

**TOWNSHIP OF RIVER VALE  
JOINT PLANNING BOARD  
March 20, 2019  
7:30 p.m.  
REGULAR MEETING  
MINUTES**

**APPROVED 4/17/19**

**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 Planning Board saluted the flag.**

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**ROLL CALL:**

**Members Present:**

Mark Bromberg	Councilman
Robert Fortsch	Vice-Chairman
Glen Jasionowski	Class I-Mayor
John Puccio	
Robert Adamo	(arrived approx. 7:35 pm)
Susan Vaccaro	Secretary (Alt. #1)

**Also Present:**

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

<b>Absent:</b>	Scott Lippert	Chairman
	Peter Wayne	
	Michael Beukas	
	Gregory Lowe	

**CAPITAL PROJECT REVIEW:**

1. **River Vale Board of Education, 393 Rivervale Road, Block 1301, Lot 28 - Holdrum Middle School Stand-By Generator Installation** - Stephen Sicora, Professional Engineer with Lan Associates and Kelly Ippolito, School Business Administrator, River Vale Board of Education, were sworn in. They presented an application for an emergency generator at Holdrum School. The plan was displayed, and in the far back where the gym is located is where they are seeking to put an emergency generator. The school does not

have one at present and are looking to have back up power for technology, and also for the boiler and gymnasium. It would be a diesel generator and hold 800 gallons of fuel oil. They are looking to relocate it and bring in a new utility transformer. This would be in the far back as well. The generator would be 20' long, 7' wide, enclosed with a 6' chain link fence with two gates. There would be a sound attenuation enclosure and muffler to reduce noise output. As far as neighbors, there is one on the side 350' and way back 600' away in the rear. There are no residences or buildings for at least 800'.

Questions from the Board: Mr. Bromberg asked when the generator would run, and the response was it would run a half hour each week and will not be where kids are gathering. Mr. Leibman asked when the testing would be done and what the school's plan was for testing. It is on a timer after school hours, she replied. There needs to be a plan so you know when it goes on. Mr. Fortsch asked if the other schools have this. Ms. Ippolito said the others have hook ups, and this school is getting this because it is the hub and has all the infrastructure and technology. Everything runs from Holdrum, and it is a Red Cross designated facility. Mr. Bromberg asked when it would kick in, and Ms. Ippolito responded there would have to be a full power outage for it to kick in. Mr. Bromberg commented there should be safety precautions because of the fuel tank, and Mr. Sicora stated that is why they have a fence around it. Mr. Adamo asked about a cabinet for the transformer. Ms. Ippolito responded there is no chance of vandalism. It sits on the ground with no access. The panels are all locked, and there are yellow bollards in front. There is also an exterior transfer switch and yellow bollards in front of that. The fence is chain link. Mr. Adamo commented there is no variance needed, and it is very far from any residents.

Open to public: Richard Hoppe, 96 Rivervale Road, asked if any pollution comes out of them. Mr. Sicora addressed the question. It will comply with T3 emission requirements of the EPA. It is a diesel engine. Mr. Fortsch asked if it could be tested every other week. Mr. Sicora said the internal cycling is once a week, and he would have to check. Mr. Adamo asked how often the truck would come to fill the tank. Mr. Sicora stated there are months in between fillings. It would not be filled during school hours or recreational programs. Mr. Adamo stated his concern with the location is that it is a public space, near the walkway, and it is very industrial. Mr. Bromberg

asked if this was the best location. Mr. Sicora stated it is the most remote spot that they could fit it in. Ms. Ippolito would make it as aesthetically pleasing and hidden as possible.

There were no further questions or comments from Board and none from the public. The Mayor commented we have had similar issues for the police and fire departments to have generators, but they are a necessary evil, and there are challenges with where to be locating them. Mr. Bromberg added this is also a Red Cross designated area.

Mr. Fortsch thanked them for their presentation before the Board. Mr. Sicora advised they needed a letter of recommendation from the Planning Board as they must appear before the Department of Education, which would be provided.

