

**TOWNSHIP OF RIVER VALE  
JOINT PLANNING BOARD  
January 26, 2022  
7:30 p.m.  
REORGANIZATION & REGULAR MEETING  
MINUTES (VIRTUAL)**

*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.**

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**ROLL CALL:**

**Members Present:**

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

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REORGANIZATION MEETING

**Swearing in of New Board Members:**

- **Robert Adamo - Class IV**
- **John Donovan - Class III**
- **Scott Lippert - Class IV**
- **Peter Wayne - Class II**

**The Members were sworn in and took their Oaths of Office.**

**ELECTION OF OFFICERS:**

**Election of Chairman:**

Chairman Lippert requested a nomination for Chairman. Mr. Fortsch made a motion to nominate **Scott Lippert** as Chairman, with second by Ms. Vaccaro. There were no further nominations. On roll call vote, all members voted yes on the nomination. Chairman Lippert thanked the Board.

**Election of Vice-Chairman:**

Chairman Lippert made a motion to nominate **Robert Fortsch** as Vice-Chairman, with second by Mr. Wayne. There were no further nominations. On roll call vote, all members voted yes on the nomination.

**Election of Secretary:**

Chairman Lippert made a motion to nominate **Susan Vaccaro** as Secretary, with second by Mr. Ross. There were no further nominations. On roll call vote, all members voted yes on the nomination.

**Appointment of Board Professionals:**

A motion to appoint the following Board Professionals for 2022 was made by Chairman Lippert:

- Marc Leibman, Esq., Board Attorney - second by Mr. Ross**
- Christopher Statile, P.E., Board Engineer - second by Mr. Fortsch**
- Carolyn Reiter, Board Planner - second by Mr. Ross**

All board members voted yes on the nominations.

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**REGULAR MEETING**

**APPLICATIONS:**

**Collignon Estates - Block 1801 Lots 7 & 8 - 234 & 238 Rivervale Road**

- Preliminary and Final Major Site Plan /Major Soil Movement/Use "D" Variance/Bulk "C" Variances

Mr. Lippert explained that because "D" variances are involved in the application, the members of the governing body are not permitted by statute to sit on this application. He explained that there are six board members present that are able to vote on the application, and that five affirmative votes would be needed for an approval. The absent member will have the opportunity to view or listen to the meeting recording, bringing the board member vote to seven. Mr. Lippert asked the applicant's attorney if he would like to proceed with the hearing. Mr. Matthew G. Capizzi, Esq. of Capizzi Law Offices, 11 Hillside Avenue, Tenafly, NJ, introduced himself as counsel for the applicant and agreed to proceeding with the hearing.

Mr. Capizzi presented an overview of the application. He stated that the application consists of two parcels, one functioning as a commercial property, and one as a single-family dwelling. The applicant is proposing to consolidate the two lots, remove all existing improvements, and redevelop the property with fourteen townhomes. He stated that the townhomes will be located within four pod buildings consisting of three or four units that are three stories high with three bedrooms. He stated that each unit will provide one parking space in the driveway along with a garage space. Mr. Capizzi stated that there will be two ways to access the property; one access off of Rivervale Road and one access off of Collignon Way. Mr. Capizzi explained the "C" and "D" variances being sought.

Mr. Capizzi stated that an interested party entered a letter of appearance. Mr. Lippert asked Jameson P. Van Eck, Esq., Attorney for the Objector, to briefly summarize his position on procedure and jurisdiction. Mr. Van Eck offered a limited appearance on behalf of Lindvale Gardens due to a potential conflict of interest raised by the applicant. Mr. Leibman stated that the board has the objector's letter and Mr. Capizzi should be allowed to respond to it along with comments from Mr. Statile. Mr. Leibman stated that if the applicant is comfortable with the notice that has been submitted, then he is

comfortable with moving forward with the application. Mr. Lippert explained that if a court finds that the notice for the application was not sufficient, then the application could be void. Mr. Capizzi responded that he has been in continual dialog with Mr. Van Eck and the applicant does not take issue with his representation. Mr. Capizzi stated that this is a new application being presented in front of the board. Mr. Leibman stated that there was not a formal hearing for a prior application presented in front of the board. Mr. Leibman stated that there was a prior informal presentation with no testimony, and that this is the first hearing of this application. Mr. Capizzi responded to items mentioned in the objector's letter. Mr. Capizzi stated that he believes the application is complete and would like to move forward with the hearing.

Mr. Capizzi introduced Steven Napolitano, SNS Architects and Engineers, 1 Paragon Drive, Montvale, NJ, Professional Engineer. Mr. Napolitano was sworn in, qualified and accepted. Mr. Napolitano presented an overview of the architectural and engineering plans that were submitted with the application, dated 1/10/22, containing 10 pages for civil engineering and 14 pages for schematic architectural. Mr. Napolitano presented and explained drawing Y-1 which shows the existing condition plan. He stated that the property is 1.246 acres and has frontage on Rivervale Road and Collignon Way. He stated that if the application were to be approved, the existing structures on the property would be demolished in order to allow for the new development. He stated that there isn't any on-site drainage.

