

**TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
JULY 18, 2018
REGULAR MEETING
MINUTES**

Approved 8/15/18

ADEQUATE NOTICE STATEMENT:

A Regular Meeting of the River Vale Planning Board was called to order at 7:30 **p.m.** The following statement was read: "This is a Regular Meeting of the Planning Board of the Township of River Vale. I am informed by the Clerk that adequate public notice has been provided by mailing notice to the Pascack Valley News/Post Review and The Record, by posting notice on the bulletin board in the Municipal Building, and by filing a copy of the notice to all persons who requested the same and prepaid the cost fixed by the Board".

The Planning Board saluted the flag.

=====

ROLL CALL:

Members Present:

Scott Lippert	Chairman
Robert Adamo	
Peter Wayne	
Michael Beukas	
Craig Plescia	
John Puccio	
John Donovan	Councilman

Also Present:

Marc E. Leibman, Esq.	Board Attorney
Christopher Statile	Board Engineer
Michael Sartori	Code Official

Absent:

Glen Jasionowski	Class I-Mayor
Dr. Gohkale	
Robert Fortsch	
Susan Vaccaro	
Maria Haag	Land Use Administrator

APPLICATIONS

Chiellini - 247 Rockland Avenue - Block 1714 Lot 5 - minor subdivision

Bruce H. Dexter, Attorney requests the application be carried to the August meeting. Neighbors within 200 ft. of the property were notified however the application was not published in the local newspaper.

Mr. Lippert granted the request with no further notice to property owners required.

Sirera - 754 Rivervale Road Block 302 Lott 33 - portico - Setbacks

The applicants Laura Michaels and Christina Sirera requested to be heard at the August meeting as local newspaper publication was not on time. Notice to neighbors within 200 ft. of the property were notified.

Mr. Lippert granted their request with no further notice to property owners required.

Martin - 730 Wilson Court - Block 2101 Lot 47 - addition 1st and 2nd floor expansion

Mr. Beukas recused himself and left the dais.

Matthew Martin was sworn in by Board Attorney Leibman. Mr. Martin explained that he wants to bump out the rear of his house which will touch a currently detached garage which will become attached which makes the side yard setback less than what is required. In the front there is an overhang and a portico.

Mr. Statile noted that there are 3 variances to the Application; a side yard setback to the garage, a combined side yard setback where 20 ft. is required for the 2 side yards and a front yard setback which he is deficient by 1.6 ft.

With respect to the side yard, Mr. Lippert stated that the plan says existing is 29.5 ft. for the combined side yard and 19.5 ft. for the left side yard. Mr. Martin responded that the existing is based off of the primary structure and the secondary would be considered primary once it is touching.

Mr. Plescia commented that if the applicant did not affix the main house to the existing garage none of this would be necessary. Mr. Martin replied that you need to be 10 ft.

away from a secondary structure and that is where he is.

Mr. Martin stated that 720 sq. ft. on the first floor would remain and adding an 11 ft. extension in the back.

Mr. Adamo asked with there is a maximum overhang that goes beyond the base of the structure. When we talk about 23.4 ft. that is actually the overhang of the projection of the front of the house. Mr. Statile explained that he corrected this with the architect. Mr. Martin added that where the portico is we have a skirt roof that goes across the entire front and would tie in with the other one.

Mr. Adamo questioned this because it says the existing face of the house is 25.4 causing a difference of 2 ft. It would be more like a 21.4 front yard setback but the application is for 23.4, you may lose the gable roof over the front door.

Mr. Leibman asked Mr. Statile what the total front yard setback is. Mr. Statile responded that the required is 24.55 which is average for the block and this is at 23.4 which is accurate.

Mr. Donovan commented that we need to establish the correct figures; if the survey is to the building and not the overhang then there is a difference.

Mr. Adamo commented that it is nice to have the roof go across when you have a second floor overhang.

Mr. Lippert asked Mr. Martin if he had anything else to say. Mr. Martin said that he stated his intentions and if fits in on the block.

Chairman Lippert opened the meeting to the public.

No Public Comment

The meeting was closed to the public.

Mr. Adamo commented that the combined front yard setbacks would be well in compliance an acceptable especially at 23.4.

Mr. Donovan agreed and added that the elevations proposed look great.

No further discussion.

A motion by Mr. Plescia, seconded by Mr. Adamo to approve the application; on roll call vote, all in favor the motion carried. Mr. Beukas was recused.

Mr. Beukas returned to the dais.

Jafar - 574 Green Lane - Block 910 Lot 20 - new dwelling - Setbacks

Ms. Nylema Nabbie Attorney for the applicant presented proof of publication. The applicant, who is in attendance this evening, is seeking approval for front yard setback for a corner lot. The intent is to demolish the existing house and replace it with a modular house.

Architect Anwar Alkhatib was sworn in by Board Attorney Leibman. He presented his qualifications that were accepted by the Board. Mr. Alkhatib testified that he prepared the plans and visited the site.

The plan dated May 26, 2017 and revised on July 9, 2018 was marked as Exhibit A-1.

Mr. Alkhatib described the lot as an existing corner lot with an existing house, approximately 3,400 sq. ft. which is compliant with some setbacks.

