TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
MAY 20, 2026
7:30 p.m.
REGULAR MEETING MINUTES

Approved 6/10/26

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:

Delix Alex	
John Donovan	Councilman (arrived 7:35pm)
John Greco	
Anthony LaSpada	
Scott Lippert	Chairman
Matthew Ross	Vice Chair
Peter Wayne	

Also Present:

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

Absent:

Mark Bromberg	Mayor
Susan Vaccaro	Secretary

Minutes

The minutes of the **April 15, 2026,** meeting were presented for approval. Motion to approve the minutes of the April 15, 2026, meeting was made by Chairman Lippert and seconded by a Mr. Wayne. The motion carried, with affirmative votes from John Greco, Peter Wayne, Anthony La Spada, and Scott Lippert.

Applications

Thomas and Samuel – Block 1711 Lot 13 – 548 Bryant Place – New two-story dwelling, covered rear porch, patio, outdoor kitchen & fireplace, and driveway – Setbacks/Building Coverage/Impervious Coverage/Bulk "C" Variances

The applicants were represented by Attorney Bruce Rosenberg, who presented three witnesses over the course of the hearing.

Engineering Testimony:

Paul Ercolano, P.E., was accepted by the Board as a qualified licensed engineer. He testified regarding the existing and proposed site conditions. He explained that the existing single-family dwelling, a nonconforming fence and shed, and a koi pond would all be demolished and removed. The existing home carries a nonconforming front yard setback of approximately 16 feet, where 25 feet is required, and the applicants propose to utilize the same foundation footprint.

Mr. Ercolano identified the variances sought at the time of his testimony: a front yard setback variance for the covered porch and building corner; a rear yard setback variance for the covered porch; and variances for building coverage and impervious coverage. He noted that the proposed total impervious coverage of 41.7 percent (4,170 square feet) exceeded the permitted maximum of 40 percent, but that converting the front and rear walkways to permeable pavers would reduce coverage to approximately 38 percent, bringing the impervious coverage into compliance and eliminating that variance. He further testified that two proposed concrete drywells in the front would manage roof leader drainage, and that the site currently has no on-site stormwater management. He confirmed the applicant's willingness to comply with all conditions outlined in Board Engineer Christopher Statile's review letter, including a township soil moving permit, sanitary sewer connections with new clean-outs, street opening permits, removal of a nonconforming fence in the right-of-way, replacement of existing timber curbing with concrete, removal of two trees, and planting of four replacement trees.

The meeting was opened to board members for questions of the witness.

Board members asked clarifying questions. It was confirmed that the side yard setback would remain in compliance; the only setback variances

pertained to the front and rear yards. A board member inquired about a water feature visible on the topographical survey, and Mr. Ercolano confirmed the koi pond would be removed. Two AC condensing units (no generator) were confirmed on the site plan.

The meeting was opened to the public for questions of the witness.

Architectural/Design Testimony:

The applicant, Mrs. Samuel, testified as an "architect in training"/lay witness regarding the architectural design of the proposed home. She described the project as drawing inspiration from the Prairie-style architectural tradition, featuring deeper eaves (which were included in all coverage calculations per ordinance), an offset front entry, and a minimalist material palette combining siding consistent with the River Vale neighborhood and structural design elements. She described an open-concept interior flowing from the front entry through the home to the rear covered porch. In response to board questioning, she confirmed that the rear covered porch was not intended to be enclosed; it would be open on its sides and sheltered only by a fixed solid roof. The possible inclusion of a fireplace element was noted.

The meeting was opened to board members for questions of the witness.

A board member asked whether retractable walls were planned; none were proposed at that time.

The meeting was opened to the public for questions of the witness.

Planning Testimony:

Alex Dougherty, P.P., was accepted by the Board as a qualified professional planner. He presented a set of **exhibits marked as A-1**, consisting of a slide deck with aerial photographs, drone imagery, street-level photos taken during his May 3 site visit, and a conceptual rendering of the proposed home.