**APPLICATIONS:**

**1. Tollin, 588 Colonial Road - Block 502, Lot 9 -** Susan Vaccaro recused herself and stepped down from the dais. Applicant, Paul Tollin, appeared for a revision to his fence. They need a variance for approximately 25% of the project. He wants to keep his dog in and wild animals, turkeys, foxes, and others out. He recently discovered some wild turkeys that were killed by foxes. He is requesting a 5' fence, mostly transparent, of approximately 50', on Winding Way, another mostly transparent fence located in the back yard between his neighbor and his yard, with no objection from the neighbor, and thirdly, a 5' attractive fence by his driveway. Mr. Tollin had photographs, which he distributed and were marked Exhibits T1, T2. Mr. Leibman reviewed each of the photos with the applicant. Chairman Lippert questioned the applicant. Mr. Tollin stated he wants to come up the driveway from the point of the setback from the curb of 12-13' on Winding Way. The Wittich and Egbert photos show the design and placement of the fence. It would be similarly placed. Mr. Adamo thanked him for coming back with a new design. Trees would be installed and shrubbery would be placed up the driveway. Spruce trees would be planted, and their neighbor gives consent and would give a letter if necessary.

Open to public. There were no questions from the public, and the matter was closed to the public.

Chairman Fortsch commented he liked what applicant did, and it is an improvement, and he called for motion. A motion for approval was made by Mayor Jasionowksi and

seconded by John Puccio. On roll call vote, Robert Adamo, Mark Bromberg, Mayor Jasionowski, John Puccio, and Robert Fortsch voted yes.

Susan Vaccaro returned to the dais.

**2. Florentine, Inc. - 97 Rivervale Road, Block 2301, Lot 7 - Amendment to Approved Site Plan** - Alexander Carver, Esq. represented the applicant. He gave the history of the site and how the Florentine Gardens had come into existence. Since that time the zoning has changed, and this pre-existing, non-conforming use is deemed a conditional use in the B1 Zone, due to the changes in the zoning ordinance. They are here because the needs of the industry have changed in the past 21 years, and it will require the Florentine Gardens to change to meet those needs. What they are going to ask for is not an increase in population of people in occupancy, currently 350, and there will be no increase in parking. It is a very minor addition that is necessary to bring Florentine Gardens into the current needs of the people who use it, mainly for weddings. It is also used as a River Vale Community Center, addressing the needs of the community during the week.

The first witness was Thomas Daidone, owner, Florentine Gardens, 97 Rivervale Road, was sworn in. 30 years ago he came to the town, and the first application was to increase the staircase. They celebrated 26 years. Over the past ten years his children have joined the business. They do a couple of hundred ceremonies a year. People are now wanting to do everything in one place. First Look, Ceremony, Cocktail Hour, Reception. All the venues have chapels. They need to be able to offer the ceremony space. Some nationalities do the ceremony in between cocktail hour and dinner, and it is impossible. They are also asking for couple suites and additional bridal spaces. On the weekends they have two sets of weddings, afternoon and evening, and it is necessary to have these extra suites; otherwise, the customers have to go to hotels. They need office space, and also an elevator to meet ADA standards and accommodate the people attending the ceremonies and celebrations upstairs. They have 3.49 acres of land and are also asking for a 1,288 sf addition to expand the ballroom. The next thing is coolers. Presently they have to go up and down to the basement, and this is not enough to accommodate the refrigeration. The addition would serve to move refrigeration upstairs with a loading area, which is also necessary to bring them current to meet the other facilities.

Questions. Mayor commented what is driving this is for the comfort of the guests and to enable him to compete with facilities in the surrounding towns. Mr. Carver advised they are not looking to increase capacity or parking, but to improve the conditions of the capacity as it is now. Their operations would continue as they do now. Mr. Fortsch asked where the loading dock would go. Mr. Daidone responded currently they have none, but they will make an L-shaped ramp to get into the existing kitchen. It is where they load at present, and it is a ramp not a dock, to get to the area where they are now. It will be faster and safer. The place where the chapel would go is currently an outside space, and now it would be an inside space. It will lessen the noise impact outside. That would be approx. 4,000 sf.

Anthony Guzzo, Architect, was sworn in and commented on the size of the additional space. It is 4,695 sf total with a covered porch. It is already developed, and they are just enclosing it. The overall height is 34' from the grade to the top as existing. No increase is proposed. There is no request for additional parking or capacity. It is just an enclosure of an existing area to accommodate customers. Mr. Costa would testify as to a very small increase for impervious area.

The matter was opened to the public for questions, and the following persons came forward:

Regina Hoppe, 96 Rivervale Road, came forward and had questions regarding refrigeration and noise. She lives directly across the street and had to sign a complaint and go to court. She expressed concern. The Mayor questioned when this occurred. He was not aware of any complaints. Further any complaints were always resolved immediately. Ms. Hoppe had a different opinion. Mr. Leibman gave instructions on the procedures for the hearing and reminded all that questions of the witness were being taken. It was not her intention otherwise, she was just responding to a question. She asked what happens when the refrigeration goes out. Mr. Daidone explained the last incident they had lasted ten days, and they had to bring in temporary refrigeration. The new ones will be remote and not on the roof. There is no noise heard. They use a generator and it is tested. Ms. Hoppe was sworn in so she can give statements. Mr. Fortsch commented Mr. Carver started the presentation with how long the site was there. It was previously Edelweiss's. It was certainly before any of us have moved into town.