Mr. Napolitano presented and explained drawing Y-2 showing four pods on the property containing residential buildings. He stated that per the township engineer's request, there will not be parking on the street and snow plowing will be taken care of by the owner of the property. He stated that each unit's driveway will be constructed of permeable pavers with infiltration and drainage. He spoke about the visitor parking lot. He explained the retaining walls on the site. He discussed the different setback variances being sought. Mr. Napolitano explained the building height calculations of each pod. He stated the "C" and "D" pods require variance approval for height. He stated that the building setbacks along Collignon Way are conforming. Mr. Wayne asked about the setbacks for a corner property and if the property conforms to the front yard setback along Collignon Way. Mr. Napolitano stated that the building is setback more than 40' from the center line of the road, which is what is required by the township's ordinance.

Mr. Napolitano presented drawing Y-3 and explained the driveways of the units, and the drainage system. Mr. Napolitano stated that he spoke with Mr. Statile and agrees that overflow piping should be installed at the site. He stated that the existing impervious coverage at the property is 46.9%, and proposed impervious coverage is 49.2%. Mr. Napolitano stated that there will be 2638 cubic yards of soil exported, 1078 cubic yards of soil imported, with a balance of 1559 cubic yards of soil movement at the site.

Mr. Leibman explained the format of the meeting and how it will proceed in regards to public questions and comments. Mr. Lippert addressed public comments submitted through the chat room. Mr. Leibman asked the public to refrain from using the chat room in order to ensure that all comments are included on the record.

Mr. Napolitano presented testimony on the proposed lighting plan and referred to sheet Y-4. He stated that based on Mr. Statile's comments, the applicant will modify the sidewalks on Collignon Way which will also include fixtures. Mr. Napolitano described the lighting fixture and stated that there is not any spillage onto any adjacent properties except near the entrance. Mr. Lippert asked if the lights will be on timers. Mr. Capizzi stated that the lights would dim down at a certain time of day and that the applicant would work with Mr. Statile in deciding on what is appropriate.

Mr. Napolitano referred back to page Y-2 and explained the size and location of the three proposed monument signs on the property. The details of the signs are depicted on page Y-6 of the plans. Mr. Napolitano also described the silt fencing that will be used. Mr. Napolitano explained the area of slopes on the property and percentage of disturbance. He stated that Mr. Statile's comments and concerns included in his review have been addressed and that he will meet with Mr. Statile to address any additional items.

Mr. Statile stated that they have to witness the test pits for the stormwater management system. He stated that the sidewalks and curbing along Collignon Way will be required to be replaced. Mr. Statile stated that ornamental/streetscape lights will need to be added along Rivervale Road and be consistent to what currently exists downtown. Mr. Statile stated that he is expecting revisions from the planner in regards to the landscape plan. Mr. Statile explained that the porous paving stones work, however they must be kept clean due to sand and salt on the

roads, otherwise they become clogged. Mr. Statile stated that he will be meeting with the fire department regarding the development. Mr. Lippert asked about EV parking. Mr. Statile stated that it is up to the applicant as to whether they want to install EV parking in the visitors parking lot. Ms. Reiter questioned from a time perspective if the application is subject to the new law. Mr. Statile stated that it would be the decision of the applicant.

Mr. Wayne asked if the six parking spaces in the visitor's lot will include handicap accessible spaces. Mr. Statile will check on the requirement. Mr. Napolitano stated that he does not think it is required but will get an answer to Mr. Wayne's question.

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

Leianne Eskinazi, Berkley Village, 265 Unit 3B and 259 Unit 2A, River Vale, asked Mr. Napolitano to explain how the design will handle the runoff from the property. Mr. Lippert explained that the engineer testified that there is currently no drainage at the property. Mr. Napolitano explained the drainage improvements that are being proposed, which will detain all of the water that enters the property and keep it within the property. Ms. Eskinazi asked about the entry way on Collignon Way and stated her concern about increased traffic. Mr. Lippert stated that a traffic expert will be testifying.

Being no other members of the public with questions of Mr. Napolitano, the meeting was closed to the public.

At 8:55pm the board took a 10-minute recess.

The meeting resumed at 9:06pm

Mr. Capizzi introduced John Lignos, SNS Architects and Engineers, 1 Paragon Drive, Montvale, NJ, Professional Architect. Mr. Lignos was sworn in, qualified and accepted. Mr. Lignos provided a general description of the project referring to the architectural and engineering plans that were submitted with the application, dated 1/10/22. Mr. Lignos stated that his firm designed a multi-residential development of fourteen townhouses gathered in 4 pods. Mr. Lignos provided testimony regarding the size, height, appearance, and location of the townhouses. He stated that the townhouses are all 3 level/3 bedroom units. He stated that the property is located in a

commercial zone. Mr. Lignos provided specific information for each pod. He stated that pods A and B are three-unit pods and pods C and D are four-unit pods. He explained the layout of the units. Mr. Lignos introduced **exhibit A-1** - colorized version of page D-13, and explained the types of materials used for the units. Mr. Lignos introduced **exhibit A-2** - colorized version of page D-16 - side view of buildings from Rivervale Road. Mr. Lignos introduced **exhibit A-3** - colorized version of D-17 - showing the C pod. He discussed the grade drop off shown in the exhibit.

