



2010 Veterans' Day Ceremony – (from Township website)

PERIODIC REEXAMINATION REPORT

TOWNSHIP OF RIVER VALE BERGEN COUNTY, NEW JERSEY

Prepared For:
The Township of River Vale Planning Board

Prepared By:
**Hakim Associates
Landscape Architecture, Professional Planning,
& Natural Resource Consulting
68 Dean Street
Harrington Park, New Jersey 07640**

July 26, 2011

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The original document was appropriately signed and sealed on August 15, 2011 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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1.1 INTRODUCTION

The Township of River Vale is located in Bergen County, New Jersey, in the state's northeastern corner. Within Bergen County, River Vale is located at its northern extremity, in the County's northeastern quadrant.

The Municipal Land Use Law (Chapter 291, Laws of New Jersey, 1975, as amended, hereinafter known as "MLUL") establishes the legal framework for municipal planning, land development and zoning functions throughout the State and provides that local zoning regulations be consistent with an adopted land use element. This statute recognizes the importance of planning as an on going, continuing function of local government by mandating the periodic reexamination of municipal master plans and development regulations. Specifically, Section 89 of the Law, as most recently amended, states as follows:

*"89. Periodic Reexamination. The governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the Planning Board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the County Planning Board and the municipal clerk of each adjoining municipality. The first such reexamination shall have been completed by August 1, 1982. The next reexamination shall be completed by August 1, 1988. Thereafter, a reexamination shall be completed at least once every six years from the previous reexamination."*¹

"The reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.*
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

¹ *Early in May 2011 the State Legislature extended the six year period to ten years.*

- e. *The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality."*

To the best of our knowledge, River Vale first began to develop a Master Plan in 1961, culminating in its adoption in 1964. This document was prepared in accordance with the then effective N.J. Municipal Planning Act of 1953. Then, in 1972, the Township commenced an assessment of the original master plan, and published its new master plan in 1975. This master plan was prepared to be in compliance with N.J. Municipal Land Use Law, as were the timeliness of its periodic reexaminations that were prepared in 1978, 1982, 1988, 1994, 2000 and 2005. The substance of these reexaminations was not all in compliance, however. The 2000 Master Plan Reexamination recommended that a new comprehensive master plan be prepared. Throughout this period of time, an array of relevant planning documents were prepared as individual documents, and these had not been consolidated into a comprehensive document that expresses the varying land use objectives of the Township until the comprehensive Master Plan revision of 2005. Including the original MLUL master plan, these documents include such topics as:

Synopsis of the History of Master Plan Documents in the Township of River Vale

1. 1975 River Vale and the Region
2. 1975 Existing Land Use and Zoning
3. 1975 Population
4. 1975 Fiscal Conditions
5. 1975 Planning Goals and Policies
6. 1975 Residential Development
7. 1975 Business Development
8. 1975 Open Space and Recreation
9. 1975 Traffic Circulation
10. 1975 Public Facilities and Utilities
11. 1975 Community Character and Appearance
12. 1975 Plan Implementation
13. 1978 recommended rezoning of the River Vale Country Club
14. 1978 recommended repeal of conservation development, residential cluster, and multi-family housing recommendations for the Brookside Avenue – Rivervale Road Triangle.
15. 1978 recommended repeal of conservation development as an acceptable concept or planning technique for implementation and inclusion in River Vale's Zoning Ordinance.
16. 1982 recommended repeal of 1978 River Vale Country Club rezoning recommendation.
17. 1982 recommendation for single family zoning for the Brookside Avenue – Rivervale Road Triangle.
18. 1982 miscellaneous rezoning and improvement recommendations in the Four Corners area.
19. 1988 Housing Element and Fair Share Housing Plan
20. 1988 Recycling Plan
21. 1988 Addendum to Reexamination designating the Mesker's site for Affordable Senior Citizens Housing.
22. 1995 Petition for Substantive Certification from COAH, and revisions to River Vale's Fair Share Housing Plan
23. 2000 Periodic Reexamination Report with various general recommendations.
24. 2005 Municipal Master Plan and Periodic Reexamination Report
25. 2008 River Vale Master Plan Housing Element and Fair Share Plan

