

TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
April 17, 2019
7:30 p.m.
REGULAR MEETING
MINUTES

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:

Scott Lippert	Chairman
Robert Fortsch	Vice-Chairman
Mark Bromberg	Councilman
Robert Adamo	
Peter Wayne	
Gregory Lowe	
Susan Vaccaro	Secretary (Alt. #1)

Also Present:

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

Absent: Glen Jasionowski Class I-Mayor
John Puccio
Michael Beukas

APPLICATIONS:

1. **Cafasso, 580 Egan Terrace, Block 805, Lot 21 - Front Porch/Front Yard Setback** - Lawrence Cafasso, the applicant, was not present. Robert Zaccone, the architect appeared on applicant's behalf. Mr. Leibman advised Mr. Zaccone and the Board the application could not be heard without the owner present since Mr. Zaccone was not attorney. Also, the Notice and Affidavit of Publication were not received. Therefore, the matter and notices to residents were carried to the next available meeting,

6/19/19. The Notice must be published ten days in advance of the hearing, and the Affidavit of Publication must be provided. The owner must also appear.

2. Horn, 328 Sabin Place, Block 1509, Lot 5 - Fence Application - Michael & Jill Horn, the applicants, were sworn in by the Board Attorney in an application for a 5' open-style fence. They want to fence in their property for safety, as they have two small children. There is a berm on the property which creates the hardship, and a water drainage ditch that causes a safety concern. There is also a bend in the property, and they are concerned the children may run into the street. They are looking for a 5' fence that the children cannot climb over, which results in requesting an additional 2' over the permitted height. There are several fences in the neighborhood. They are a sufficient distance from the corner of Sabin and Perry Place, so the fence will not create a danger to the roadway. The applicants described the topography, and pictures were included in the application package.

Mr. Statile stated this is a corner lot, which creates the hardship. The 120' portion along Perry Place is what requires the variance. Board questions followed. Mr. Adamo asked, and applicant responded it would be quite a distance from the retaining wall. There would be two gates. Mr. Fortsch commented he drove by and saw, with the trees, it would not be that noticeable. There were no further questions, comments or discussions.

A motion for approval with conditions as noted was made by Mr. Fortsch, seconded by Mr. Adamo and carried unanimously on roll call vote.

RESOLUTIONS:

1. Tollin, 588 Colonial Road, Block 502, Lot 9 - Fence Application - Board Attorney Leibman advised the Resolution was not ready. The Resolution was carried to the next meeting.

2. Florentine, Inc. - 97 Rivervale Road, Block 2301, Lot 7 - Amendment to Approved Site Plan - Board Attorney Leibman advised there were not a sufficient number of members eligible to vote on this application at the 3/20/19 meeting, since it is for a "D" variance, which needs five affirmative votes. The Mayor and Council Members cannot vote. We had enough members for a quorum for the actual meeting, but not for a "D" variance vote. Mr. Lippert, Mr. Lowe, Mr. Wayne, and Mr. Beukas received the transcripts

prior to the meeting and signed and submitted the Certification by Absent Member forms. The Board had reviewed the Resolution of Approval. A motion for approval was made by Mr. Fortsch and seconded by Mr. Adamo. There were no further questions, comments or discussions. On roll call vote, the eligible members, Mr. Adamo, Mr. Fortsch, Mr. Lippert, Mr. Lowe, Ms. Vaccaro, and Mr. Wayne voted yes.

MINUTES: A motion for approval of the Minutes of 3/20/19 was made by Mr. Lowe, seconded by Mr. Adamo, and carried unanimously.

MEETING OPENED TO THE PUBLIC ON NON-AGENDA ITEMS: None

PAYMENT OF INVOICES: None

DISCUSSION:

1. Review of Ordinance - Front Yard Setback Requirements - Christopher Statile researched and discussed the existing front yard setback requirements at the request of the Board. The existing requirements tend to result in larger front yards and smaller rear yards, which is the opposite of what homeowners desire. Patios and spaces for pools cannot be constructed in the front yards. Front yard variances appear to make up most of the variance requests. The current ordinance calls for averaging the setbacks of the existing dwellings on the same block. Therefore, he offered the following from his report dated 2/11/19.

The first goal of the change in ordinance would be to remove the average setback requirement and provide a standard distance. Secondly, it would allow for larger rear yards and smaller front yards. A third goal is to clarify placement of stairs in front yards. Almost all of the Township is covered by two residential zoning districts, the "A" and "B" zones. Most of the "B" zone residents have front-load garages and reducing the setback would cause an issue. Therefore, they believed this should not be amended in "B". The "A" district usually ends up with a 45' setback requirement. A new front yard setback of 35' seems appropriate. Attached was an exhibit as a comparison to other towns, such as Montvale, Woodcliff Lake, Old Tappan, and Hillsdale. Further, the proposed new ordinances for "A" and "B" were stated on the exhibit with a sketch.

Board discussion followed with commentary and suggestions. Mr. Adamo commented we have a Joint Planning

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Board for a reason. We have maybe 12 applications a year. Also he feels a 40% average in impervious is high. Councilman Bromberg commented this is more for new houses. Mr. Statile said they are trying to be more consistent with surrounding towns. Mr. Wayne commented the problem is taking the average setback of houses and suggested doing away with the average setbacks. After a brief discussion, the Board stated it would continue its review of ordinance at the next meeting.

2. The Club West at Pearl River, Orangetown, Rockland County, NY - Phase II Site Plan - Sect. 73.10 - Revised plans received 4/10/19 Mr. Statile advised a revised site plan was received for this site, located in neighboring Pearl River, which he would review and report back to the Board. The matter was carried to the next meeting.

NEXT MEETING:

Special Meeting - Tuesday, April 30, 2019 at 7:30 p.m. - Community Center

Regular Meeting - Wednesday, May 15, 2019 at 7:30 p.m. Community Center

ADJOURNMENT: On motion made, seconded and carried, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

MARY R. VERDUCCI, PARALEGAL
Recording Secretary