Richard Hoppe, 96 Rivervale Road, came forward and had with him a Resolution dated July 1998. Mr. Leibman advised him to form it into a question, or if he wanted to read it, he should have another copy for the applicant. Mr. Hoppe referred to page 3, item 12. It was all about the lighting, which should not be there in the parking lot. Why doesn't he go by the Resolution and shut the lights off. Mr. Carver stated there are no changes to the lighting. Mr. Hoppe was referring to the lighting in the trees. It is not complied with, he stated, as he read from the Resolution. Mr. Leibman read the conditions, and the applicant testified he does have timers. Mr. Leibman advised if this application is approved, a condition would be for applicant to install a modern timing system that shuts the lights off at 2:00 a.m. Mr. Hoppe said the lighting is destroying their lives and asked why he put lighting alongside the building. To make the plantings look pretty was the response. They will do all they can to make sure the lights are not tilted if hit by equipment during a snowstorm. Mr. Daidone commented to Mr. Hoppe can stop by any time, and it is not necessary to go to the town.

How many years would this carry you through to, the Mayor asked, stating he wants the Township businesses to thrive. 30 years, his four children said. Unless they want townhouses. Mayor Jasionowski noted if this is approved, we are looking at 25-30 years, and we are not looking at townhouses in a little as a few years.

There were no further questions, and the matter was closed to the public.

Robert Costa was sworn in as an expert in engineering and planning, Costa Engineering, South Hackensack. Mr. Costa reviewed his Site Plan dated 1/16/19, consisting of six sheets in total, which he described. There is residential to the West and across the street. The golf course is in the rear with a catering facility, hooking into Brookside Park. There will be no increases in the number of people or parking spaces. The patio is 4,125' on the ground, and with the second story, it adds up to 5,618 sf. As for parking, required are 139 spaces, and they are providing 189 spaces with proper ADA capacity. Lastly he spoke about refrigeration. Also, there is no loading dock. It is exactly as it is today, a loading zone. The noise will be minimal. It went from a non-permitted use, and the Governing Body made a decision to make it a conditional use. The bar is now much lower. If you meet all the

conditions in the zone, it is permitted. In this case, we do not meet all the conditions, and the Board has to weigh the variances. The refrigeration is 14' back from the easement on County Road and requires a road widening easement. It meets all the setback requirements. The height will not exceed the existing 34'.

Mr. Costa continued. Lastly, out the back, if you go into the coverage requirements of 115,000 sf, almost 76% covered, they are proposing 77.3%. They are providing drainage and seepage pits. He did Rockleigh Country Club and it is exactly the same. They were also approved for a hotel. The new trend is boutique hotels. No hotels are proposed here. The whole catering business is changing in front of our eyes. Florentine is a little behind in doing this and should have been here a few years ago. The applicant is bringing in the kids, and coming into the new millennium. The loading area will cut down on the time of deliveries. Any issues with lighting pointing in the wrong direction will be corrected and can be addressed in a resolution.

Mr. Carver questioned Mr. Costa for planning testimony. Mr. Costa testified it is a permitted use more than it is a non-permitted use. It is a hybrid use. They meet all the requirements of the conditional use in the B1 zone other than the front yard setback. In fact the existing building encroaches further into the front yard setback than the proposed addition. It is not detrimental to the zone plan and purpose. By enclosing the area you are taking away some of the noise from the outdoor space, and that is positive. There is no negative impact to the zone plan and purposes.

Questions about impervious coverage by the Mayor followed, and he asked if the establishment have any flooding issues. Mr. Costa said they do not. They received the Bergen County Soil Conservation District letter. The County wants them to verify all the onsite drainage using the 1998 Azzolina Feury plan. They need this for final approval. They would alleviate any issues this plan would entail. Mr. Adamo asked if the chapel will have a basement, and the response was no. He asked if the hardscape will change. Mr. Costa stated it will not change.

Plantings were discussed. Mr. Costa showed additional landscaping on Sheet 5 of 6. Mr. Leibman outlined the buffering conditions. Lighting would be another condition to the satisfaction of the Township Engineer and in

conformance with the ordinance. Ms. Reiter confirmed and they would give a final report after inspection. Screening of delivery area was discussed. Mr. Daidone stated they just planted extensive arborvitaes. The deliveries would be in the same spot, just more convenient to bring products straight in, rather than up and down.

