

RIVERALE PLANNING BOARD

October 25, 2007

The Regular meeting of the Riverdale Planning Board opened on the above date at 7:30 p.m. Chairman Steven Loesner read the sunshine law

ROLL CALL: Present: Mayor William Budesheim
Councilman Joseph Falkoski
Al Heimall
Bradley Clinton
George Lang
Glenn Venza
Vincent Pellegrini
Vice-Chairman Brendan Magennis
Chairman Steven Loesner

Absent: Michael Reilly (Alt 2)

APPROVAL OF MINUTES:
October 4, 2007

Thereupon George Lang set forth the motion seconded by Bradley Clinton to approve the October 4, 2007 minutes as submitted.

ROLL CALL: Ayes: Lang, Clinton, Budesheim, Venza, Pellegrini,
Loesner
Nays: None
Abstain: Falkoski, Heimall, Magennis
(6 Ayes – 0 Nays – 3 Abstain - Motion Carried)

RESOLUTION:

1. Application No. MDS11012006 / Leon Shephard and Berit Belyea / 69 Mathews Avenue / Block 12.01 Lot 37.01

Attorney Barbarula stated that the reason the resolution is brought to the board tonight is due to the letter dated October 16, 2007 from William Ryden, our sewer and water engineer, approving the application with conditions as set forth, incorporated in the body of the resolution and attached to the resolution

Thereupon Brendan Magennis set forth the motion seconded by Al Heimall to approve the Resolution as written and submitted.

ROLL CALL: Ayes: Magennis, Heimall, Budesheim, Falkoski,
Venza, Pellegrini, Clinton, Lang, Loesner
Nays: None
(9 Ayes – 0 Nays – Motion Carried)

STORMWATER MANAGEMENT MITIGATION PLAN:

Paul Darmofalski stated the State and the County requires that every municipality have a mitigation plan even though you don't have a location. It is something that has to be added to the Stormwater Management Plan. After a discussion, thereupon Chairman Steven Loesner set forth the motion seconded by Glenn Venza to move the Mitigation Plan to the Mayor and Council for review and adoption.

ROLL CALL: Ayes: Loesner, Venza, Budesheim, Falkoski, Heimall,
Pellegrini, Clinton, Lang, Magennis
Nays: None
(9 Ayes – 0 Nays – Motion Carried)

SITE PLAN APPLICATIONS:

1. Application No. SP06142007 / RER Supply LLC / 4 South Corporate Drive / Block 30 Lot 1.03

Walter Hanley, the attorney for the applicant came forward with his witnesses, Mr. Drew Flockhart, the owner of the RER Supply and John Mc Monagle, the engineer for the application. Attorney Barbarula swore in the witnesses. John Mc Monagle was previously accepted as an expert witness.

Mr. Hanley stated that he would like to review what was previously heard. Previously on August 27, 2007 we were here and there was testimony from Mr. Flockhart and Mr. Mc Monagle. The new plans are dated October 10, 2007 and have ten sheets, which were submitted to the board members. In addition there are two letters, one from Paul Darmofalski dated October 18, 2007 and one from Donna Holmqvist dated October 17, 2007. Mr. Hanley stated he would like to make the new plans Exhibit A7 and then review the points brought up in the two letters. The letter from Paul Darmofalski is marked Exhibit A8 and the letter from Burgis is marked A9.

It was determined that this is a Board of Adjustment application, and the Mayor and Councilman left the dais.

Paul Darmofalski stated before the applicant begins, his letter has a lot of editing and he does think that the board needs to go into all of the details, because some are very minute. However, he feels the applicant should explain the differences in the plan, because the building has been moved and there are differences in the plan, major revisions, and major items of difference from the first plans that the board should hear and review.

John Mc Monagle came forward and stated that the building has been moved to bring into plum the parallel to the left property line. Previously the other plans had the building on an angle which was a problem to the turning ratio. The same three variances still apply to this plan. Front yard setback, side yard setback and lot depth are the variance required. We have a sixteen foot driveway surrounding the property which is per Paul Darmofalski's request. Mr. Mc Monagle stated that there has been a six foot fence installed around the detention basin, for safety reasons and for a visual barrier for the abutting residential owners. There were pictures presented to show the areas that were discussed and they were marked Exhibit A10 and A11. There was a discussion in reference to the six foot fence. The six foot fence will also require a bulk variance. There were no other significant changes to the plans. The make up of the site where the lighting was concerned has been redone and the points the board had found last meeting have been corrected on the new plans. The lighting consists of wall pack units that are facing down. The amount of lighting you see will stay within the property line as opposed to splashing out onto the next building.

The handicap space will be relocated to be as close as possible to the front entrance of the building. Item number twenty-five in reference to a pipe on the site would not be completely submerged into the ground and that will be transferred into a swale with riprap to slow the water down. This will eliminate the pipe sticking half-way out of the ground. Mr. Mc Monagle stated that the applicant has submitted a complete stream encroachment application to the State and they have copied all of the required agencies. When you work in this type of zone, it is necessary to have the permission from the State. After submitted the plans before you tonight to the State we feel confident that they will look favorably on the submission. Any approval tonight from this board will be contingent upon the approval from the State. The variances requested were reviewed by the attorney and engineers.

