

MINUTES
Regular Council Meeting
Council Chambers
Monday, February 26, 2018
8:00pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 8:00pm in the Council Chambers located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to rise and join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Bromberg read the Sunshine Statement into the record, as follows:

"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 Municipal Office."

ROLL CALL

Councilman Ben-Yishay, Councilman Donovan, Councilman Criscuolo and Council President Bromberg were present. Councilwoman Sieg was absent.

Also present: Mayor Glen Jasionowski, Business Administrator/CFO Gennaro Rotella, Township Attorney Silvana Raso, Township Engineer Chris Statile and Township Clerk Karen Campanelli.

Mayor's Comments

Mayor Jasionowski opened with comments regarding this year's budget. The Mayor reported that initial budget numbers before capital and department requests was over \$200 per home. He explained that Gennaro has been working tirelessly on this budget and we are now looking at the lowest increase in years. The Mayor further reported that they will be able to spend on sidewalk improvements; in addition to the Township being awarded a \$212,000 grant for sidewalk improvements. The Township will also be doing ballfield improvements this spring. The Fire Department will be receiving \$100,000 for necessary equipment and the DPW will receive \$200,000 for necessary equipment as well. Mayor Jasionowski feels the Council will be very pleased with the budget which they should receive by this Friday.

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella reported that he has been working with both Chris Statile and the vendor on the Giordano Playground project. He has notified the school that the Township will be replacing the non-compliant playground and that the DPW will be disassembling the old playground. Mr. Rotella further reported that the foundation for the new rock climbing wall will be poured by mid-March or early April.

Township Engineer's Report

Mr. Statile expects to receive the shop drawings for the Mark Lane Pavilion. He next reported that the Township is awarding the contract for Ambulance Corps. Bathroom project to LKL Contractors this evening. The grant for this project was \$70,000 and the bid was for \$70,000 and change which is on budget. Mr. Statile referenced the Mayor's announcement that the Township was awarded a \$212,000 NJDOT grant for sidewalk improvements in Roberge School Regional Safety Improvement Program.

Councilman Donovan questioned the status of the second part of the DOT grant for Poplar Road. Mr. Statile responded that they were denied funding this year but he plan to apply again next year.

Mr. Statile extended his thanks to the Police Chief and the Superintendent of Schools for submitting their letters of endorsement for the sidewalk grant.

1st Hearing of the Public

Motion by Councilman Donovan; second by Councilman Ben-Yishay to open the meeting to the public.

Richard Tax—Montview Place— expressed his concerns about the deer issue and suggested spraying the parks for ticks. Mr. Rotella responded that the only spraying done is by request by the County; they spray for mosquitoes on the ballfields in specific areas. Mr. Tax also questioned the status of the deer hunt scheduled. Mayor Jasionowski clarified that they have not scheduled a deer hunt. The Mayor responded that they are in the process of putting together ordinances as part of the Township’s deer management program as required by the State. The Mayor stressed that they are committed resolving the problem; and one of the steps the Town is doing is to pass a deer feeding ordinance.

Mr. Tax questioned whether the Board of Health can address the deer as a health issue. Council President Bromberg responded that the Board of Health is an Advisory Committee and they do frequently discuss cases of Lyme disease in River Vale.

Bob Fortsch—511 Bernita Drive—questioned the Bill’s List specifically the \$17,000 cost of leave disposal. Mr. Fortsch suggested dumping the leaves at one of the various golf courses or water company property. The Mayor responded that this would only create a problem for someone else.

Mr. Fortsch also commented on his friend Jerry Stapleton, who is a retired Bergenfield police officer. He explained that last summer at age 50 Jerry had a series of strokes. His friend has been in and out of rehab and could end up in a nursing home. Mr. Fortsch spoke to Chief Giordano who suggested contacting John DeVoe who works with Mayday Missions. Mr. Fortsch reported that within 48 hours John DeVoe had contacted Jim Stapleton, Jerry’s brother informing him that the paperwork has been sent the Bergenfield PBA and a fundraiser is underway. Mr. Fortsch commented that it’s phenomenal how quickly this was done thanks to the River Vale Police Department. The Mayor commended Lt. DeVoe adding that Mayday Missions is a great organization.