Other Planning Initiatives

1. Up until 2004, River Vale did not participate in the New Jersey State Development and Redevelopment Plan (SDRP) Cross Examination process. In the SDRP's third round which began in 2004, the township appointed a Cross Acceptance Representative and actively participated, thereby increasing the extent to which it could control its own land use destiny. To date there have been at least two SDRP Preliminary Cross Acceptance reports, but the State's SDRP progress has been stalled since this time.
2. Environmental protection ordinances have been prepared, including an Environmental Impact Statement ordinance, a Tree Preservation and Removal ordinance, and a Steep Slope Protection ordinance.
3. Green Acres approved River Vale's Open Space and Recreation Plan that appeared as Chapter 11 in the 2005 Township Master Plan.
4. Rivervale has had a successful N.J. Green Acres open space acquisition grant request, including among others the approval of its Planning Incentive Grant.
5. To promote public participation in the land use process, River Vale Township has established a Historic Preservation Commission, a Facilities Planning Committee, an Advisory Shade Tree Committee, an Open Space Advisory Committee, and an Environmental Committee.

This Periodic Reexamination report is the product of a collaborative effort of the Planning Board and its consultant. Consideration has been given to the wishes expressed by the Township's Mayor and Council and Board of Adjustment. It has been subjected to public scrutiny including an advertised public workshop and an advertised public hearing. As a result, the land use visions expressed in this document have broad based community support. This report is also intended to satisfy the Township's legislative mandate under the Municipal Land Use Law.

1.2 PERIODIC REEXAMINATION

1.2.1 The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

In 2005 this consultant assisted the River Vale Township Planning Board with the preparation of its first new Master Plan in thirty years. The Township's most recent periodic reexamination was a part of that effort. In all, thirteen categories of problems and objectives were identified. They are paraphrased and consolidated as follows:

1. The Township should continue to pursue substantive certification for its Fair Share Plan from COAH, and should develop creative means of providing other opportunities for affordable housing.
2. Improve and refine regulations pertaining to residential zones by: (a) revisiting payment in lieu of recreation facilities within the Multi-Family Housing Zones; (b) developing a Floor Area Ratio ordinance; (c) removing residential zoning designations from environmentally sensitive lands, public facilities, and golf courses; (d) reconsidering limitations placed on senior citizens residential developments; (e) reducing the extent of the multi-family affordable housing zone; and (f) revisiting the objectives of the A-1 Zoning District for the regulation's appropriateness within environmentally sensitive undeveloped lands, and consider placing those areas within the Conservation District instead.
3. The Township should emphasize environmental protection and natural resource conservation in its land use policies by continuing to pursue: (a) the acquisition of the few remaining developable properties; (b) a Community Forestry Management Plan; (c) Tree City USA certification; (d) its Planning Incentive Grant from Green Acres; (e) greenways; (f) benign improvements to the municipal wildlife sanctuary; (g) a municipal Environmental Commission; (h) an Environmental Resource Inventory; and (i) a better Tree Preservation and Removal ordinance.
4. The Township is facing increasing pressure to accept incompatible infill developments and overdevelopment in several building zones. Bulk standards were reviewed, and the next step is to revise the zoning provisions to be consistent with the Master Plan.
5. Create a more cohesive downtown environment. This should such features as: (a) reducing the extent of the general business zone; (b) permitting office uses; (c) introducing a new mixed-use district at the edge of the central business district; (d) permitting second floor rental affordable housing uses; (e) attracting a variety of new businesses; and (f) creating a streetscape design for aesthetic improvement.
6. Eliminate the EO Executive Office Building Zone.
7. Preserve the Township's history and heritage through its Historic Preservation Commission (HPC). This can be done by: (a) authorizing the HPC to create a locally adopted landmark list and a landmarking program; (b) provide for either HPC approval or advisory authority over projects affecting landmarked resources; (c) adopting a policy of adaptive re-use of historic sites and resources; (d) pursuing Township certification in the Certified Local Government Program for historic preservation; and (e) preparing a comprehensive inventory of historic resources within the Township.
8. Resolve outstanding issues pertaining to public open space and recreation facilities, including: (a) add open space, recreation, and parkland as permitted uses in all Township building zones; (b) investigate the feasibility of adding sports lighting to the unlighted Township fields and courts; (c) pursue the establishment of a municipal amphitheater on the slope leading down to the lower grove of Grove Field; (d) pursue the acquisition of the Bergen Hills golf course; (e) study the feasibility of introducing public recreation facilities targeted towards the needs of senior citizens; (f) provide the desired public recreation facilities that are not currently available; and (g) prepare a detailed recreation facilities and programming plan.

