

TOWNSHIP OF RIVER VALE  
JOINT PLANNING BOARD  
February 24, 2021  
7:30 p.m.  
REGULAR MEETING MINUTES(VIRTUAL)

*Approved 3-24-21*

**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 Adamo	
John Donovan	Councilman
Robert Fortsch	Vice-Chairman
Scott Lippert	Chairman
Gregory Lowe	
Matthew Ross	(Alt. #1)
Susan Vaccaro	Secretary
Peter Wayne	

**Also Present:**

Marc E. Leibman, Esq.	Board Attorney
Christopher Statile	Board Engineer
Maria Haag	Land Use Administrator/ Recording Secretary

**Absent:**

Glen Jasionowski	Class I-Mayor
John Puccio	

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**CONTINUATION OF REORGANIZATION MEETING**

Swearing in of Board Member:

- **John Donovan - Class III**

Councilman Donovan was sworn in and took his Oath of Office.

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**REGULAR MEETING**

**DEVELOPER'S AGREEMENT**

*Request to Approve Assignment of Developer's Agreement -Block 601 Lot 7- Rivervale Rd. & Orangeburgh Rd.*

Mr. Leibman presented an overview. This is two lot subdivision that was previously approved. There was a previous assignment of the subdivision. There are a number of public improvements that have already been constructed. There is a Developer's Agreement in place. Some of the improvements were constructed before the bonds were posted. Chris Statile has inspected the site and is satisfied with the conditions. The property has been purchased by the applicant. The Developer's Agreement needs to be reassigned to applicant. A formal resolution is not needed. The Developer's Agreement needs to be approved by the Joint Planning Board, signed by the Chairman, and then sent to the Governing Body for their approval.

Counsel for the Applicant - Dominic Iannarella, Esq.

Mr. Lippert asked Mr. Iannarella if there are plans to develop the property. Mr. Iannarella stated that the applicant plans to build a single-family home on each lot.

Mr. Iannarella stated that a bond is not needed because the improvements have already been done by the developer. He also restated that Chris Statile has approved the improvements made to the property. If additional corrections are needed the applicant has agreed to take them on as the new developer. Mr. Iannarella stated that his client is Crescent Wayne, LLC.

Mr. Statile stated that all conditions of the original approval are part of the assignment.

Mr. Lippert made a motion to authorize the execution of the Developer's Agreement assignment on behalf of the Planning Board, seconded by Ms. Vaccaro, and carried unanimously.

**APPLICATIONS:**

**Dharam and Jeet, LLC - Block 1719 Lot 5.01 - 209 Rivervale Road - Parking Variance (carried from the January 27, 2021 meeting)**

Counsel for the Applicant - David Lafferty, Esq.

Mr. Lafferty stated that he met with his client to address the concerns that the board had in regards to the proposed use. A letter was submitted to the board, dated February 15, 2021 setting forth some limiting conditions with the application relating to hours of operation and number of occupants. The applicant has proposed limiting occupancy to thirty people between the hours of 2:00pm to 6:00pm from Monday through Thursday. On the weekends the hours of operation would begin after noon. The client hasn't decided on how the club would be comprised and formatted at this point. They are waiting for approval and will be consistent with other "Elks Club" types of establishments.

Mr. Statile stated that he would like a definition of what the social club might be and to define a parking standard. He stated that this should be included in the resolution so the Zoning Official has something to rely on. He stated that the resolution should state that if there were parking problems noted at the site that the applicant would have to come back in front of the board. Mr. Lafferty stated that his client would agree to that.

Mr. Lippert stated that he is concerned about the parking and would like conditions to be put into the resolution. Mr. Leibman discussed ways to address parking issues in the resolution. Mr. Statile stated that information regarding parking issues would come from the Police Chief.

Councilman Donovan stated for the record that he watched and listened to the recording from the January 27<sup>th</sup> meeting. He stated that he is supportive in affording Mr. Chopra the opportunity to do something with the space that would help him and the business district in a way that hasn't been thought of in the past.

Mr. Fortsch spoke about the "Bergen Irish" club and the parking status at various times. He stated that he doesn't think the parking is going to be as much of an issue as what was originally thought. Mr. Fortsch also stated that this could be a good opportunity to bring more business into town.

Discussions continue about what items should be included in the resolution.

Mr. Lippert and Ms. Vaccaro each individually stated that they would like a clearer definition of the type of club that this will be and what it will be used for.

Mr. Wayne stated that he has an issue with the parking and that the private parking lots of local establishments could not be used for overflow parking. He stated that there is only two hour parking on Rivervale Road and he is concerned about the parking on residential streets

Mr. Lowe stated that he is also concerned about parking on residential streets. He stated that the letter that was submitted didn't address all of the issues that the board discussed at the previous meeting. Mr. Lafferty stated that because the club hasn't yet been formed they could not provide details on the operations of the club. Mr. Lippert stated that by-laws or regulating principles of the entity have not been provided. Mr. Leibman stated that the board should not be approving the use based on the by-laws of a club and that it is not a land use consideration. Mr. Lippert stated that the ordinance does not provide a good definition of a social club and that the board would like a clearer definition of what type of club this will be.

Mr. Lafferty requested a vote to approve subject to the board's acceptance of the resolution drafted by Mr. Leibman.

Mr. Leibman suggested that the board could make a motion to direct him to prepare a resolution for the board's consideration. The board members will have the opportunity to review it, make comments on it, and make changes to it. Board members will still have the opportunity to vote against approval if they choose to do so.

Mr. Lippert opened the meeting to the public. No members of the public were present.

A motion to direct Mr. Leibman to prepare a resolution of approval for the board's consideration was made by Mr. Fortsch; seconded by Mr. Lowe; on a roll call vote, Councilman Donovan, Mr. Fortsch, Mr. Lippert, Mr. Lowe, Mr. Ross, and Mr. Wayne voted yes; Mr. Adamo and Ms. Vaccaro voted no; the motion carried.

**RESOLUTIONS:**

**Professionals:**

Appointment of Marc Leibman, Esq.- Board Attorney  
Appointment of Christopher Statile, PE and Statile  
Associates - Board Engineer  
Appointment of Caroline Reiter, PP - Board Planner

A motion for approval, was made by Mr. Lippert, with second by Mr. Lowe. All members voted yes unanimously.

**2021 By-Laws:**

A motion for approval, was made by Mr. Lippert, with second by Councilman Donovan. All members voted yes unanimously.

**DISCUSSION:**

2020 Annual Report on Variance Applications

A motion for approval was made by Mr. Lippert, with second by Mr. Fortsch. All members voted yes unanimously.

Marc Leibman will forward a resolution to the Governing Body.

**MINUTES:**

A motion for approval of the minutes of January, 27, 2021 was made by Mr. Lippert; seconded by Mr. Lowe; on roll call vote, all those eligible voted yes; Councilman Donovan abstained; the motion carried.

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

Meeting was opened to the public for non-agenda items, however there were no members of the public attending this Zoom meeting.

**NEXT MEETING:**

**Regular Meeting - Wednesday, March 24, 2021 at 7:30 p.m.**

**ADJOURNMENT:** On motion made, seconded and carried, the meeting was adjourned at 8:15p.m.

**Respectfully submitted,**

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**MARIA HAAG**  
**Recording Secretary**