

**ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
SEPTEMBER 21, 2006**

Kevin Martin opened the meeting at 8:00 p.m. by reading the Open Public Meetings Law statement; This is a Regular Meeting of the Zoning Board of Adjustment; in compliance with the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at River Vale Municipal Offices.

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<b>ROLL CALL:</b>	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Present
	Melvina Fakazis		Absent
	Chuck Waldes		Present
	David Rice		Present
	Thomas Pospisil (Alternate 2)		Present
	Robert Fortsch		Present
	Robert Adamo (Alternate 1)		Present
	J.J. Clancy		Present
Also Present:	Brian Giblin, Board Attorney		Present
	Elliot Sachs, Board Engineer		Present

Chuck Waldes arrived at 8:15 p.m.

**APPLICATIONS:**

**06-06 688 Westwood Avenue LLC, 688 Westwood Avenue, Block 1801, Lot 20, 21, 22.**

Use Variance for Building 2

142-223 (Proposed Health Club not permitted in C Commercial District)

Minimum Parking Space Depth

142-272 (18 feet proposed where 19 feet required)

Minimum Drive-Aisle Width

142-274 (24 feet proposed where 25 feet required)

Marla Taus, applicant's attorney announced that the architect and engineer for the proposed application were present. She advised that this is a continued hearing and that revised plans amended the application to 2 single retail buildings therefore, required variances are reduced. Ms. Taus reported that the architect would review the revised plans and the engineer would review the revised site plan.

Raymond Virgona, previously sworn, identified the revised site plan as Exhibit A-9, sheet 2 of 9

prepared by Mark Martins Engineering LLC with a revision date of 8/24/2006. Mr. Virgona reported that the previous submission included residential property which has been removed from the plans and setting the application entirely in a commercial zone. Two buildings are proposed one at Westwood Avenue and one in the rear toward Collignon Way for a total of 29,500 square feet. The application calls for a parking variance allowing for 161 parking stalls. Parking would be in the front and rear of building 2. Two driveways are proposed. Mr. Virgona testified that all bulk requirements are met. The proposal complies with zoning. A health club is proposed in building number 1.

Mr. Virgona referred to architectural sheets A-1 to A-3 and dated 8/23/2006. A-1 showed elevations of the buildings and was marked as Exhibit A-10, A-2 showed the floor plans for building No. 1 and was marked as Exhibit A-11, and A-3 showing floor plans for building No. 2 was marked as Exhibit A-12.

Kevin Martin inquired if the height at 17 feet included the front facade or stopped at the roof line. Mr. Virgona responded "to the roof line". Referring to A-2 and A-3, Mr. Martin assumed necessary firewalls and precautions would be installed. Mr. Virgona stated "yes".

J.J. Clancy referred to building No. 1 which is 10 feet from the property line. He did not see any plans for doors in the rear. Mr. Virgona advised that a rear door was not required and a lot of landscaping is proposed in the rear of building No. 1.

David Rice asked Mr. Virgona to define the proposed health club. Mr. Virgona defined it as a gym or fitness center.

Kevin Martin inquired if a sprinkler system would be installed. Mr. Virgona replied yes, in all planting areas.

Elliott Sachs corrected Mr. Virgona's statement on maximum height allowable. Where Mr. Virgona advised 26 feet, actually 35 feet is correct. Mr. Virgona agreed.

Thomas Pospisil inquired if a 40 ft. width was confirmed on the health club. Mr. Virgona advised that there is no firm commitment yet, but he did not feel it would be larger. A variance is required to allow use.

Kevin Martin opened the meeting to the public and so carried.

Joyce Waldron, 271 Collignon Way inquired about parking and landscaping for the rear of building No. 2. Mr. Virgona advised that parking and a walkway is proposed behind the building with 40 parking spaces proposed. Mrs. Waldron inquired if the rear parking would be designated for the health club. Mr. Virgona stated "no" and defined all parking areas on the plan. Mrs. Waldron asked how wide the aisles are and how long the parking spaces are. Mr. Virgona replied some are 24 feet and some areas are 30 feet. He advised that the length is 18 feet for cars and 24 feet for driveways. Robert Waldron, 271 Collignon Way, asked if the firewalls would go to the ridge line. Mr. Virgona stated from the floor to the underside of the roof. Mr. Waldron inquired about trees. Mr. Virgona

advised that a landscaping plan exists. Mr. Waldron asked if the front of building No. 1 facing Westwood Avenue would have ingress and egress. Mr. Virgona replied yes.

Don Brett, 271 Collignon Way, asked what kind of fencing was proposed. Mr. Virgona replied a 6 ft. solid vinyl fence.

Loretta Wilson, 279 Collignon Way, asked how many stores are proposed. Mr. Virgona replied that details are not specific, there are no tenants yet. He added that 6 entrances are proposed for building No. 1 and 8 entrances for building No. 2. Mrs. Wilson commented that the facade of the proposed buildings make them look like garages.

Ed Fillerman, 51 Cooper Lane, asked if a tenant list would be made available prior to construction. Mr. Virgona was not aware.

Joyce Waldron, asked if the artist rendering concept would change when tenants are assigned. Mr. Virgona advised that construction proceeds and then tenants are assigned. Mrs. Waldron asked if plans would continue to change. Mr. Virgona explained why the plans were revised. Mrs. Waldron felt a major impact with the building across the street.

