

**TOWNSHIP OF RIVER VALE
PLANNING BOARD
March 19, 2007
REGULAR MEETING
MINUTES**

ADEQUATE NOTICE STATEMENT:

A Regular Meeting of the River Vale Planning Board was called to order at 8:05 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.

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ATTENDANCE:

Members Present:

George Shalhoub	
Bruce Carillo	Vice-Chairman
Chris Wahmann	Secretary
Mayor Blundo*	
Dwight de Stefan*	Council Liaison
Norman Goldman	
Mark Ericksen	
Kenneth H. Koons	Chairman
Ron Tucci	Alt. #2
Peter Wayne	Class II

*arrived 8:48 and 8:51 p.m. for Closed Session
after attending Council meeting

Also Present: Paul Kaufman, Esq. Board Attorney
By Marc Leibman, Esq.
Christopher Statile, PE Board Engineer

Absent:

MINUTES:

Chairman Koons moved for approval of the Minutes dated February 13, 2007. The motion was seconded by Mr. Carillo and carried.

RESOLUTION:

1. JPE, 532 Cleveland Avenue, Block 1510, Lot 2 - Major Subdivision and Soil Moving (Remand Application) - Mr. Koons requested that the record and the resolution show Mr. Shalhoub as recused, and he also noted Mr. Shalhoub was inadvertently listed as Secretary. There were no further comments or discussions. A motion to approve the Resolution deemed as read was made by Mr. Koons and seconded by Mr. Carillo. On roll call vote, Mr. Wahmann, Mr. Goldman, Mr. Carillo, Mr. Ericksen, and Mr. Koons voted yes. Mr. Shalhoub was recused.

PUBLIC HEARINGS:

1. Kearny Federal, 651-653 Westwood Avenue, Block 2206, Lot 13 - Sign - Michael Hubner, Esq., represented the applicant and submitted a revised signage plan for a 2' x 1' sign, which is to be internally illuminated at the entrance and exits. Erik Baker, Licensed Architect, was sworn in, and testified he prepared the original plans and the revised plans, revised 1/3/07. Mr. Baker also brought a handout showing the dimensions of all the letters. Mr. Statile stated everything was in compliance, except that just the entrance and exit signs are illuminated. Exhibit A3 was the current revised plans dated 1/3/07. Exhibit A4 was the two page handout.

There were no further questions, comments or discussions. A motion to approve the signage as shown on the plan revised 1/3/07, with the approval of two internally illuminated entrance and exit signs, was made by Mr. Koons, seconded by Mr. Goldman. On roll call vote, Mr. Shalhoub, Mr. Wahmann, Mr. Goldman, Mr. Carillo, Mr. Ericksen, Mr. Tucci, Mr. Wayne, and Mr. Koons voted yes.

2. O'Neill, 700-705 Orange Court, Block 101, Lots 22 & 23 - Major Subdivision and Soil Moving - Carried to 4/6/07 at request of applicant with no further notice.

3. Saoud, 460 Cedar Lane, Block 1301, Lot 1 - Minor Subdivision - Mr. Tucci recused himself and stepped down from the dais. Mr. Major represented the applicant. The

plan was to build one house - no changes for soil removal. Mr. Leibman requested the Notice, 200' Property Owners List, Affidavit of Service, and Affidavit of Publication. Mr. Leibman explained that usually the Board receives an Affidavit that applicant has served all persons on the 200' list. In absence of that, Mr. Leibman would have to go through the green cards. Mr. Major commented unfortunately he suggested doing this notice, but applicant chose to do it himself. He was familiar with the MLUL regarding notice. Mr. Leibman deferred to the Board to see if they wanted to proceed or carry the matter pending receipt of the notice. It is minor subdivision, but it is bounded by County roads, and may require notice, which he would check. Mr. Leibman checked the law; Mr. Statile read the ordinance. Certain provisions for extension of municipal improvements applied, such as sidewalks and curbs. Notice must be provided and applicant must provide an Affidavit of Notice, and if this is not done, the notice is defective. Since the work involves work on two County roads, it has always been this Board's policy to deem this a major subdivision. Defective notice could result in voiding any of the Board's actions.

Mr. Leibman returned the green cards and advised he would announce the matter being carried. The attorney would review this and compare with the property owner list he received. The matter was carried to 4/16/07. Mr. Koons called attention to the report of Mr. Statile, and the applicant's attorney stated their engineer had no trouble with most of them. They are having problems with curbs and sidewalks. There was no testimony, and the attorney understood the routine notice requirements.

Mr. Tucci returned to the Board.

DISCUSSION:

1. Steep Slope Ordinance Review - Mr. Koons commented and Mr. Statile explained the purpose of this is to place it behind the limiting schedule in the Ordinance. The First Reading at the Mayor and Council was 3/12/07, with the Second Reading to be on 3/26/07, and they are looking for a recommendation from the Planning Board. A motion to recommend to the Township Council that the Steep Slope Ordinance be adopted was made by Mr. Koons and seconded by Mr. Goldman. On roll call vote, Mr. Shalhoub, Mr. Wahmann, Mr. Goldman, Mr. Carillo, Mr. Ericksen, Mr. Tucci, and Mr. Koons voted yes.

(RVPB 3/19/07 Minutes)

Closed Session Discussion: None

A motion to close the Public Meeting and go into Closed Session to discuss litigation was made by Mr. Koons, seconded by Mr. Carillo and carried.

A motion to close the Closed Session and return to Open Session was made by Mr. Koons, seconded by Mr. Goldman and carried.

Return to Open Session: The Board returned to Open Session at 9:19 p.m.

Payment of Invoices: None.

Next Meeting: April 16, 2007

Adjournment: On motion made, seconded and carried, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Mary R. Verducci, Paralegal
Recording Secretary