There being no further questions or comments from the public motion by Councilman Criscuolo; second by Councilman Donovan to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Criscuolo; seconded by Councilman Ben-Yishay to approve Resolutions 2018-86 through 2018-99 as a Consent Agenda as follows:

Resolution #2018-86

RESOLUTION APPROVING MINUTES JANUARY 22, 2018 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 22, 2018 Council meeting of the Township Council are hereby approved.

Resolution #2018-87

RESOLUTION
REFUND OF TAX OVERPAYMENTS

WHEREAS, tax overpayments were received for the 1st quarter of 2018 and the property owners have requested a refund of said overpayment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Treasurer is hereby authorized to issue municipal checks as follows:

The following refunds are made payable to:

**Corelogic Refund Department
P.O Box 961250
Fort Worth, TXM 76161-9858**

Block 111, Lot 1
641 Cobh Road
\$3,626.10

Block 801, Lot 10
496 Wittich Terrace
\$3,945.96

Block 809, Lot 9
553 Egan Terrace
\$126.89

Block 914, Lot 7
609 Woodland Court
\$217.70

Block 1106, Lot 28
609 Red Oak Dr.
\$326.55

Block 1501.02, Lot 4
529 Brook Ave.
\$5,699.39

Block 1513, Lot 3
544 Buckley Ct.
\$33.28

Block 1712, Lot 14
213 Highland Avenue
\$2,977.39

Block 2105, Lot 3
711 Tiffany Avenue
\$101.59

The following refund is made payable to:

**Lereta Refunds & Returns
1123 S. Parkview Drive
Covina, CA 91724**

Block 2106, Lot 8
115 Ivy Lane
\$4,076.49

The following refunds are made payable to:

**Wells Fargo Real Estate Tax Service
Attn: Refunds/Finance
1 Home Campus
Des Moines, IA 50328-0001**

Block 1608, Lot 4
217 Cedar Lane
\$155.37

Block 2001, Lot 29

774 Tiffany Ave.
\$786.65

Block 2003, Lot 5
44 Leona Ct.
\$160.65

Resolution #2018-88

RESOLUTION
(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2017 Budget Appropriations Reserves, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2017 Budget Appropriations Reserves.

Inside CAP:

From:

| | |
|----------------------------|---------------------|
| Insurance OE | \$ 10,000.00 |
| Solid Waste & Recycling OE | \$ 10,000.00 |
| Utility OE | \$ 8,000.00 |
| Total | \$ 28,000.00 |

Inside CAP:

To:

| | |
|-----------------------|---------------------|
| Garage OE | \$ 2,000.00 |
| Snow & Ice Removal OE | \$ 15,000.00 |
| LOSAP | \$ 5,000.00 |
| General Admin OE | \$ 6,000.00 |
| Total | \$ 28,000.00 |

Resolution #2018-89

RESOLUTION
TAX LIEN REDEMPTION

WHEREAS, the property located at 619 Cleveland Avenue (Bl 1715, Lt 6) has been redeemed. The Tax Collector has received (1) one check in the amount of \$ 23,599.73 for payment of the lien (Certificate No. 17-00002); and

WHEREAS, the Township is holding a \$ 45,000.00 premium in a Trust Account for the above mentioned lien.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Treasurer is hereby by authorized to issue two (2) municipal checks in the amounts of \$ 23,599.73 and \$ 45,000.00 respectively payable to as follows:

“US Bank Cust BV001 Trst & Crd”
Mail to:
50 South 16th Street
Suite 2050
Philadelphia, PA 19102-2513

Resolution #2018-90

RESOLUTION AWARDING THE BID FOR THE RIVER VALE AMBULANCE CORPS BARRIER-FREE IMPROVEMENTS PROJECT

WHEREAS, on February 21, 2018 the Township received bids for the River Vale Ambulance Corps. Barrier Free Improvements Project; and

WHEREAS, the one bid received from LKL Contracting, 457 Shadyside Road, Ramsey New Jersey has been reviewed and approved and is hereby accepted as the lowest responsible bidder at the price of

Base Bid: \$ 70,300.00

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 70,300.00 in the Public & Private Programs account.

NOW THEREFORE BE IT RESOLVED the bid from LKL Contracting is accepted as the lowest responsible bidder. The Mayor and Township Clerk are hereby authorized and requested to execute a Contract on behalf of the Township of River Vale for the River Vale Ambulance Corp Barrier-Free Improvements Project as described in the Bid Specifications.