The proposal is for a modular house, 2-story with a basement. Mr. Alkhatib advised that the setback calculation is 50.31 ft. on the south portion and 51.79 on the east. We are proposing to push the house a little to the front at the south portion and have a 33.3 ft. set back which is about a 17 ft. variance. From the east side proposing 36 ft. which is about 14 ft. variance. Ms. Nabbie asked if on the east side the setback is to the portico. Mr. Alkhatib answered "correct" but the setback varies from 36 to 40 to 47 ft., 36 ft. is the largest deficiency.

The rendering of the proposed house was marked as Exhibit A-2.

Ms. Nabbie asked Mr. Alkhatib if he read the engineer's report. (Mr. Statile's) Mr. Alkhatib replied that he did review the report and replied and will comply to comments made in the report. He added that because we are pushing the house back 10 ft., there will be no removal of trees.

As to height, the applicant will comply with the height ordinance. A soil movement plan and typographical plan will

be submitted. Mr. Alkhatib feels that he addressed all of Mr. Statile's concerns and comments in his report.

Mr. Adamo asked what the setback would be on the south side. Mr. Alkhatib responded 43.25. Mr. Adamo asked what about the porch that's currently at 21 ft. Mr. Alkhatib responded that we will comply with the setback.

Mr. Adamo commented that this is a new foundation and house and asked what the justification is for the two front yard variances. Mr. Alkhatib responded that this is a corner lot and the applicant is looking to have a rear yard too. Mr. Adamo commented that in that case the hardship is trying to maintain a rear yard. Mr. Alkhatib responded yes.

Mr. Adamo commented that the front yard zoning ordinance is for 45 ft. and most of the house is outside the front yard setback. Mr. Adamo added that although there is a desire to have a big rear yard but he is looking for justification as to why on a brand new house on a lot that is not undersized why it could not be designed in a different way to keep closer to the ordinance.

Mr. Adamo takes exception to knowing what the ordinance is and feels there is no reason to justify 10 or 20% variance and should try to work with what's there. He feels this is a healthy lot and the applicant is asking for a lot of relief.

The Board took a break 8:25 p.m.

The meeting resumed at 8:30 p.m.

Ms. Nabbie advised that she discussed Mr. Adamo's comments with the applicant and architect. She asked Mr. Alkhatib to testify as to what the applicant is proposing in regards to the 45 ft. setback. Mr. Alkhatib responded that it was agreed to push the house 5 ft. to the west and reviewed setbacks.

Mr. Puccio commented that the largest deficiency is 10.79 ft. which is correct. He referred to the driveway side setback and asked if the applicant was still seeking 16.75 ft. Mr. Alkhatib responded that we are moving 5 ft. from the east and 10 ft. from the front.

Chairman Lippert opened the meeting to the public

Howard Webber was sworn in by Board Attorney Leibman. Mr.

Webber resides on the north side. He commented that the application is now 10 ft. closer to his house. Mr. Leibman asked if he would be happier if it were further to the south. Mr. Webber responded yes, in this town houses are not built on top of each other. Mr. Statile advised that revised plans will be submitted. Mr. Puccio commented that is the beauty of River Vale being that homes are far from one another. Mr. Webber would like the proposed house to be more to the south but has no objection to the Board's decision.

Bruce Feldman was sworn in by Board Attorney Leibman. He lives diagonally across from the proposed house. He spoke briefly about the notice to neighbors process. Mr. Feldman lives in the neighborhood for 30 years and the setback from the main road is important to him. The proposed house would be a substantial change to Green Lane. It is a tough lot in terms of character.

Mr. Lippert commented that each application before the Board is unique and we are always concerned with residents that will be affected by our decisions. We try to work with the applicant but we listen to neighbors.

Mr. Feldman stated that he is concerned about character and did not realize how much of a setback the applicant was asking for.

Ms. Nabbie stated that we could consider the concerns and go either way with our request.

Due to concerns of the neighbors Mr. Feldman suggested moving the house 5 ft. back to the north which is ample distance. Mr. Adamo agreed.

Ms. Nabbie made closing statements.

A motion by Councilman Donovan, seconded by Mr. Adamo to approve the application with a stipulation to move the house 5 ft. west and 5 ft. north; 38.25 ft. giving a variance of 11.75 ft. on the south side; the east side remains the same; on roll call vote, all in favor, the motion carried.

MINUTES June 20, 2018

A motion by Craig Plescia, seconded by Michael Beukas to approved the minutes of June 20, 2018, on voice vote, all those eligible voted yes, the motion carried.

DISCUSSION - Land Use Training

Board Attorney Leibman spoke about necessary training sessions that Board members are required to complete. Mr. Leibman highly recommended the members seek the training on Stormwater Management and the MEL/JIF Insurance training on Avoiding Conflict of Interest; a link to a video presentation is available.

PAYMENT OF INVOICES: None

MEETING OPENED TO THE PUBLIC FOR ANY NON-AGENDA ITEMS

Tim McOvey, Herman Avenue, spoke about repaving of streets and the notice he received. As far as he can see there is no schedule to repave Herman Avenue which he states is a mess. Instead there are 5 cul-de-sacs scheduled for paving that he feels are not in need of.

Councilman Donovan responded that we have a survey of roads in town and we will look into Herman Avenue. He suggested Mr. McOvey attend a Mayor and Council meeting; he told him we will get a copy of the repaving schedule and see where Herman Avenue is on the list.

Meeting Closed

NEXT MEETING: Wednesday, August 15 at 7:30 pm.

ADJOURNMENT: On motion made, seconded and carried, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Sylvia Kokowski
Recording Secretary