

**TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
March 24, 2021
7:30 p.m.
REGULAR MEETING MINUTES (VIRTUAL)**

Approved 4-28-21

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 Joint Planning Board saluted the flag.

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ROLL CALL:

Members Present:

Robert Adamo	
John Donovan	Councilman (7:37pm sign-in)
Robert Fortsch	Vice-Chairman
Scott Lippert	Chairman
Gregory Lowe	
Matthew Ross	(Alt. #1)
Susan Vaccaro	Secretary
Peter Wayne	

Also Present:

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

Absent:

Glen Jasionowski	Class I-Mayor
John Puccio	

REGULAR MEETING

APPLICATIONS:

Township of River Vale (Former Mesker Site) -

Block 701 Lots 5, 6, 8, 9 - 634 and 650 Rivervale Road

- Preliminary and Final Subdivision Approval - carried to the April 28, 2021 meeting - applicant will re-notice

Barcelona - Block 2001 Lot 8 and Lot 20 - 813 Westwood Avenue and 97 Coopers Lane - Major Subdivision

Counsel for the Applicant - Andrew Kohut, Esq.

Mr. Kohut presented an overview of the application. Owners of each property have agreed to move the property line which consists of 3000 square feet from Lot 8 to Lot 20. Both lots will continue to conform in size. No development of the land is proposed. The application was submitted as a Minor Subdivision, however it was determined that it is a Major Subdivision due to the depth of the lots.

Mr. Kohut presented witness Steven L. Koestner, PE, the applicant's engineer. Mr. Koestner was sworn in and accepted as an expert witness. Mr. Koestner shared the plan with the board and explained the intent of the application, to enlarge Lot 20 creating a larger backyard for the applicant located at 97 Coopers Lane. The subdivision does not trigger any variances, however there are some preexisting conditions. Each lot is conforming in size, however the lot width requirement in Zone A is 120 feet, and Lot 8 is only 100 feet and Lot 20 is 113 feet, which will not change. The proposed subdivision has no impact on the preexisting nonconformities.

Mr. Kohut stated that waivers have been requested with regard to natural features, natural resource inventory, landscape plan, and soil erosion control. Mr. Koestner stated that the waivers are requested because the applicant is not proposing any construction. Mr. Koestner also stated that there is an existing 25 ft. utility easement on the property, and a 10 ft. wide drainage easement, neither of the two will be impacted.

Mr. Lowe asked for the reason of the subdivision request. Mr. Koestner explained that the applicant is currently using the neighboring property and they would legally like to make that permanent, extending the backyard of Lot 20.

Councilman Donovan asked if there was any future plan to use the additional property for an additional use, for example a pool. Mr. Kohut stated that the applicant has not indicated any anticipation as far as construction is concerned. Vincent Barcelona, the applicant was sworn in.

Mr. Barcelona explained that the intention is to keep the property exactly as is, a grass and small wooded area with no pool, structures, or fences.

Mr. Statile questioned whether the 10 ft. wide drainage easement for the swale should be moved to Lot 8 to avoid any future drainage issues and expressed concerns that may arise with future property owners. Mr. Barcelona responded that the easement was created after he purchased his home. He stated that the natural pitch of the land automatically ties into the swale. Mr. Statile suggested that the easement should be extended with the relocation of the property line.

Mr. Kohut introduced Paul Garbaccio, the neighbor of the applicant residing at 813 Westwood Avenue. Mr. Garbaccio was sworn in. Mr. Kohut asked Mr. Garbaccio to share information on the existing easement. Mr. Garbaccio explained that there is a natural underground waterway which then comes out onto Mr. Barcelona's property. He stated that extending the easement will not help the natural flow of water. He stated that there were water drainage issues in the past and this was all explained to him by his engineer. He has installed an underground French drain on his property to help remedy the drainage issues. Mr. Garbaccio stated that if the board would like to extend the easement, he will not object to it. Mr. Kohut will order a title report of the properties. Mr. Statile would like to know, to whom the easement was given. Mr. Kohut stated that he will provide the title report to Mr. Statile and the applicant will abide by Mr. Statile's decision. Mr. Leibman stated that he will make this a condition in the resolution.

The meeting was opened to the public for questions. There being none, the meeting was closed to the public.

Mr. Kohut having no further witnesses concluded his presentation.

The meeting was opened to the public for testimony/comments. There being none the meeting was closed to the public.

Mr. Leibman explained that with this application being classified as a major subdivision, the filing of a plat with the county will be required.

A motion to approved the application as discussed with conditions was made by Mr. Adamo, seconded by Mr. Fortsch, on roll call vote, all in favor, the motion carried.

RESOLUTIONS:

Dharam and Jeet, LLC - Block 1719 Lot 5.01 - 209 Rivervale Road Parking Variance - carried to the April 28, 2021 meeting

MINUTES :

A motion for approval of the minutes of February, 24, 2021 was made by Mr. Lippert; seconded by Mr. Lowe; on roll call vote, all those eligible voted yes; the motion carried.

PAYMENT OF INVOICES: Chairman Lippert reviewed and signed

DISCUSSION:

Town Council meetings have been moved to the River Vale Community Center and are taking place in-person. After further discussion with board members, it was decided that the Joint Planning Board meetings will follow suit and will take place at the River Vale Community Center in-person going forward with social distancing provided. Notice of meeting change of location will be published.

Meeting was opened to the public for non-agenda items.

Resident Karen Rapp attended meeting to discuss the Mesker Site application. She was informed that the application has been carried to the April 28th meeting. Mr. Lippert explained that the application that is being presented is to subdivide the land. Mr. Liebman explained that the borough owns the property and all questions will be answered by the borough attorney when the application is presented. Ms. Rapp was encouraged to attend the April 28th Joint Planning Board meeting.

There being no additional questions or comments from the public, the meeting was closed to the public.

NEXT MEETING:

Regular Meeting - Wednesday, April 28, 2021 at 7:30 p.m.

ADJOURNMENT: The meeting was adjourned at 8:20p.m.

Respectfully submitted,

MARIA HAAG

Recording Secretary