Ms. Reiter questioned Mr. Costa and asked if he reviewed any Master Plan documents. He did not. It talked about a review of this area in 2016. The Re-examination references a non-conforming use that offers employment opportunities for the area. It references a catering facility. Does he see any issues with provisions of light, area or harmonious environment, she asked. The response was no.

Anthony Guzzo, Guzzo Architecture, was sworn in and accepted. He testified as to his Architectural Plan and described the details of the additions requested for the ceremony room enclosure and loading area upgrades. There is a very minimal ramp to bring products into the kitchen. They will finish the cooler wall with a brick veneer that matches the existing building. They added a bride and groom suite on the second floor with an elevator. There are expanded bathrooms and dressing rooms, as they are now being utilized longer. The ballroom will have an expansion out 14'. Side and South Elevations were provided, showing a fireplace feature, with Stucco accented by cornices with decorative platforms and a mansard roof, and decorative trim around the windows. The exterior will be identical but for the changes sought. Mr. Adamo asked if the addition out the ballroom was one story or two. It is one, but with higher ceilings. It does not go up 34'--that only happens in the two-story section.

The matter was opened to the public for questions, but there were none.

Maria Daidone, Estate at Florentine Gardens, 97 Rivervale Road was sworn in. She testified she works as a manager at Florentine Gardens. After graduating college in 2009 she worked there full time. Since age 13 she was working there. Her future intentions are to complete this beautiful remodeling expansion. It is a family-owned business, and her sister and brother have also joined their father to make it their career and expand the business. Attorney Carver had no further witnesses, thanked the Board and asked for a favorable resolution.

Mr. Adamo commented in favor of the application, stating the presentation was well designed in keeping with the existing building, and being further from Rivervale Road is a positive thing. The Mayor commented the presentation was excellent and professional. Florentine Gardens is an important part of the community, and he wants to see it be successful for a long time as a catering facility vs. town homes. Mr. Bromberg echoed the comments and noted there are no increases in non-conformity, bringing it more in conformity. There are no negatives. Mr. Puccio commented on the changes as being needed, and he does appreciate their upkeep in conjunction with the neighbors and the landscaping. Mr. Fortsch commented it was a good presentation. He can see how they must keep up other catering facilities.

There were no further questions, comments or discussions.

A motion for approval was made by Mayor Jasionowski and seconded by Mr. Puccio. On roll call vote, Mr. Adamo, Councilman Bromberg, Mayor Jasionowski, Mr. Fortsch, Mr. Puccio, and Ms. Vaccaro voted yes.

**MINUTES:** A motion for approval of the Minutes of 2/28/19 was made by Mr. Puccio, seconded by Mr. Bromberg, and carried unanimously.

**RESOLUTIONS:** None

**PAYMENT OF INVOICES:** None

The Board took a recess from 9:40-9:45 pm.

**DEVELOPER'S AGREEMENT:**

**1. Bear Brook Builders, LLC, 135 Rivervale Road, Block 2103, Lot 10 - Approval of Amendment to Developer's Agreement** - The amendment was arising from a change in the law concerning bonds. Board Attorney Leibman advised on the record the Board needed to authorize the Amendment to the Developer's Agreement because of a change in State law on the amount of money that could be required for an increased bond. A vote was needed to authorize the Chairman to sign. A motion for approval was made by Mayor Jasionowski, seconded by Mr. Puccio. On roll call vote, Mr. Adamo, Councilman Bromberg, Mayor Jasionowski, Mr. Fortsch, Mr. Puccio, and Ms. Vaccaro voted yes.

(RVPB 3/20/19 Regular Meeting Minutes)

**DISCUSSION:**

**Review of Ordinance - Front Yard Setback Requirements -**  
Carried to next meeting;

**CLOSED SESSION:**

The Board went into Closed Session at approximately 9:45 p.m. to discuss the **River Vale Settlement Agreement, Block 1901 Lot 6, Block 301 Lot 14, Block 2103 Lot 10**

**RETURN TO OPEN SESSION:**

The Board returned to Open Session at approx. 9:55 p.m.

**NEXT MEETING: Thursday, March 28, 2018 at 7:30 p.m. -**  
Special Meeting - Community Center

**ADJOURNMENT:** On motion made, seconded and carried, the meeting was adjourned at 10:00 p.m.

**Respectfully submitted,**

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**MARY R. VERDUCCI, PARALEGAL**  
**Recording Secretary**