TOWNSHIP OF RIVER VALE
JOINT PLANNING BOARD
October 21, 2026
7:30 p.m.
REGULAR MEETING MINUTES

Approved 11/4/26

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:

Mark Bromberg	Mayor
John Greco	
Anthony LaSpada	
Scott Lippert	Chairman
Susan Vaccaro	Secretary
Peter Wayne	
Joseph Ziccarelli	Councilman

Also Present:

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

Absent:

Delix Alex	
Matthew Ross	Vice Chair

REGULAR MEETING

Minutes

A motion for approval of the minutes of **September 16, 2026**, was made by Mr. Lippert; seconded by Mr. Greco; on a roll call vote, all in favor, the minutes were approved.

Application

Brinskele – Block 1605 Lot 8 – 213 Fondiller Street – Bulk (C) Variances – setbacks, impervious coverage, and building coverage

The applicants, Brian and Erin Brinskele, and Joseph Bruno, the applicants' architect, were sworn in. The Board accepted Mr. Bruno's credentials as a licensed architect in New Jersey. Mr. Bruno testified that the applicants were renovating the exterior of the home and proposed a front entrance portico supported by columns and open on three sides. Three variances were requested:

- **Front setback:** 25 feet is required and 25.01 feet exists. The portico platform would be set back 22 feet, a three-foot variance.
- **Building coverage:** 25% is permitted and 24.52% exists. The portico and stairs would increase it to 25.92%.
- **Impervious coverage:** 40% is permitted and 55.9% exists. The proposal would reduce it to 49.64% by removing a long walkway along the side of the house between the driveway and the patio. The area would be restored.

Chairman Lippert confirmed the impervious coverage figures with Mr. Bruno and noted that the application resulted in greater zoning conformance. Mr. Bruno stated that the proposal also improved the home's appearance and the streetscape. Mr. Lippert agreed that the application mitigated a nonconforming condition and that the remaining variances were not substantial, since the portico is an open roof supported by columns rather than an enclosed structure.

There were no additional questions from the board members.

Chairman Lippert opened the matter to the public for questions of the witness and for statements. No members of the public came forward.

A motion to approve the application for bulk (C) variances was made by Mr. Greco and seconded by Ms. Vaccaro. The motion carried on a roll

call vote, with Mr. Wayne, Ms. Vaccaro, Mayor Bromberg, Councilman Ziccarelli, Mr. LaSpada, Mr. Greco, and Chairman Lippert voting in favor.

Ordinance Consistency Review

AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" PART 9, ARTICLE LII, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF RIVER VALE TO CREATE THE AFFORDABLE HOUSING ZONE AH-2

Mr. Leibman explained that the ordinance revisits an earlier ordinance adopted as part of the settlement of affordable housing litigation. The amendment corrects a drafting error that had limited townhouse height to 35 feet instead of 40 feet. He noted that the Municipal Land Use Law requires the Board, within 35 days of referral, to report to the governing body on whether the ordinance is consistent with the Master Plan. He read into the record a letter dated October 21, 2026, to Mayor Bromberg and Council, prepared under N.J.S.A. 40:55D-26(a).

The letter adopts in full the October 15, 2026, memorandum of Board Planner David Karlebach and recommends that the governing body adopt the ordinance and ensure appropriate publication. Chairman Lippert confirmed that the change was a correction of the height limitation, and no member had questions.

Motion to approve the consistency review letter for Ordinance 484-2026 -AH-2 Affordable Housing Zone was made by Chairman Lippert and seconded by Mr. LaSpada. The motion carried on a roll call vote, with Mr. Wayne, Ms. Vaccaro, Mayor Bromberg, Councilman Ziccarelli, Mr. LaSpada, Mr. Greco, and Chairman Lippert voting in favor.

Proposed changes to variance requirements for fence height – cont. discussion from 9/16/26

Mr. Leibman recalled that the Board had reviewed the draft fence ordinance at its last three meetings and that all requested changes had been made, with input from the building department, the zoning officer, the Board Engineer, and the Board Planner. To spare the governing body from referring the ordinance back to the Board before second reading, a consistency report was prepared, based on Mr. Karlebach's October 15, 2026, memorandum. He read the letter into the record. It adopts Mr. Karlebach's memorandum in full and recommends that the governing body adopt the revised ordinance and ensure appropriate publication.

Motion to approve the consistency review letter for the revised fence ordinance was made by Chairman Lippert and seconded by Mr. Greco. The motion carried on a roll call vote, with Mr. Wayne, Ms. Vaccaro, Mayor Bromberg, Councilman Ziccarelli, Mr. La Spada, Mr. Greco, and Chairman Lippert voting in favor.

Application

272 Cedar Lane LLC and The Pet Lodge at River Vale LLC – Block 1705 Lot 3 – 272 Cedar Lane – Use (D) and Bulk (C) Variances – carried from September 16, 2026

Chairman Lippert announced that Mayor Bromberg and Councilman Ziccarelli could not sit on this application. It involved (D) use variances, and the Mayor and Council are responsible for the ordinances governing permitted uses. The two recused themselves, and the remaining members continued to hear the matter.

