

**TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
JANUARY 20, 2022
7:30 p.m. - Virtual Via Zoom
SPECIAL MEETING MINUTES**

Approved 2-16-22

ADEQUATE NOTICE STATEMENT:

In accordance with the provisions set forth in the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at the River Vale Municipal Office.

The Joint Planning Board saluted the flag.

=====

ROLL CALL:

Members Present:

Robert Adamo	
John Donovan	Councilman
Robert Fortsch	Vice-Chairman
Scott Lippert	Chairman
Matthew Ross	
Susan Vaccaro	Secretary
Peter Wayne	

Also Present:

Marc E. Leibman, Esq.	Board Attorney
Christopher Statile, P.A.	Board Engineer
Caroline Reiter	Board Planner
Maria Haag	Land Use Administrator/ Recording Secretary

Absent:

Delix Alex	
Glen Jasionowski	Class I-Mayor

=====

SPECIAL MEETING

APPLICATIONS:

***Edgewood Golf Course Realty, LLC - Block 1201 Lot 6.01 - 449
Rivervale Road***

- Preliminary and Final Major Site Plan - *continued from
November 23, 2021 Special Meeting*

Mr. Lippert welcomed everyone to the meeting and explained that this special meeting is a continuation of Edgewood Golf Course Realty LLC application being carried from the November 23, 2021 Joint Planning Board meeting. Mr. Leibman explained how the meeting would proceed.

Kate Coffey, Esq. of Day Pitney Law, introduced herself as counsel for the applicant and presented an overview of the application and types of variances the applicant is seeking. She explained that the meeting had been rescheduled in order to hold the meeting virtually and that the applicant has sent new notices to the public for the meeting. Ms. Coffey stated which witnesses had provided testimony at the previous meetings and had been questioned by the public. She explained that John Taikina, the applicant's Project Planner had provided testimony at the 11/23/21 meeting and was available to answer questions from the public at this meeting. She stated that Eric Witmond, CEO of Woodmont Properties was also present to provide additional operational testimony. She stated that in response to questions and comments received at the November 23rd meeting, the applicant has continued dialog with several neighbors located at 513 Rivervale Road, 461 Rivervale Road, and 525 Rivervale Road. Ms. Coffey stated that the applicant has come to agreements with the above-mentioned residents in order to mitigate impacts from the proposed improvements. She stated that the proposed landscaping has been supplemented to provide additional screening and to accommodate requests from the board professionals. She stated that an overall concept plan which includes updates in response to requests from the fire department has been submitted. The concept plan also includes plans for proposed locations for four parking spaces for electronic vehicles and twelve "make ready" spaces. She explained that the applicant is compliant with the zoning ordinance in regards to parking spaces. The breakdown of the allocation of 370 parking spaces is as follows:

- 160 parking spaces - Catering Facility
- 80 parking spaces - Golf

90 parking spaces - Pool, Tennis, Midway Dining
40 parking spaces - Vendor and Employee Parking

Ms. Coffey introduced Eric Witmond, CEO of Woodmont Properties to provide additional testimony. Mr. Witmond explained the long-term plan of the club and demands from club members in regards to amenities. He explained that their plan is for the next 15-20 years; all green space use that is being proposed will fill the remaining availability of green space at the location, and any future changes will not include the need to use more green space on the property. Mr. Witmond stated that the applicant views this application as a "full buildout" with the possibility of some necessary adaptations in the future. He explained the need in demand for the proposed additional tennis courts and tennis dome, and that the intention of the applicant is to be able to operate as a full year facility. He also explained who would be able to use the indoor tennis courts, method of scheduling, rates, and hours of operation.

The meeting was opened to the public for questions of Mr. Witmond; being none, the meeting was closed to the public.

Ms. Coffey introduced John Taikina, the applicant's Project Planner to provide additional testimony. Mr. Taikina explained the updates to the plans and new submissions that were made. He explained the **revised accessory structure exhibit dated 12/30/21 and marked as exhibit A-11**. He stated that the applicant quantified the accessory structures on the property, resulting in a total of sixteen accessory structures. Mr. Taikina described each accessory structure.

Mr. Taikina explained the **5-page supplemental planting exhibit revised 12/22/21 and marked as exhibit A-12**. He explained the changes made to the landscape plan addressing comments and concerns from the board professionals, board members, and neighbors.