9. Resolve outstanding issues pertaining to other public service facilities, including: (a) address the library's expressed need to expand; (b) resolve the spatial issues that plague the Police Department, the Fire Department, Town Hall, and the DPW; (c) resolve how to replace the closed Community Center facility; (d) address the issue of the absence of a full service postal facility within the Township; (e) identify a suitable cell tower site that would serve to offset the "dead zone" reportedly covering the northern portion of the Township; (f) when space permits, develop a recycling center for manmade materials for use by the community, and a composting site for windrowing leaves for use by the DPW; and (g) consider entering into a Township-wide agreement with a private carter for solid waste collection and disposal rather than the individual contracts currently entered into by residents.
10. Improve the land use and environmental review processes by: (a) expanding the sketch plat submission provisions for subdivisions to also include conceptual site plan submissions; and (b) updating the checklist for attachment to land development applications to include more contemporary considerations.
11. Codify the recommendations for quality design in the landscape that were developed in the 2005 Master Plan. In general terms these included: (a) establish community-wide design vernacular standards; (b) modify those land use code provisions that have the objective of harmoniously blending new and redevelopments into existing neighborhoods by means of maintaining and enhancing existing site features; (c) enhance the streetscapes within the central business district; (d) develop design standards for off-street parking lots; (e) refine the Township's signage standards and ordinance; (f) improve the street tree presence on River Vale's streets; and (g) revisit the site plan standards, lighting regulations and landscaping regulations to emphasize better aesthetics and design in the built environment.
12. Improve the pedestrian and vehicular transportation systems by: (a) repairing and completing continuous sidewalks along the Township's collector roads; (b) considering implementing an ordinance for "Sidewalk Banking"; (c) expanding, interconnecting and improving the bicycle route network and extending it to Township boundaries; (d) review traffic conditions and plans for roadway improvements along the north central portion of Rivervale Road and within the Four Corners; (e) undertake a traffic analysis of the Blue Hill Road and Orangeburgh Road intersection; and (f) implement an interconnected trail system through the Township's parks and open spaces to various community destinations.
13. The Township should strive to monitor area wide planning issues that have local impacts, and also bring the Township's land use policies into consistency with higher level authority plans and requirements. This will protect the Township from land use challenges, and better position it for grant awards. Examples of such topics include: (a) continued participation in future NJSDRP Cross Acceptance processes; (b) achieving consistency with the N.J. Residential Site Improvement Standards; (c) participation in the Bergen County Master Plan process; (d) monitoring activities in neighboring Orangetown, N.Y such as the Planned Adult Community on a site abutting River Vale, and the redevelopment plans for the former N.Y.S. Rockland Psychiatric Center along Orangeburg Road; (e) strive for greater compliance with statewide recycling goals; and (f) periodically revisit the applicability of redevelopment in River Vale in accordance with the N.J. Local Redevelopment and Housing Law.