Ms. Reiter asked Mr. Lignos to explain what types of architectural features are being used to break up the mass and bulk of units C and D. Mr. Lignos explained that the façade is not flat, the units step back and forth. Mr. Capizzi asked Mr. Lignos to speak about the second-floor terraces. Mr. Lignos provided details about the terraces. Ms. Reiter asked if the units will be rentals or individually sold. Mr. Capizzi stated that the ultimate form of ownership is yet to be determined.

Mr. Statile referred to exhibit A-2 and suggested that the appearance of the building facing the main road be reconsidered. Mr. Lignos stated that they will look into his suggestion.

Mr. Adamo asked if the second-floor balconies in pod C and D encroach into the setbacks. Mr. Napolitano stated that the only balcony encroaching into the rear yard setback is the southernmost unit in pod C. Mr. Statile stated that the balconies are a part of the building so the setbacks need to go to the balconies. Mr. Napolitano stated that there are not any variances associated with it. Mr. Adamo asked if the balconies will have columns going down to the ground. Mr. Lignos stated that they will not have columns. Mr. Adamo asked about fencing between the units. Mr. Lignos stated that they were not planning on having fencing. Mr. Adamo asked where the air conditioning condensers will be located. Mr. Napolitano stated that they are anticipating condensers to be located in the rear. Mr. Statile asked if the applicant is proposing generators. Mr. Lignos answered that no generators are being proposed. Mr. Adamo asked about the staircases from the balconies. Mr. Lignos spoke about the staircases and the patio size and location, and offered additional options for the staircases. He explained the reason for keeping the pods at the same elevations. He stated that the driveways will be in line so they don't slope down to the garages. Mr. Statile stated that he will be going through the plans with the fire department.

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

At 9:44pm the board took a recess.

The meeting resumed at 9:50pm

Mr. Capizzi asked to break and come back to the next meeting for additional testimony. Due to a scheduling conflict, the application would not be able to be heard at the February 23<sup>rd</sup> regular meeting. Mr. Liebman announced that the application would be carried to the March 30<sup>th</sup> meeting taking place at River Vale Town Hall at 7:30pm, with an option for the applicant to appear at a rescheduled February meeting if they are ready to appear and are able to send their notice in time. Mr. Lippert stated that he would like to decide at the February meeting if the Joint Planning Board meetings will be returning to in-person format or remaining virtual. Mr. Lippert stated that the board will make a decision about the date of the February meeting in the next day or two. A possible rescheduled date of February 16<sup>th</sup> was discussed.

Mr. Van Eck asked for confirmation that Lindvale Gardens will be able to question the witnesses at the next meeting. Mr. Lippert confirmed that.

**COMPLETENESS REVIEW:**

**Corona - B1712 Lot 19 - 224 Rockland Avenue**  
- Addition - Bulk Variance/Setbacks

Mr. Statile stated that the application is complete and can be scheduled for the upcoming February meeting.

**RESOLUTIONS:**

**Fernhoff - Block 2101 Lot 52 - 728 Tiffany Avenue**  
- Addition - Bulk Variance/Setbacks

A motion for approval was made by Mr. Fortsch; seconded by Mr. Ross; on a roll call vote, all in favor, the motion carried.

**Spencer - Block 202 Lot 4 - 630 Baldwin Drive**  
- Shed - Located in Front Yard/Corner Lot

A motion for approval was made by Mr. Ross; seconded by Mr. Wayne; on a roll call vote, all in favor, the motion carried.

**Steiner - Block 1002 Lot 7 - 615 Poplar Road**

- Addition - Bulk Variance/Setbacks

A motion for approval was made by Mr. Wayne; seconded by Mr. Ross; on a roll call vote, all in favor, the motion carried.

The meeting was opened to the public for any non-agenda items; there being none; the meeting was closed to the public.

**MINUTES:**

A motion for approval of the minutes of December 15, 2021 was made by Mr. Fortsch; seconded by Mr. Ross; and carried unanimously on voice vote.

**PAYMENT OF INVOICES:** Chairman Lippert reviewed and signed

**DISCUSSIONS:**

Mr. Leibman suggested sending a draft of the Reexamination report to the board members and then at the February meeting the board can discuss when to schedule the meeting.

**NEXT MEETING:**

**Regular Meeting - Wednesday, February 23, 2022 at 7:30 p.m. - Virtual**

**ADJOURNMENT:** The meeting was adjourned at 10:00 p.m.

**Respectfully submitted,**

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**MARIA HAAG**

**Recording Secretary**