Mr. Taikina explained the **overall site plan dated 1/19/22 and marked as exhibit A-13**. He discussed the 370 parking spaces that are proposed, including four spaces for electronic vehicles and the twelve make-ready spaces, prewired for future electrical vehicle charging units. Mr. Statile asked if the EV spaces were handicap accessible. Mr. Taikina stated that one would be handicap accessible. Mr. Lippert asked about a 2 for 1 credit for the EV parking spaces. Mr. Taikina stated that there is a 2 for 1 credit for installing EV spaces, however the applicant is not taking advantage of that credit. Mr. Taikina stated that

there are an additional 18 parking spaces which are not included in the overall total of 370, which will be located near the maintenance facility, bringing the total amount of parking spaces to 388 spaces.

Ms. Reiter asked Mr. Taikina to review the necessary variances associated with the application. Ms. Reiter stated that she and Mr. Statile have included in their report the following variances:

- The midway building height of 2 stories
- The tennis dome height of 37 feet
- The tennis dome (accessory building) setback of 17.6 ft
- The tennis dome size of 26,136 square feet
- The midway building size of 13,750 square feet
- The tennis dome located in the front yard setback
- The proposed additional tennis courts located in the front yard setback
- The proposed 16 accessory buildings for the property

Mr. Taikina agreed with Ms. Reiter's assessment of the eight variances being sought.

Mr. Lippert asked if there is another location on the property that the dome could be located. Mr. Taikina stated that there are very few locations that the dome could be located. Mr. Lippert asked where the other locations would be. Mr. Taikina stated that he doesn't believe that there are any other logical locations that the dome could be located. He stated the importance of having all of the tennis facilities located next to each other. Mr. Witmondts stated that the proposed dome would be over the four existing tennis courts, and that in order to move the location of the dome, the applicant would need to build four new tennis courts at a different location. He stated that the applicant does not have the land to do that.

The meeting was opened to the public for questions of Mr. Taikina.

Florence Morgenstein, 9 Holiday Ct., River Vale, asked the applicant if shrubbery could be planted near Green Lane to keep golf balls from coming onto her daughter's property. Mr. Taikina stated that additional landscaping has been proposed to be added to that area, however the type of landscaping would not block golf balls from the property.

Andy Cooper, 633 Midvale Ct., River Vale, asked how the tennis dome would be sheltered from visibility. Mr. Taikina

referred to exhibit A-9 - photographs of domes. Mr. Taikina stated that the dome would blend into the sky and landscape. Mr. Cooper asked for the distance of the dome in the picture being discussed. Mr. Taikina stated that the dome in the picture is several hundred feet away. Mr. Cooper asked what the distance of the proposed dome on Rivervale Road is from the street. Mr. Taikina stated 17.5 feet to the closest corner.

Donna Koeniges, 486 Rivervale Rd, River Vale, asked about the setback of the newly proposed tennis courts and if there was an environmental issue prohibiting the courts from be pushed back further. Mr. Taikina explained that there is a flood plane and buffer that prevents the applicant from moving the tennis courts any further back on the property.

Mr. Lippert stated his concerns about the tennis dome and its location. Mr. Lippert asked Mr. Taikina to explain how the dome relates to the negative criteria and to explain how the dome does not pose a substantial detriment to the zoning planner's scheme. Mr. Taikina stated that the dome will not pose a substantial detriment, and that only 5% of the dome is within the front yard setback area. He stated that because the dome is elevated from Rivervale Road, the height will not be perceived directly, and that there will be a substantial amount of landscaping.

Mr. Lippert stated that the Township has to fulfill a requirement in regards to affordable housing while trying to maintain open space. He stated that one of the Township's objectives for the Fairways application was to preserve the golf club and to also maintain open space. Mr. Lippert asked Mr. Taikina to explain how the dome would not interfere with open space. Mr. Taikina stated that the dome would only be in that location from September through April. Mr. Taikina also stated the importance of offering these amenities in order for the club to operate as a year-round facility. Mr. Lippert stated that this does not address the negative criteria.

Florence Morgenstein, 9 Holiday Ct., River Vale, asked the applicant to explain how they will maintain the Township of River Vale's "small town anonymity" when the applicant is proposing a nationally known club which will cater to its members. Mr. Witmond explained that the quality of the club will give them recognition within the country club community. Ms. Morgenstein asked Mr. Witmond to explain how the club will benefit the other members of the community. Mr. Witmond stated that the club will be a facility that the community could be proud of.