1.2.2 The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

1. Affordable housing... This issue has been reduced. River Vale Township received its Substantive Certification status from the N.J. Council on Affordable Housing (COAH) on March 10, 2010. While the status of COAH is currently uncertain, the status of the Township's compliance with N.J.'s affordable housing laws and certification of same is not in question. Much of the community's obligation will be met on the former Kern site along Cedar Lane which the Township acquired for this purpose. This site has recently been placed in the new AH-1 Affordable Housing Zone. Other sites that are part of its Third Round affordable housing plans include one currently under construction known as I-6B along the eastern end of Poplar Road in the MFAH Multi-family Affordable Housing zone, and the Mesker's site and adjacent properties along Rivervale Road opposite Prospect Avenue which were placed in the TH Townhouse zone. As pertains to almost certain imminent changes in State affordable housing policies, the Township should monitor all draft rules and legislation. It is the Township's objective to comply with the future State affordable housing requirements.
2. Residential zone regulations... This issue has been slightly reduced. The Township's acquisition of the site known as I-6A along Poplar Road just east of John Street for open space serves to reduce the extent of the multi-family affordable housing zone. Additionally, the number of permitted stories was added to actual measured height as a limitation in each residential zone. The other items within this category have yet to be resolved.
3. Emphasize environmental protection and natural resource conservation ... The Township has made some progress in reducing these issues. As mentioned above, one of the remaining potentially developable properties (I-6A) was acquired for conservation purposes. The Township's Planning Incentive grant from N.J. Green Acres contributed to its acquisition. In 2009 the Board of Education traded 1.04 acres of undeveloped land to a private land owner/developer for 1.75 undeveloped acres, resulting in a net gain of 0.71 acres in the neighborhood of Woodside Elementary School. The beneficial nature of this transaction remains debatable, however. The land that went to the private party has level topography and will result in four new houses, replacing two deteriorated structures. The land obtained by the Board of Education, on the other hand, is steeply sloping and difficult to use for anything other than open space. An Environmental Committee was formed to fill many of the roles conventionally addressed by municipal Environmental Commissions. Their role is limited, however, since committees are not afforded the same entitlements as commissions under N.J. Municipal Land Use Law (MLUL). The Township also supports sustainable design and the Township Green Team. The other items within this category have yet to be resolved.
4. Bring zoning provisions into consistency with the Master Plan ... This issue has been only slightly reduced by the review of the Township's bulk standards. Additionally, the Planning Board eliminated several of the discrepancies that formerly appeared in the Township's zoning code. The Planning Board needs to formally finish developing and agreeing to those bulk standards, preferably with the assistance of their Professional Planner, and then send them on to the governing body with the Planning Board's recommendation for their enactment into the zoning code.
5. Create a more cohesive downtown environment ... This issue has been reduced. A Chamber of Commerce was established to promote the interests of the downtown business