He provided the following analysis:

- The property is located within the B (residential) zone and consists of a 10,000 square foot lot, conforming to zone requirements.
- A neighborhood survey showed a variety of housing styles, sizes, and scales on Bryant Place, Oak Avenue, and Williams Street, with no single dominant architectural character.
- The proposed home is approximately 3,400 square feet with four bedrooms—a large but not unprecedented size for the immediate neighborhood.
- A comparable new construction at 558 Westwood Avenue, on an identical 10,000 square foot lot, was built without any variances.
- With respect to the front yard setback, Mr. Dougherty argued that the proposed 20-foot setback to the front porch (versus the 25-foot requirement) represented a transitional improvement over the existing

16-foot nonconforming setback, and that the corner lot context made a full 25-foot setback less critical from a streetscape perspective.
- The second-floor front yard setback variance of approximately 1 foot (23.92 feet proposed versus 25 feet required) was characterized as de minimis and not visually perceptible.
- The rear yard setback variance—19.04 feet proposed versus the 30-foot requirement—was, in his testimony, attributable not to the building mass itself but to the roof overhang of the covered porch. He argued that if the fixed awning were replaced by a retractable awning, the rear setback variance would be eliminated.
- The building coverage variance (approximately 27 percent versus the 25 percent maximum) was attributed primarily to the eaves and covered porch, which he characterized as architectural design features rather than building mass.
- Mr. Dougherty offered the opinion that the benefits of the application under the C-2 flexible variance standard outweighed any detriment to the zone plan, and that no substantial detriment to neighboring properties would result. He cited applicable purposes of the Municipal Land Use Law, including promotion of a desirable visual environment and sound engineering practices, and noted that the project would introduce modern stormwater management to a property that currently has none.

The meeting was opened to board member for questions of the witness.

Councilman Donovan engaged in a substantive exchange with Mr. Dougherty, questioning whether advocating for such a deep intrusion into the rear yard setback on a fully conforming lot constituted good planning practice. Councilman Donovan acknowledged that the testimony and the presentation were well-executed but expressed that self-created variances on blank canvas lots present a higher bar. Mr. Dougherty conceded that if it were a second-floor intrusion he would not support it but maintained that a first-floor porch roof did not rise to the level of substantial detriment on balance. He agreed that a retractable awning alternative would address the concern.

Public Presenting Questions to Witnesses:

- Jennifer Escalante – 547 Bryant Place
- John Beatty – 213 Oak Avenue
- Samantha McCue – 544 Bryant
- Virginia Ferencevych – 215 Oak Avenue
- Alonzo Escalante – 547 Bryant Place

Public Testimony:

The hearing was opened to public comment. Three residents were sworn and testified:

Jennifer Escalante, 547 Bryant Place (directly across the street) expressed appreciation for the Board's diligence and stated that she was not opposed to development but was in favor of responsible development consistent with the master plan. She argued that neither a genuine hardship nor a clear public benefit had been demonstrated sufficient to justify five bulk variances on a standard conforming lot. She noted the application had been previously denied in November 2025 with no meaningful subsequent effort to bring it into compliance. She warned against the precedent of what she characterized as a de facto rezoning of the street and urged the Board to deny the application.

John Beatty, 213 Oak Avenue (directly adjoining the property to the east) expressed strong concern about the continued loss of mature trees throughout the neighborhood whenever new construction occurs and noted with appreciation that the large mature tree at the rear of the property was proposed to be preserved. He took issue with the inconsistent characterization of the project in submitted letters; alternately described as an expansion of the existing home or as entirely new construction, noting that this is, in fact, new construction resulting in a roughly 200 percent increase in dwelling coverage. He also stated that representations made in the applicant's February 18 letter regarding prior communication with neighbors and existing neighborhood support were inaccurate; he had received no contact until the certified notice mailing on May 8. He urged the Board to deny the application as presented but expressed openness to a modified design that might reduce or eliminate the variances.

Alonso Escalante, 547 Bryant Place reinforced the neighbors' position, citing the 558 Westwood Avenue project as proof that a full knockdown-rebuild on an identical 10,000 square foot lot can be accomplished in full zoning compliance. He urged the Board to uphold existing regulations.