Resolution #2018-91

**RESOLUTION WAIVING THE FILMING PERMIT FEE
(NBC Today Show)**

WHEREAS, on Friday, April 13, 2018 the Friends of the Library are hosting a fundraising event at the River Vale Country Club featuring Medium Craig McManus; and

WHEREAS, the *NBC Today Show* has requested permission to film Craig McManus as part of an on-line segment they are producing; and

WHEREAS, as per Chapter 107 of the Township Code no person shall film in the Township of River Vale without first obtaining a permit; and

WHEREAS, the Mayor and Council may authorize the waiver of any requirement for a Filming Permit.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the permit fee for *NBC Today Show* to film at the River Vale Country Club is hereby waived.

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the permissible hours to film in Township to film are hereby waived to allow filming during the evening hours.

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that all other regulations and requirements to obtain a Filming Permit remain in full effect.

Resolution #2018-92

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE ANN BLANCHE SMITH SCHOOL PTA (RACE NIGHT)

BE IT HEREBY RESOLVED that the following license to conduct a Race Night is issued to:

| | |
|---------------------|--|
| NAME: | PTA Ann Blanche Smith School 1000 Hillsdale Avenue Hillsdale, NJ 07642 |
| LOCATION OF RAFFLE: | Florentine Gardens 97 Rivervale Road River Vale, NJ 07675 |
| DATE OF RAFFLE: | April 26, 2018 (7:00 to 11:00pm) |
| I.D. #: | 211-5-27896 |
| RAFFLE LICENSE: | RL 514 |

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-93

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE ANN BLANCHE SMITH SCHOOL PTA (TRICKY TRAY)

BE IT HEREBY RESOLVED that the following license to conduct a Tricky Tray raffle is issued to:

NAME: PTA Ann Blanche Smith School
1000 Hillsdale Avenue
Hillsdale, NJ 07642

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: April 26, 2018 (7:00 to 11:00pm)

I.D. #: 211-5-27896

RAFFLE LICENSE: RL 515

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-94

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE ANN BLANCHE SMITH SCHOOL PTA (OFF PREMISES 50/50)

BE IT HEREBY RESOLVED that the following license to conduct an off-premises 50/50 raffle is issued to:

NAME: PTA Ann Blanche Smith School
1000 Hillsdale Avenue
Hillsdale, NJ 07642

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: April 26, 2018 (7:00 to 11:00pm)

I.D. #: 211-5-27896

RAFFLE LICENSE: RL 516

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-95

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE PTA EMERSON ELEMENTARY (TRICKY TRAY)

BE IT HEREBY RESOLVED that the following license to conduct a Trick Tray raffle is issued to:

NAME: PTA Emerson Elementary Inc.
175 Linwood Avenue
Emerson, NJ 07630

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: April 5, 2018 (7:00 to 11:00pm)

I.D. #: 131-5-29245

RAFFLE LICENSE: RL 517

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-96

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE SELZER SCHOOL PTO (TRICKY TRAY)

BE IT HEREBY RESOLVED that the following license to conduct a Trick Tray raffle is issued to:

NAME: Selzer School PTO
435 Prospect Avenue
Dumont, NJ 07628

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: March 29, 2018 (6:00 to 11:00pm)

I.D. #: 109-5-37089

RAFFLE LICENSE: RL 518

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-97

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM**

ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protections, Green Acres Program (“State”) provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of River Vale has previously obtained a loan of \$1,000,000 and a grant of \$6,045,000 from the State, of which the \$1,000,000 loan and \$6,045,000 of grant funds have already been awarded and expended to fund the following project(s):

Watershed Property Acquisition #0253-96-141 including properties known as i-7a (United Water), i-6a (Rivervale Developers) and River Vale Country Club;

WHEREAS, the State and the Township of River Vale intend to increase Green Acres funding by \$500,000; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, an is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that:

1. The Mayor of the Township of River Vale is hereby authorized to execute an agreement and any amendment thereto with the State known as Watershed Property Acquisition, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$500,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance necessary to complete the project, and;
4. The applicant agrees to comply with all federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

Resolution #2018-98

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE RIVER VALE FIRE DEPARTMENT (ON PERMISES MERCHANDISE)