Ms. Coffey stated that the applicant's testimony has concluded.

Mr. Lippert opened the meeting to the public to make statements.

Beth Friedhoff, 525 Rivervale Rd., River Vale, was sworn in by Mr. Leibman. Ms. Friedhoff stated that they have come to an agreement with the applicant regarding their concerns. Ms. Friedhoff questioned the terms in the agreement regarding the installation of netting. Mr. Leibman stated that the board does not have the jurisdiction to grant any relief in regard to the netting that was discussed in the agreement. Mr. Statile stated that the proposed netting would require a bulk variance application due to the height. Mr. Leibman asked Ms. Friedhoff if she has any objection to the application. Ms. Friedhoff stated that she has no objection to the application.

Donna Koeniges, 486 Rivervale Rd, River Vale, was sworn in by Mr. Leibman. Ms. Koeniges stated that as a longtime resident of River Vale, in her opinion a "best in class" country club will not be beneficial to the residents of River Vale. She also expressed concerns about the tennis dome and its location.

Florence Morgenstein, 9 Holiday Ct., River Vale, was sworn in by Mr. Leibman. Ms. Morgenstein suggested that the applicant might want to consider building less townhouses in order to have the land available for the tennis courts. She stated that in her opinion, the application is geared towards benefitting the country club members and not the residents.

Andy Cooper, 633 Midvale Ct., River Vale, was sworn in by Mr. Leibman. Mr. Cooper stated his concerns regarding the tennis dome. He stated that as a longtime resident he has seen the town go through changes, but the foundation and the fabric of the community should be considered. He stated that in his opinion the dome will only benefit the members of the club and not the River Vale residents.

There being no other statements from the public, the meeting was closed to the public.

Ms. Coffey gave her closing statement summarizing the application. The presentation of the application was concluded.

Mr. Lippert asked for statements from the board members.

Mr. Fortsch stated his concerns for the tennis dome and the two additional tennis courts.

Mr. Wayne stated his concerns for the two additional tennis courts and the tennis dome.

Mr. Ross stated his concerns for the tennis dome. He stated that he is not as concerned about the additional tennis courts.

Councilman Donovan stated his concerns for the tennis dome. He stated that the new tennis courts are not an issue for him. He stated that he does not have any issues with the rest of the application. Councilman Donovan stated that after considering the public perspective and the proximity to the road, he would be opposed to the tennis dome.

Ms. Coffey stated that the applicant would like to amend their application and withdraw their request for the tennis dome. Mr. Leibman explained that the variances related to the dome would be withdrawn from the application. He stated that the applicant has the option to bring an application in front of the board in the future for consideration.

Mr. Lippert thanked the applicant for their professionalism. He explained that there is a constitutional obligation for affordable housing in the state of New Jersey. He commended the township for their intelligent approach in handling the obligation. He spoke about the balance between supporting the golf course while also preserving the standard for open space. Mr. Lippert stated that the board listens to the public and residents who wish to make statements about applications and appreciates their feedback.

Mr. Lippert explained that the vote would be broken up into three categories - the midway building, the number of accessory buildings, and the outdoor tennis courts.

A motion by Mr. Lippert, seconded by Mr. Ross to approve the site plan and variances for the midway building height and size as described; on roll call vote all in favor; the motion carried.

A motion by Mr. Lippert, seconded by Mr. Adamo to approve the proposal which would allow fifteen accessory buildings; on a roll call vote all in favor; the motion carried.

A motion by Mr. Lippert, seconded by Councilman Donovan to approve the tennis courts located in the front yard setback; on roll call vote, Councilman Donovan, Mr. Fortsch, Mr. Lippert, and Mr. Ross voted yes; Mr. Adamo, Ms. Vaccaro, and Mr. Wayne voted no; the motion carried.

Mr. Leibman recommended that the board votes on the major soil movement application.

A motion by Mr. Lippert, seconded by Mr. Adamo to approve the major soil movement application; on a roll call vote all in favor; the motion carried.

NEXT MEETING:

Regular Meeting - Wednesday, January 26, 2022 - Virtual

ADJOURNMENT: The meeting was adjourned at 9:17pm.

Respectfully Submitted,

MARIA HAAG
Recording Secretary