At the request of the applicant, the board took a brief recess at 8:53pm, and the meeting resumed at 9:04pm.

Board Deliberation and Applicant Response:

Following public testimony, Attorney Rosenberg addressed the Board and offered the following modifications to the application in response to the concerns raised:

1. The fixed rear covered porch roof would be replaced with a retractable awning only, with no permanent posts, thereby eliminating the rear yard setback variance entirely.
2. The mature rear tree would be retained.
3. The existing fencing on the property would be replaced in its current location with new, height-compliant fencing.
4. A landscaping plan would be submitted for review and approval by Board Engineer Statile.

5. Pervious/permeable pavers would be used for the driveway, per the suggestion in the Board Engineer's letter, eliminating the impervious coverage variance.

With these amendments, the application was reduced from five variances to three: (1) front yard setback to the front porch of 20.33 feet (25 feet required; a difference of 4.67 feet); (2) front yard setback to the second floor of 23.92 feet (25 feet required; a difference of approximately 1 foot); and (3) building coverage of approximately 27.09 percent (25 percent allowed), attributable primarily to the architectural eaves, amounting to roughly 230 square feet over the permitted amount on the 10,000 square foot lot.

Board Attorney Leibman summarized the remaining three variances and the full set of conditions of approval for the record. Conditions included: no porches to ever be enclosed; retractable awning with no posts permitted in the rear; landscaping plan to be reviewed and approved by the Board Engineer; pervious pavers for the driveway; retention of the mature rear yard tree; replacement of fencing in kind and in place with height-compliant material; removal of the front yard fence located within the right-of-way; removal of the shed and koi pond; replacement of timber curbing with concrete; no generator approved; compliance with soil moving permit requirements; updated plans to be reviewed and approved by the Board Engineer; and completion of percolation tests prior to construction.

Mr. Lippert commended the applicants for their willingness to adjust the application. He acknowledged the value of the public participation in shaping a more acceptable outcome.

Motion to approve the application of Thomas and Samuel for Block 1711, Lot 13, 548 Bryant Place, with the three remaining variances and the conditions as stated on the record by Board Attorney Leibman, was made by Chairman Lippert and seconded by Mr. Ross. Upon roll call, the motion carried unanimously: Greco – Yes; Wayne – Yes; Ross – Yes; Donovan – Yes; Alex – Yes; LaSpada – Yes; Lippert – Yes.

Board members briefly noted the ongoing concern about mature tree loss throughout River Vale as neighborhoods undergo redevelopment and expressed hope that the conditions adopted in the evening's application would serve as a model for preserving significant trees on future projects.

Resolution

Lake Tappan Village LLC – Block 701 Lot 5 – Rivervale Road – Request for a one-year extension of the resolution adopted January 15, 2025, granting Use Variance and Preliminary and Final Site Plan Approval to January 15, 2027

The Board considered a request from Lake Tappan Village LLC for a one-year extension of a previously granted Use Variance and Preliminary and Final Site Plan Approval, extending the approval to January 15, 2027.

Motion to approve the one-year extension for Lake Tappan Village LLC was made by Mr. Lippert and seconded by Mr. LaSpada. Upon roll call, all in favor, the motion carried.

Nacca – Block 1903 Lot 5 – 847 Westwood Avenue – Detached Garage/Accessory Building – Setbacks and Height/Bulk "C" Variances

The resolution for the Nacca application was presented for adoption. Motion to approve the Nacca resolution was made by Mr. Lippert and seconded by Mr. Wayne. Upon roll call, all in favor, the motion carried.

Meeting opened to the public for any non-agenda items

Chairman Lippert opened the meeting to the public for any non-agenda items. With no additional questions or comments from the public; the meeting was closed to the public.

Payments of Invoices: Chairman Lippert reviewed and signed

Next Meeting: Regular Meeting – Wednesday, June 10, 2026, at 7:30 p.m.

Adjournment: The meeting was adjourned at 9:22 p.m.

Respectfully submitted,

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MARIA HAAG
Recording Secretary