BE IT HEREBY RESOLVED that the following license to conduct an on premises merchandise raffle is issued to:

| | |
|---------------------|---|
| NAME: | River Vale Volunteer Fire Dept 330 River Vale Rd River Vale, NJ 07675 |
| LOCATION OF RAFFLE: | Florentine Gardens 97 Rivervale Road River Vale, NJ 07675 |
| DATE OF RAFFLE: | May 16, 2018 (7:00 to 10:00pm) |
| I.D. #: | 426-9-29723 |
| RAFFLE LICENSE: | RL 519 |

BE IT FURTHER RESOLVED that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Resolution #2018-99

PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to pay the following claims:

| | | |
|---|----|------------|
| CURRENT ACCOUNT claims in the amount of: | \$ | 138,325.67 |
| RESERVE CURRENT ACCOUNT claims in the amount of: | \$ | 115,965.08 |
| GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of: | \$ | 81,705.68 |
| RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of: | | |
| UNEMPLOYMENT TRUST ACCOUNT claims in the amount of: | | |
| ANIMAL TRUST ACCOUNT claims in the amount of: | \$ | 1,622.60 |
| MISCELLANEOUS TRUST ACCOUNT claims in the amount of: | \$ | 4,535.00 |
| RECREATION TRUST ACCOUNT claims in the amount of: | \$ | 390.00 |
| PRIVATE DUTY TRUST ACCOUNT claims in the amount of: | \$ | 19,495.61 |
| SNOW REMOVAL TRUST ACCOUNT claims in the amount of: | | |
| HOUSING TRUST ACCOUNT claims in the amount of: | \$ | 3,610.75 |
| JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of: | | |
| GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of: | | |
| OPEN SPACE TRUST ACCOUNT claims in the amount of: | | |
| CAPITAL ACCOUNT claims in the amount of: | \$ | 14,357.16 |
| PLANNING BOARD TRUST ACCOUNT claims in the amount of: | | |
| SPECIAL TRUST ACCOUNT claims in the amount of: | \$ | 1,858.75 |

| | | |
|---|-----------|-------------------|
| ZONING BOARD TRUST ACCOUNT claims in the amount of: | \$ | 584.99 |
| TOTAL CLAIMS TO BE PAID | \$ | 382,451.29 |

BE IT FURTHER RESOLVED by the Township Council of the Township of River Vale that the following claims have been paid by the Business Administrator prior to the Bill List Resolution in the following amounts:

| | | |
|---|-----------|---------------------|
| CURRENT ACCOUNT claims in the amount of: | \$ | 4,744,396.41 |
| RESERVE CURRENT ACCOUNT claims in the amount of: | \$ | 130,291.86 |
| GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of: | \$ | 90,193.88 |
| RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of: | \$ | 93,563.00 |
| UNEMPLOYMENT TRUST ACCOUNT claims in the amount of: | | |
| MISCELLANEOUS TRUST ACCOUNT claims in the amount of: | | |
| ANIMAL TRUST ACCOUNT claims in the amount of: | | |
| ACCUMULATED ABSENCES TRUST ACCOUNT claims in the amount of: | | |
| RECREATION TRUST ACCOUNT claims in the amount of: | \$ | 3,200.40 |
| PRIVATE DUTY TRUST ACCOUNT claims in the amount of: | | |
| SNOW REMOVAL TRUST ACCOUNT claims in the amount of: | | |
| HOUSING TRUST ACCOUNT claims in the amount of: | | |
| JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of: | \$ | 390.01 |
| GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of: | | |
| OPEN SPACE TRUST ACCOUNT claims in the amount of: | | |
| CAPITAL ACCOUNT claims in the amount of: | \$ | 500.00 |
| PLANNING BOARD TRUST ACCOUNT claims in the amount of: | | |
| SPECIAL TRUST ACCOUNT claims in the amount of: | | |
| ZONING BOARD TRUST ACCOUNT claims in the amount of: | | |
| TOTAL CLAIMS PAID | \$ | 5,062,535.56 |
| TOTAL BILL LIST RESOLUTION | \$ | 5,444,986.85 |

**MANUAL DISBURSEMENTS
BILL LIST FOR February 26, 2018**

| | | | |
|--|------------------|----|----------------------|
| 1/30/2018 | Transfer | \$ | 679,466.64 |
| | Payroll | | |
| 2/15/2018 | Transfer Payroll | \$ | 259,852.19 |
| TOTAL STATUTORY ACCOUNT DISTRIBUTIONS | | | \$ 939,318.83 |

ROLL CALL VOTE

Councilman Ben-Yishay, Councilman Donovan, Councilman Criscuolo, and Council President Bromberg voted yes. Councilwoman Sieg was absent.