- community. New infill commercial development has replaced remnant single family homes from earlier eras on a site-by-site basis, and another was recently approved by the Planning Board. Much of the new commercial space has been occupied, but some still remains vacant and available for rent. A new passive park known as Emergency Services Park opened in 2010 on property donated to the Township a few years ago by the new Jewish Home for the Aged which provides a pleasant site for shoppers to rest and enjoy their environment. The other items within this category have yet to be resolved.
6. Eliminate the EO Executive Office Building Zone ... This issue has been eliminated by the Township's acquisition of the River Vale Golf Course. A new zoning district known as the G - Golf Course District was established with appropriate zoning provisions. At the same time the former EO Executive Office zoning district was deleted.
 7. Preserve the Township's history and heritage ... Since the Township's Historic Preservation Commission has become rather dormant in recent years, this issue can be considered to have increased. The Township currently has no regulatory control over either the modifications to or demolition of its historic resources, nor does it have a plan to address this as an issue of importance. One Township accomplishment was the publication of a book on River Vale's history.
 8. Issues pertaining to public open space and recreation facilities ... This issue has been reduced to a considerable degree, but there is still work to do. The Township's successes in this arena include the construction a municipal amphitheater on the slope leading down to the lower grove of Grove Field named "Centennial Amphitheater"; adding sports lighting to the athletic fields at the Lower Grove, the Centennial Amphitheater, the Mark Lane athletic complex, and Ranges Field; the acquisition of the River Vale Golf Course; entering into a shared use agreement with Old Tappan Borough for a skate park in their Stone Point Park which is adjacent to River Vale; and the introduction of activities geared towards senior citizens at the new Community Center. One setback is a property (Block 2103 Lot 10 along the west side of Rivervale Road south of Tiffany Avenue) that was identified in the Township's 2005 Green Acres Open Space and Recreation Plan as an acquisition target was recently approved for an eight house subdivision by the Planning Board. The other items within this category have yet to be resolved.
 9. Issues pertaining to other public service facilities ... This issue has been reduced. The library has been renovated and now has facilities that should be more than adequate to serve the community. A new Department of Public Works (DPW) building has been constructed on the site of the former substandard building. The Township constructed a new Community Center on the site of the former community center that had to be demolished, and it is now operational. The North Firehouse has been adequately expanded. The DPW has installed bins for recycling at the site of their new building for residents to bring recyclable manmade materials. The other items within this category have yet to be resolved.
 10. Improve the land use and environmental review processes ... This issue has been slightly reduced by the update to the land use application checklist in 2005. The other items within this category have yet to be resolved.
 11. Quality design in the landscape ... This issue has been slightly reduced. Some improvements to the Township's steep slope protection ordinance have been made by limiting the extent of disturbance permitted. This was set up on a graduated scale, with

permitted disturbance lessening as the slopes get steeper. The Township also made the advisable decision to revert back to its earlier tree preservation and removal ordinance which served the community well before it was replaced by a lesser ordinance. Several of the other items in this category have been discussed, but they have not resulted in tangible improvements as of yet. Many of them have yet to be resolved.

12. Pedestrian and vehicular transportation systems ... The Township has made some progress in reducing these issues, but one issue has been exacerbated. The Township has improved the sidewalks and bike paths in the vicinity of Rivervale Road and Piermont Avenue. It has also accepted contributions in lieu of building sidewalks in residential neighborhoods to fund sidewalks along collector roads, to better serve the public good. Traffic control at the Four Corners intersection has been improved with new curb and lane alignment, and new sidewalks and landscaping. The exacerbated issue has been an increase in truck traffic from Orangetown, N.Y. onto Orangeburg Road. A Rockland County Truck Movement Study encouraged the use of this route by east-west moving trucks through the southern end of the Town of Orangetown. At the same time, Orangeburgh Road has no sidewalks, sharp curves, is narrow and residential, and there is experiencing significant new development. This has resulted in safety issues for pedestrians and the use of residents' driveways, and in roadway deterioration. At the same time, the northern end of Rivervale Road has been experiencing adverse impacts from area development. The other items within this category have yet to be resolved.
13. Area wide planning issues and policies ... The Township has made some progress in reducing these issues. The Township participated in the last NJSDRP Cross Acceptance process, and this State initiative has since become dormant. The Township also participated in the most recent visioning session for the Bergen County Master Plan process and will continue to do so, having appointed the Township Administrator as its most current liaison. The Township's recycling compliance has improved since the DPW installed drop off bins at its facility. The other items within this category have yet to be resolved.

1.2.3 The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

1. The Township continues to encourage the implementation and use of a central electronic database. However, rather than installing and learning to operate its own Geographic Information System (GIS), it has decided to rely on the system made available by the Bergen County Department of Planning and Economic Development.
2. The Township has determined that it is no longer in its best interest to promote the introduction of upper floor housing, either market rate or affordable, within its central business district as was expressed in the 2005 Master Plan. This is primarily because River Vale was awarded Substantive Certification from COAH for its alternate plan.

3. With full recognition of the benefits of renewable energy, as well as their inherently beneficial status granted by the State of New Jersey, the Township desires to study and place limitations and controls over the design and placement of, and impacts that may be generated by, these facilities.