Doreen Conlon, 259 Collignon Way, commented on the design of the buildings and asked if they could be made more classier, warmer and tasteful looking. Mr. Virgona felt that the plans were tasteful and just a more modern approach. He felt the design was appropriate. Ms. Conlon inquired about the loading docks. Mr. Virgona explained where they are located. Ms. Conlon asked what would be placed if a health club were not permitted. Mr. Virgona advised that health club use requires a variance and if denied, then the area would be used for more retail space.

Joyce Waldron, commented on the building across the street and suggested that the proposed plans being discussed should set a style pattern for others to follow. Mr. Virgona replied that the building across the street is an entirely different use.

George D'Cerro, 126 Rivervale Road, asked if an emergency generator is planned. Mr. Virgona replied that the retail stores would have emergency lighting.

The meeting was closed to the public and opened to Board comments.

J.J. Clancy commented that building No. 1 has a depth of 75 feet and that Mr. Virgona feels that only one door is necessary. Mr. Clancy then asked why building No. 2 is at 88 ft. Mr. Virgona replied that the plans lay out better that way and that building No. 2 would have a walkway in the rear. Mr. Clancy stated that if building No. 2 were designed like building No. 1 at 75 feet doors would be eliminated going out the rear towards Collignon Way. This would also reduce parking requirements. Mr. Virgona advised that the rear parking would mainly be used by employees. Kevin Martin commented that reducing the size of building No. 2 seemed logical and should be considered.

Marla Taus, recalled Mark Martins, Engineer who was previously sworn in. She asked that Mr. Martins identify sheet 2 of 9 previously marked as Exhibit A-9, sheet 3 of 9 marked as Exhibit A-13, sheet 4 of 9 marked as Exhibit A-14, and sheet 5 of 9 marked as Exhibit A-15 all revised to 8/24/2006 which he did. Mr. Martins testified that zone C is a commercial use zone which is being addressed and establishes no lot area requirement and no variance requirements. The rear yard requires 50 ft. and there is no side yard requirement. No building height requirement. The only variance requested is for parking. Ms. Taus asked Mr. Martins if he reviewed Boswell's report listing items of concern. Mr. Martins advised that he did. Mr. Martins referred to the letter and detailed plans for each concern. Ms. Taus commented that the proposal is being built on speculation with no specific tenants. Mr. Martins agreed. The storm water design prepared by Boswell was reviewed and Mr. Martins stated that there would be no problem to conform.

Mr. Martins advised that Shade Tree requirements would be adhered to. Signage and trash removal reviewed. Mr. Martins referred to sheet 4 of 9 (Exhibit A-14) and reviewed plans for the proposed buffer areas and landscaping. He advised that as many trees as possible will be preserved and maintained.

Kevin Martin inquired about the size of trees proposed. Mr. Martins responded 6 – 8 ft. evergreens and a 6 ft. fence. Mr. Martin inquired about the garbage receptacles. Mr. Martins advised that there would be a fenced structure around the trash area. Kevin Martin asked about lighting, low lights and times lights would be on. Mr. Martins advised that those items would need to be enforced and the ordinance would be conformed with.

Kevin Martin referred to page 3 of 9 (Exhibit A-13) Grading and Utilities Plan and asked if there is a retention lines system. Mr. Martins replied yes, 2 systems are planned and he explained.

Kevin Martin referred to the architectural plans and commented that if building No. 2 were shortened by 13 feet a variance for parking would not be required and you would be able to increase the buffer area in the rear. He asked if Mr. Martins thought this was not reasonable. Mr. Martins replied that the scenario could be taken into consideration.

Robert Adamo, inquired if widening Westwood Avenue for street parking is being considered. Mr. Martins responded that if it were considered, it would be subject to County approval and that there is room for it in the East. Mr. Adamo asked about the locations of the buildings. Mr. Martins advised that the architect and the applicant designed the plans and that the advantage of the location of building No. 1 is that it would be located on the right rather than the left which makes circulation better. Mr. Adamo inquired about the location of the driveway and ingress and egress relative to the building across the street. Mr. Martins responded that the traffic engineer can address the question.

J.J. Clancy asked if the trash area would include recycling. Mr. Martins replied yes, and that a detailed design of the area could be provided.

David Rice commented that there would be no other signage except for on the buildings. Mr. Martins confirmed his statement and replied yes.

Brian Giblin, Board Attorney advised that due to time constraints, the application would be continued and suggested a special meeting be held on October 5, 2006. Marla Taus, attorney for the applicant consented to continue the application at a special meeting to be held October 5, 2006.

**06-18 Rehill, 73 Rivervale Road, Block 2301, Lot 12**

Violation of 142-223

Use variance-senior citizen apartments in A residential zone

Due to difficulty with the recording system, the Chairman announced that this application would be heard on October 19, 2006

**DISCUSSION:**

Due to difficulty with the recording system, under the direction of the Board Attorney, the Chairman announced that all remaining September 21, 2006 agenda items would be carried to October 5, 2006 special meeting and October 19 regular meeting.

**MINUTES:**

Carried to October 5<sup>th</sup>, 2006

**RESOLUTIONS:**

Carried to October 5<sup>th</sup>, 2006

**VOUCHERS:**

Carried to October 19, 2006

**ADJOURNMENT:**

Upon motion of Kevin Martin, seconded by David Rice, on voice vote, all in favor, none opposed, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sylvia Kokowski - Recording Secretary

**THE NEXT MEETING IS SCHEDULED FOR October 5, 2006**

Name	Moved	Second	Ayes	Nays	Absent	Abstain
Lorraine de Stefan						
Melvina Fakazis						
Chuck Waldes						
David Rice						
Robert Fortsch						
J.J. Clancy						
Kevin Martin						
Thomas Pospisil Alt 1						
Robert Adamo Alt 2						