Ordinance 1st Reading

Motion to Introduce: Councilman Donovan

Second: Councilman Ben-Yishay

ORDINANCE #332-2018

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY AMENDING CHAPTER 142 OF THE CODE, ENTITLED "LAND USE"

**ARTICLE I
General Provisions**

§ Section 142-3. Definitions. (add the following definitions)

- *Quadplex*. Four attached dwellings in one building in which each unit has at least three outside exposures, shares common walls with an adjoining unit and is either above or below another unit.
- *Residential/Golf Course Development*: A development that includes both attached residential housing and an 18-hole Regulation Golf Course. The Residential/Golf Course Development must contain both the attached housing and the 18-hole regulation golf course. Standards for Residential/Golf Course Development as contained in §142-224A must be met.
- *Townhouse*. An attached one-family dwelling in a row of at least two units, each with its own front and rear access to the outside and each separated from any other unit by no more than two common walls.

ARTICLE L Division Into Districts

§142-224. A-1 Residence District (change to read)

The permitted uses of buildings and premises in the A-1 District shall be the same as those established for the A District, except that the following use shall also be permitted in the A-1 Residence District:

Residential/Golf Course, subject to the standards established herein

A. Residential/Golf Course Development Regulations

- 1) Minimum Tract Area: The total land area required for residential/golf course development shall be 150 acres. The golf course may include lands outside the Township of River Vale, however, the minimum tract area requirement herein specified shall be exclusive of any such lands.
- 2) Required Principal Uses: The Residential/Golf Course development shall contain the following use components:
 - (a) A minimum 18-hole regulation golf course. The golf course shall be a minimum length of 6,000 yards collectively measured by each of 18 holes, from the center of the rearmost tee to the center of the green of each hole. The course shall be held under separate ownership and subdivided from the residential units provided for herein.
 - (b) The residential component consisting of any, or all of the following designed to appeal to an age-targeted luxury market comprising young professional and empty nester households: quadplexes and townhouses, except that not less than 70% of all residential dwellings shall be townhouse units.
 - (c) Ten percent (10%) of all the residential units shall be set aside and designated as family rental units affordable to low- and moderate-income households. Said set aside provisions shall be pursuant to the New Jersey Uniform Housing Affordability Controls (UHAC), with the exception that in lieu of 10 percent of affordable units in rental projects being required to be at 35 percent of median income, 13 percent of affordable units in such projects shall be required to be at 30 percent of median income, the current applicable rules as included in the Township's Master Plan Housing Element, and/or any and all affordable housing decisions made by the New Jersey Superior, Appellate, or Supreme Court (the "Affordable Units"). The 10% affordable set-aside is a required component of any Residential/Golf Course Development.
 - (d) A building containing 100% Affordable Units (the "Affordable Building"). Ten percent (10%) of all the total number of the residential units developed on the residential component shall be affordable and located in the Affordable Building and shall be phased with the total residential units pursuant to N.J.A.C. 5:93-5.6(d).
- 3) Permitted Accessory Uses.
 - (a) Accessory uses shall be permitted in conjunction with the golf course use, provided that the operation of such uses are clearly incidental and subordinate to the use of the golf course:

- [1] Clubhouse facilities including dining, a lounge, meeting, banquet and catering facilities primarily for on-site consumption.
- [2] Tennis and Golf pro shop.
- [3] Swimming pool, tennis, racquet courts, paddle tennis and/or similar outdoor amenities typical to country club uses in the region and designed for club member use.
- [4] A driving range and practice putting green.
- [5] Maintenance facilities for storage of equipment and supplies used on-site.
- [6] Caretaker dwellings and housing for seasonal employees working on-site. Said housing shall be prohibited should the golf course component cease to exist and/or be open for use.
- [7] Gatehouses not to exceed 175 square feet of interior area designed to match the exterior architectural style of the residential units.
- [8] Off-street parking minimum: four spaces per hole, and one per driving range tee.
- [9] Signage, including a monument identification sign and directional signage as approved by the Planning Board.