1.2.4 The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

1. The Township has determined that it no longer wishes to promote the development of the northern side of Piermont Avenue as a mixed use assisted care facility. River Vale's first choice for this location is its continuation as a part of the Edgewood Country Club.
2. Since the Township has purchased the River Vale Golf Club, it no longer envisions using its Rivervale Road frontage for single family residential development. Instead, this property is intended to remain a part of the Township owned golf club for the foreseeable future.
3. River Vale has determined that professional office use on the southeast corner of Cedar Lane and Piermont Avenue is no longer appropriate and has since rezoned it for residential use.
4. The Township no longer envisions the same senior citizens residential development on the Mesker's site and smaller adjacent properties immediately to its north as it once had. Instead, the Township has rezoned all of these properties into a new TH townhouse zone that will support age-restricted housing including affordable housing.
5. The Township took advantage of the opportunity to acquire the Kirk site along Cedar Lane to develop a certifiable affordable housing complex. Therefore its vision is no longer for single family residential use in this location.
6. River Vale is no longer interested in acquiring a few of the properties adjacent to the Pascack Brook with surface water features that sit within the southwestern crook of Cedar Lane and Demarest Avenue on the borders of Westwood and Hillsdale Boroughs for open space or park land. In the meanwhile, the Township has determined that the B zoning district is more appropriate than the A for this area and it has been so rezoned.
7. The 2005 Master Plan contained references to the absence of a municipal swimming pool, and the Township's desire to find the means and a location to create one. The Township has determined that this desire requires further study.
8. River Vale has shifted its attention with regard to traffic conditions and roadway improvements away from within the Four Corners, and at the Blue Hill Road and Orangeburgh Road intersection. Traffic conditions along the northern portion of Rivervale Road continue to be a concern. The Township's current new traffic concern regards the intersection of Piermont Avenue and Rivervale Road where traffic can back up considerably behind the stop sign for vehicles waiting to turn from Piermont Avenue.

9. The Township desires to develop regulations for the purpose of discouraging the development of flag lots.
10. The Township has determined that it is in its interest to encourage the consolidation of wireless communication antennas on its current cell tower as opposed to finding locations for new towers. The Township's current ordinance permits towers as tall as 150 feet which can accommodate six carriers per tower. The existing tower is only about 105 feet tall, so it has increased height potential to fulfill this objective.
11. The Township believes it is in their best interest to regularly update its Stormwater Management Plan and intends to do so whenever it is appropriate.
12. The Township is considering revising the tree removal ordinance to permit monetary reimbursement for removed trees to fund the planting of new trees in any location within River Vale Township as an alternative to on-site planting.
13. River Vale prepared and adopted its most recent full municipal master plan in 2005 with the assistance of this consultant, and to date this document has served the township well. Therefore there is no need or desire to prepare another new master plan at this time. The township has also revised its development regulations as needed from time to time and will continue to do so as the need arises. Therefore there is no current need to prepare a new set of regulations. The township should, however, begin to prioritize and then implement some of the recommendations from the 2005 municipal master plan.

1.2.5 The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality."

While there are several large undeveloped or potentially redevelopable parcels remaining in River Vale, only one is available and unencumbered enough to have the potential for large-scale redevelopment. That parcel currently houses the Edgewood Country Club, and there is no indication that its owners have any intention or desire to discontinue its present use. Additionally, the State statute's redevelopment criteria are not met on this site, nor are they met anywhere else in the Township for that matter. Therefore, if the Planning Board were to apply these criteria to the Township or any part thereof, it would find that there are currently no parcels or areas that qualify for redevelopment under the New Jersey State Redevelopment and Housing Law. Nevertheless, redevelopment remains as a viable instrument for implementing plans, and subsequent reexaminations of the Township Master Plan and development regulations should continue to examine the applicability of redevelopment in River Vale.

* * *