Dean Stamos, Counsel for the applicant, explained that 272 Cedar Lane LLC owns the property and that The Pet Lodge, a dog daycare, boarding, and grooming facility, has operated there for decades. He stated that the proposal arose from the settlement of litigation concerning the property. Under the settlement, the applicant agreed to construct an L-shaped accessory structure to move activities now conducted in aging outdoor kennel panels indoors, in order to address noise concerns.

The requested relief was:

- a D(2) variance for expansion of a pre-existing nonconforming use (a pet care facility in a residential zone);
- a side yard setback of 8.56 feet where 10 feet is required, on the cemetery side;
- an accessory structure of approximately 3,800 square feet where 600 square feet is the maximum; and
- a building height of 14.84 feet where 14 feet is permitted

Mr. Stamos stipulated that the final design would comply with State noise standards of 65 decibels during the day and 50 decibels at night at the property line, and that final specifications would be provided to the Board Engineer. He noted that the applicant had received no noise violations in decades of operation, though the property has a long complaint history. Mr. Stamos stated that the applicant's engineer, Robert Costa, was delayed, so testimony began with the planner.

Testimony of Kathryn Gregory, P.P. Ms. Gregory, was sworn in and the Board accepted her as an expert in planning. She testified that she had reviewed the settlement agreement, the plans, the Master Plan, prior resolutions for the property (1985 and 1992), and had made a site inspection. She presented an **aerial photograph, marked as Exhibit A-1**. The lot is rectangular, with about 100 feet of frontage and a depth of nearly 450 feet. It is heavily vegetated, has a cemetery to the south, and is otherwise surrounded by single-family homes. The proposed structure would replace the existing kennel area, the outdoor runs, a shed, and a play set, and would frame a permeable artificial turf area in front of the structure. Ms. Gregory testified that the building would also act as a noise barrier when dogs are outside.

Ms. Gregory testified that because the use is being enclosed, it constitutes an expansion requiring a D(2) variance, with proofs of both the positive and negative criteria. She cited a case involving Mine Hill for the proposition that, in some circumstances, aesthetic improvement alone can supply special reasons. She stated that the application advanced the purposes of promoting public health, safety, and welfare through noise mitigation.

In regard to the (C) bulk variances, Ms. Gregory testified that:

- The accessory structure area of 3800 sqft was acceptable because most of the building sits along the cemetery side, and building and lot coverage remain well within limits.
- The side setback improves on existing conditions, and the deficiency is on the cemetery side.
- The height variance was *de minimis* on an oversized lot, with the structure in the rear.
- The proposal reduces the number of accessory buildings from four to three and eliminates a building separation nonconformity.

Ms. Gregory stated that she found no substantial detriment to the public good or to the zone plan and noted that the 2022 Master Plan reexamination did not address this use.

Chairman Lippert asked about the distance to the nearest residences, and Ms. Gregory noted a house directly across the street and homes to the rear. Mr. Statile noted that his review letter had requested that the plans show adjacent structures and setbacks, as the ordinance requires.

The meeting was opened to the board members for questions. Mr. Wayne asked questions pertaining to the artificial turf. Ms. Gregory explained that the turf is easier to maintain.

Testimony of the operator/owner of the property and applicant. Jac Ciardella was sworn in. He testified that he owns the property through an LLC, has operated the business for nearly ten years, and that the site has been used for more than 60 years, formerly as a beagle breeding facility, a chicken processing plant, and Kaiser's Kennels.

The following points emerged from his testimony and Board questions:

- The artificial turf is fully permeable. Lawn cannot be grown because of shade and constant traffic, and turf is easier to clean and disinfect.
- The new structure would be used only during business hours. All dogs sleep in the main building, and there would be no overnight use of the new structure, consistent with the settlement.
- Noise is concentrated in the 8–10 a.m. and 3–5 p.m. periods, when dogs are let out together. The existing kennels are enclosed by chain-link fencing, so dogs see and agitate one another. The new

kennels would have solid divisions and be indoors, and Mr. Ciardella intends to adopt "fear free" kenneling to further reduce noise.
- The lot to the north is also owned by the applicant and used for employee parking to minimize roadside parking which can be unsafe. Mr. Ciardella intends eventually to build a home there. Mr. Statile questioned whether that lot was included in the public notice. Mr. Leibman noted that the applicant could stipulate stopping the parking or accept the notice risk, and the operator indicated he could instruct employees to park on the street.
- Mr. Ciardella stated that he does not mind addressing the noise factor and is “just trying to make it work for everyone”.

The meeting was opened to board members for questions of the witness. There being none; the meeting was opened to the public for questions of the witness.