(b) The following accessory uses shall be permitted in conjunction with the residential use:

[1] Active recreational facilities including clubhouses, swimming pools, and tennis courts, for the exclusive use of residents and guests.

[2] Passive open space recreational amenities including walking trails and jogging paths, exercise courses, gathering and seating areas.

[3] Facilities intended for the social and recreational needs of residents, such as exercise rooms, lounge areas, game and resident meeting rooms.

[4] Gatehouses not to exceed 175 square feet of interior area designed to match the exterior architectural style of the residential units. A gatehouse entry feature with a divided median and enhanced landscape plantings may be incorporated into the design of the shared access driveway or residential access driveway.

[5] Signage, including a monument identification sign and directional signage as approved by the Planning Board.

4) Residential Development and Design Standards

(a) The residential development shall follow the NJ Residential Site Improvement Standards (RSIS), as amended.

(b) Vehicular and pedestrian access shall be directly from Bergen County Roads. Access from local streets is not permitted.

(c) The maximum gross residential density shall not exceed 1.5 dwelling units per acre as applied to the total tract area for the Residential/Golf Course Development. Total number of (i) market rate dwelling units shall not exceed 226 and (ii) affordable dwelling units shall not exceed 24.

(d) There shall be no more than three bedrooms per unit. All units shall have a minimum of a one car garage exclusive of the affordable units. Affordable Building units shall not have a garage.

(e) There shall be no more than five dwellings in any single building containing townhouse units. The Affordable Building shall contain no more than 24 units.

(f) No less than 50% of all buildings containing townhouses shall contain four or fewer dwelling units.

(g) No more than four attached units may be constructed without providing a front exterior façade setback/stagger of a minimum of two feet.

(h) Minimum distance between buildings:

[1] Front to front: 50 feet

[2] Side to side: 15 feet

[3] Front to side: 15 feet

[4] Rear to rear: 30 feet

[5] Side to rear: 20 feet

The above setbacks may be reduced by up to 20% if any of the following are met: i) there is an angle of 20 degrees or more between the buildings; ii) the encroachment is for a deck or enclosed patio extension; iii) the building projection is less than 15 feet wide.

(i) Maximum height of a principal building or structure: 2½ stories or 45 feet, with the exception that the Affordable Building shall have a maximum height of three stories, 50 feet.

(j) Maximum height of an accessory building or structure: 1 story or 25 feet.

(k) Minimum setback of a principal building or structure to a public street right-of-way, other than an existing municipal street: 50 feet. Said setback excludes reserved road easements.

(l) Minimum setback of an accessory building or structure to a public street: 25 feet.

(m) Any land that is not used for principal or accessory buildings or structures, streets, parking areas, driveways, walkways, hardscaped areas, patios or decks shall be maintained as passive open space.

(n) Minimum building setback to internal roadways: 22 feet from the pavement edge where there is an intervening driveway serving a garage and a public sidewalk adjacent to the road; 10 feet otherwise. No parking shall be permitted over sidewalks.

(o) To insure that the residential component of development is not located in any area where it can be reasonably anticipated that golf balls may land and injure a resident, pedestrian visitor or motorist, a golf course safety zone shall be established using generally acceptable guidelines for same as part of the overall project design.

(p) Residential Design Guidelines.

To the extent practical, townhouse dwelling units should be designed such that units either have direct or partial golf course views; back on to internal open space corridors; or are placed within small neighborhood clusters. Clusters of dwelling units should be designed in consideration of the natural landscape. Where possible, mature trees shall be preserved and incorporated into the overall landscape design. Stormwater management ponds should be designed to serve as an open space amenity to the residential component of the development, as well as serve their intended function for flood control, groundwater recharge, and fire protection purposes.

(q) Townhouse dwelling units should have a compatible architectural theme, with variations in exterior design and color which complement such a theme. This shall include varying building and/or façade orientation, modifying dwelling unit widths and heights, changing rooflines and altering color and fenestration patterns. A minimum of 30% of any exterior building façade area should be comprised of either a brick or stone material, or combination thereof.

The facades of townhouses in a group shall be varied by changed front yard setbacks and variation in materials or design so that not more than two abutting townhouses will have the

same front yard setback and the same or essentially the same architectural treatment of facades and roof lines.

