. Menville and seconded by Mr. Shalhoub. Mr. Shalhoub asked if they have to send another plan. Mr. Deutsch advised they would have to comply with whatever the Board said. Mr. Statile commented they are being granted preliminary approval now. Mr. Deutsch advised that the

applicant cannot commence work until Mr. Statile gives his approval. Further, the Resolution cannot be discussed at this time because the attorneys are not present. There were no further questions, comments or discussions. On roll call vote, Mr. de Stefan, Mr. Menville, Mr. Ericksen, Mr. Wayne, Mr. Tucci, Mr. Lippert, and Mr. Shalhoub voted yes. Mr. Koons was recused. Mr. Ward was not eligible to vote.

Mr. Koons returned to the dais.

OPEN TO PUBLIC - None

DISCUSSION:

Mr. Menville recommended and moved a recommendation to the Mayor and Council that Chris Wahmann be dismissed from the Planning Board for missing approximately nine meetings, commenting that anyone that misses more than four meetings can be dismissed. The motion was seconded by Mr. de Stefan. Mr. Menville explained that the Mayor has tried to contact Mr. Wahmann four or five times and so has Mr. Koons, to no avail. Mr. Koons was only able to speak with his wife. A brief discussion ensued. Mr. Tucci commented he was against the recommendation since there are only three more months before the end of the year, and then they can reassign his position. Mr. de Stefan said it is almost a year that he has not been attending. Mr. Lippert asked if a letter was sent. The motion was amended by Mr. Menville, with second by Mr. Shalhoub, to include a direction that a letter be drafted and sent to the Mayor and Council, with Mr. Ericksen signing as Secretary. On roll call vote, Mr. de Stefan, Mr. Shalhoub, Mr. Menville, Mr. Ericksen, Mr. Wayne, Mr. Ward and Mr. Lippert voted yes. Mr. Tucci voted no. Mr. Koons abstained.

Lastly, Mr. de Stefan requested an opinion regarding a legal analysis test for use variance.

PAYMENT OF INVOICES: None

NEXT MEETING: October 19, 2009

The November meeting date was changed to Tuesday, 11/10/09.

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

Respectfully submitted,

(RVPB 9/21/09 Minutes)

Mary R. Verducci, Paralegal
Recording Secretary