Drew Simon, 512 Herrmann Ave. asked whether dogs would be outside only when transferred between buildings and referred to page 7 of the settlement. Chairman Lippert read the relevant passage into the record. It states that the structure would be installed for the purpose of moving the current operations of the defendant inside the steel structure, that it is not an extension or modification of the approved nonconforming use, and that there would be no overnight boarding in the new structure. The Chairman stated that he did not read the language to mean no dog could ever be outdoors. Mr. Ciardella stated that his understanding was that only the kennel portion of the operation was being moved inside. He is attempting to mitigate the amount of noise that is occurring during the morning (8:00am – 10:00am) and afternoon (3:00pm – 5:00pm) potty runs. It was never his understanding that the dogs would never be outside.

Ryan Krauchick, 506 Cedar Place asked about the phrase "current operations" at page six, line 25. Mr. Stamos responded that the settlement does not state “all operations”. Mr. Ciardella restated that it was his understanding that the settlement referred to only the kennel portion of the operation.

Susanne Kauderer, 502 Cedar Place asked whether the property had ever closed. Mr. Ciardella was not aware of any closure.

Vincent Saporito, 504 Cedar Place asked about the intended use of the adjacent lot, which the applicant stated would be a future residence.

Eric Zwerling of 309 Van Nest Road, Flemington, NJ, an acoustic expert engaged by Mr. Krauchick, asked about the noise-attenuating effect of the mature trees, and Ms. Gregory responded that vegetation helps but is less effective when trees are bare.

Mr. Statile asked whether the building would be insulated and heated. The building would be insulated, and Mr. Ciardella agreed that the building would be insulated and designed to meet State noise standards,

with materials and installations submitted for review. It was noted that HVAC would likely be needed and that its location was not shown on the plans.

Testimony of Robert Costa, P.E. Mr. Costa, was sworn in and stated his credentials. He acknowledged the February settlement before the court and the transcript delivered to the Board. He testified that the building must be climate-controlled so that windows or open ventilation would not defeat noise containment, and that a sound lock (double-door vestibule) might be required. He also testified that the plan was between concept and construction level, that sound insulation, door modifications, rear tree plantings, stormwater management, and the artificial turf would be designed in detail, and that the outdoor chain-link kennels would no longer exist if the application is approved. He agreed to modify the plans and to coordinate with the objectors' sound engineer.

At Mr. Leibman's request, the Board discussed the waivers listed in Mr. Statile's July 16, 2026, completeness review letter. Waivers included a letter of interpretation from the NJDEP, natural features within 200 feet of the site, and a natural resource inventory. Mr. Statile saw no engineering reason to deny the waivers, since the proposal would not affect wetlands or other natural features. The Board and professionals agreed that the location of adjacent structures and setbacks and site photographs should be provided. The applicant's counsel agreed to provide the photographs.

Mr. Leibman recommended that the applicant re-notice for the next hearing to include the adjacent lot and prepare an exhibit, using available mapping technology, showing the locations of residents who spoke, since the nearest neighbors may carry greater weight. Revised plans should be submitted prior to the next meeting. Mr. Costa agreed.

Mr. Lippert said he did not intend to vote that night and asked the objectors to explain their concerns, since he had understood the nuisance litigation to be settled.

Ryan Krauchick, 506 Cedar Place was sworn in. He testified that, at court, the objectors were given an "acoustic mitigation summary" - Exhibit B, calling for an expected 18 to 25 decibel reduction at nearby residences. He stated that the objectors' nuisance claim differs from a noise ordinance violation and that all current operations were to move indoors. He said the proposed building is larger than discussed and is visible from their homes. He also said the settlement called for submission of the application 45 days in advance, expert-to-expert consultation, and return to the Superior Court judge for any disagreement before the application came to the Board. He affirmed that the objectors support the settlement and are not seeking to obstruct it. Mr. Krauchick confirmed that no motion to enforce the settlement had been filed, that his former attorney was not present, and that the attorney had not reviewed the submission.

Mr. Leibman stated that the Board would not interpret or adjudicate alleged breaches of the settlement, and asked Mr. Stamos for copies of the complaint and answer. Chairman Lippert encouraged the parties, including all plaintiffs from the litigation, to confer in a spirit of cooperation. He asked that they seek agreement on sound mitigation and present an agreed submission, with a list of any remaining exceptions, so that the Board could consider a typical variance application. Mr. Stamos, the plaintiffs, and the applicant's professionals agreed to do so. At Mr. Leibman's request, Mr. Stamos will forward all of the court documents pertaining to the settlement to Mr. Leibman.

No vote was taken. The Board and applicant agreed to carry the matter. Mr. Leibman announced to the public that the hearing was adjourned to December 9, 2026, at 7:30 PM in the Council Chambers, and that no further notice would be required, so his announcement served as the public notice. The applicant's counsel consented to an extension of the time within which the Board must act under the Municipal Land Use Law.

Meeting opened to the public for any non-agenda items

Chairman Lippert opened the meeting to the public for any non-agenda items. There were no longer any members of the public present; the meeting was closed to the public.

Payments of Invoices: Chairman Lippert reviewed and signed

Next Meeting: Regular Meeting - **Wednesday, November 4, 2026, at 7:30 p.m.**

Adjournment: The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

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MARIA HAAG
Recording Secretary