The appearance of attached garages shall be minimized, with the remainder of the elevation devoted to living area or porch. Attached garages located on the unit frontage shall be recessed from the building face or porch facade (4 ft. minimum). Where two-car garages for two different units are adjacent, the garage faces for the two units should be offset from each other (4ft. minimum). Garage doors shall have extensive fenestration, including panels, trim details and windows. Paired, single-car garage doors are encouraged.

(r) The internal street network shall be designed to provide visual interest by employing any or all of the following: curvilinear streets, primary and secondary cul-de-sacs with or without associated landscaped islands, and shared internal driveways.

Internal streets shall be designed in accordance with the NJ RSIS including on-street parking, sidewalks, planted buffers, except as otherwise established herein. The "Rural Lane" RSIS definition shall be applied to "lanes" leading to eight (8) or fewer town house units or two (2) quadplex buildings (eight (8) units).

(s) No individual resident unit shall be constructed so as to provide direct vehicular ingress or egress to any major County thoroughfare, arterial, or collector street. The Affordable Building parking lot entrance may have direct access to a county road.

(t) A Traffic Investigation shall be provided as part of the Land Use Board review of the Residential/Golf Course development.

(u) Fire Protection Access. All buildings proposed to be constructed within any project containing private streets must be so arranged and located that firefighting apparatus can park and reach any building with a one hundred fifty-foot long hose extending from such equipment. This one hundred fifty-foot hose length must be measured as the structure/building is laid on the ground and may not be measured as the aerial radius from the parked equipment.

In addition, fire hydrants must be so located and provided within the project boundaries so that four hundred feet of fire hose, extending on the ground from the hydrant, can reach the furthestmost part of any building within the boundaries of the site. Entrances to all buildings containing residential dwellings must be illustrated on the sign plan of any project containing private streets.

Townhouse developments shall provide fire hydrants on or adjacent to the area to be developed as required by the fire department.

(v) A homeowners association or condominium association shall be established to maintain all common areas associated with residential development. The Affordable Building and associated common areas shall be maintained by the affordable property owner.

5) Landscaping

(a) Street trees shall be provided along all interior street frontages of a site, at least every 30 ft. on average, but in no case more than 40 ft.

(b) A minimum of 10' of landscaping or grass area shall be provided between the front elevation of each townhouse unit and the common access drive, as measured from the edge of pavement or sidewalk, if present. Paths or walkways to individual front doors, utility easements and driveways may occur in this area, but only if the dominant amount of the area remains available to support significant landscaping. At least one tree per unit front must be provided.

(c) At least 30 percent of the total site area exclusive of the golf course, must be devoted to landscaping. No landscaped strip or tree pocket smaller than 25 square feet may be counted toward the total required landscaping. Utilities may occur within required landscaping, but only if

underground utilities will not preclude appropriate planting, including trees, and only if utilities are adequately screened from view.

6) Landscape Buffers

(a) Width and Location. There shall be a minimum 25 foot wide opaque landscaped buffer provided along all public road rights-of-way which completely visually separates the residential component of the development. Buffers shall consist of natural vegetation, earthen berms, evergreen and pine trees, shrubs, deciduous trees, decorative walls, fencing, or combinations thereof designed to provide a year-round visual screen and separation from the public roads.

(b) Required Planting Area. Total landscaping required within the buffer is set forth below. Width for a buffer shall be measured from the respective property line. Where buffers turn at property corners, the length measurements determining plant quantities are not required to overlap.

(c) Calculating Required Plantings. The total amount of required landscaping within the required buffer shall be calculated based on a point system. The point system, as established below, ensures that a minimum level of landscaping is achieved during development while maintaining flexibility.

When calculating points or quantities of plants, fractions shall be rounded upward to the higher whole number.

PLANT TYPE POINTS

| | |
|--------------|----|
| Large Tree | 12 |
| Small Tree | 6 |
| Large Shrub | 3 |
| Medium Shrub | 2 |
| Small Shrub | 1 |

(d) Points for Individual Vegetation in Buffers:

(e) Existing healthy vegetation may be counted toward the required landscaping, if it is used as a year-round sight obstruction buffer. The Planning Board and Board Engineer shall conduct site inspections in order to determine whether the existing vegetation is useable as a visual obstruction buffer. In order to do so, the landscape plan shall indicate the type, number and size of existing plants which are sufficient to comply with the respective buffer yard. It shall not be necessary to indicate the total inventory of existing plants. Only plants required to meet the provisions of this Ordinance are required to be listed.

The following minimum buffer planting standards shall be used to provide year-round opaque screening:

(f) Planted earthen berm 4 ft. high from the existing ground surface.

(g) Minimum number of large and small trees, one per 40 linear ft.

(h) Minimum number of points per linear feet of buffer = 1.2.

7) Vegetation Size Standards

The minimum allowable plant size for new installations shall be as set forth herein. Due to the variation between genus and species, the caliper or height necessary for newly installed plant materials may vary.

(a) Large trees shall measure a minimum 2.5 inches in caliper at Chest Height and be 8 to 10 feet in height at the time of planting.

(b) Small trees shall measure a minimum 1.5 to 2.5 inches in caliper at Chest Height for single-stem trees or 1 to 1.5-inches in caliper for multi-stem trees, and at least 6 to 8 feet in height at the time of planting.

(c) Large shrubs shall measure a minimum of 3½ to 4 feet in height at the time of planting. Shrubs planted for screening purposes shall form the required density to block visibility within three years from the date of installation.

(d) Medium shrubs shall measure a minimum of 2 to 3½ feet in height at the time of planting. A mix of deciduous and evergreen shrubs is encouraged in order to obtain a variety of color and texture throughout the year.

(e) Small shrubs shall measure a minimum of 18 to 24 inches in spread and/or height at the time of planting. A mix of deciduous and evergreen shrubs is encouraged in order to obtain a variety.

(f) Living ground covers shall provide 100 percent coverage on the ground within one (1) year of installation, except for mulch or turf which shall provide 100 percent coverage upon installation. Organic mulch may be used around plantings to maintain soil moisture and prevent the growth of weeds, but cannot be substituted for required plantings. Inorganic ground covers consisting of river rock or similar materials may be substituted for organic ground cover.

(g) All plant material, except ground covers, shall be approved by the Planning Board. Consideration shall be given to the environmental conditions of the site, such as soil, topography, climate, microclimate, pattern of sun movement, prevailing winds and precipitation, and air movement to ensure that plant materials will be established successfully. Tree selection for street yards, or other locations within utility rights-of-way, shall consider the presence or planned addition of overhead utility lines. Such trees shall be small and medium trees that are pest- and disease-resistant and are slow growing.

(h) Trees for reforestation restitution/replacement shall be indigenous to the Township.

(i) The Planning Board Engineer may approve the installation of comparable substitution plant materials to satisfy the requirements of the approved landscape plan when the approved plants and landscape materials are not available at the time that installations are to occur, or when other unforeseen conditions prevent the use of the exact materials shown on the approved landscape plan. Significant changes that require the replacement and relocation of more than 25 percent of the plant materials shall require a new landscape plan and approval by the Planning Board.

(j) Except for street yard trees, a mix of genus and species of trees, shrubs, ground covering, perennials and annuals is encouraged, but not required, in order to avoid potential loss due to infectious disease, blight, or insect infestation. Street yard trees shall retain a reasonably uniform pattern along a street with the same block or corridor.

8) Restitution/Reforestation for Trees Removed. The provisions of the Township ordinances pertaining to tree removal and replacement shall apply in addition to the above required buffers above.

9) Site Lighting. Landscape plans shall include provisions for lighting on-site and along public street frontages. Post-top mounted L.E.D. lights are recommended. Lighting should be adequate to assure safety and visibility in common areas but should not produce glare or be of an intensity inappropriate for a residential environment. The Planning Board shall have ultimate authority over the number and placement of street lighting fixtures.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ROLL CALL VOTE

Councilman Ben-Yishay, Councilman Donovan, Councilman Criscuolo and Council President Bromberg voted yes. Councilwoman Sieg was absent.

Ordinance for 2nd Reading & Public Hearing

Motion to Adopt: **No Motion Made Ordinance defeated**

Second:

ORDINANCE #331-2018

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY AMENDING CHAPTER 142 OF THE CODE, ENTITLED "LAND USE"

2nd Hearing of the Public

Motion by Councilman Donovan; second by Councilman Ben-Yishay to open the meeting to the public.

There being no questions or comments from the public motion by Councilman Criscuolo; second by Councilman Donovan to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Donovan; second by Councilman Ben-Yishay to adjourn the meeting at 8:32pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President
Mark Bromberg