Donna Holmqvist asked about signage because it was not listed on the plans. The signage would be very small. The sign would not be any larger than the size of the sign they previously have.

Donna Holmqvist stated they should have a sign that at least states the street address, if nothing else. There will be a gate at the front of the property that will be addressed on the final plans. As long as the sign meets the Borough requirements there will be no need for a variance. The pictures that were marked A10 and A11 show the site as it is now and the view from the homes that border this site on Harrison. Two of the photos were taken from their front lawns. The limit of disturbance is approximately 250 ft. away from the residences looking into our site. Today you see some trees and brush. The remainder of the site will be about sixteen trees that they will be planting which will be a visual barrier and that will be the first thing. The six foot high chain link fence will be visible from the residences, and that will diminish the view. The right side of the site, (the Bradco side) would be very suitable for a septic system. The stock pile behind the fence is approximately eight feet and will fluctuate with the amount of work. You would have to look up in the air before you see anything on the site. That also provides a barrier as opposed to looking level or below the sight line.

The employee parking is away from the stockpiles and that is why the building is placed on that side as well. The employee traffic is in perfect balance to the site and would make the site work better.

Donna Holmqvist talked about the trees that should be planted on the site and that they should be ones that stay green most of the year and not what was on the plan. The board engineer will oversee the project to make sure the trees are what the board is asking for.

Chairman Loesner stated he would like to talk about the use variance. Mr. Mc Monagle stated that it is an outdoor storage facility and he feels it is worthy of a "D" variance. They are in the Industrial Use Zone and they are in an area where there are two companies that have outside storage. Mr. Mc Monagle stated they feel that they are far enough away from residents and that there will be no conflicts. Bradco is building a storage facility. It would not be good planning to build an indoor storage facility for the stockpiles that they have. Chairman Loesner stated in the zoning book there are prohibited uses especially for noise and odors, and 168-15 of the Riverdale Code it states there will be no odors and under b. it states there will be no noise over 50 decibels. Chairman Loesner stated he is concerned about the odors. He stated that he was down at the site on Tuesday and there was an odor. Mr. Mc Monagle stated that they would be using an organic compound to try to eliminate the odor as much as possible. The owner will try to regulate the amount of organic material and if it would be held for a length of time it would be taken to Wantage at the other facility. Mr. Flockhart wants to be a good neighbor.

Mr. Flockhart stated they try to do as much as they can to keep the odor down, and for the most part the odor is not a problem. Donna Holmqvist asked if there was a device to help keep the odors down or eliminate them. Mr. Flockhart stated that there is a device that is a misting system that would help. Mr. Flockhart stated he feels that the humidity is a factor and that the higher the humidity the more the odor. Chairman Loesner asked if that could be a condition in the Resolution that a misting system be in place. Mr. Flockhart stated that it is not real often that this happens. John Barbarula stated the board can make that a condition. Mr. Flockhart knows of two places that are using the misting system and it does neutralize the odor. It seems to be effective at those locations. Chairman Loesner stated that he is concerned about the people working at the Bradco site. Vice-Chairman Magennis asked about this site and if there are any standards for air quality that you have to comply with to protect you own employees and the neighbors as well that they are not being subjected to something that would jeopardize their health. Mr. Flockhart stated he is not sure, however the State does come to inspect and monitor the site.

After discussion, Chairman Loesner opened the application to the public. No one from the public came forward; thereupon Glenn Venza set forth the motion seconded by Al Heimall to close the public portion of the application.

ALL IN FAVOR

John Barbarula stated the board should vote first on the use and then on the variances.

Thereupon Al Heimall set forth the motion seconded by Glenn Venza to approve the use variance because the site is worthy of their product, it is an organic product and therefore is not detrimental to the area. Glenn Venza seconded the motion.

ROLL CALL: **Ayes: Heimall, Venza, Pellegrini, Clinton, Lang, Magennis, Loesner (Mr. Loesner stated he feels this use is conducive with this site being it is at the end of the cul-de-sac and the neighbors have outside storage type facilities, the neighbors will not be harmed by this type of product. If there can be language in the resolution that will make the misting system a condition, then he feels this would be a good use for this site.**

Nays: None
(7 Ayes – 0 Nays – Motion Carried)

John Barbarula reviewed the points and conditions that the board discussed for the resolution. There was a discussion in reference to the device to keep the odor under control. Donna Holmqvist stated she felt it was a necessary item and it should be made a condition by the board. The board decided this should be made a condition in the Resolution. Thereupon Al Heimall set forth the motion to approve the bulk variances with the conditions discussed and referenced by the board attorney. George Lang seconded the motion.

ROLL CALL: **Ayes: Heimall, Lang, Venza, Pellegrini, Clinton, Magennis, Loesner**

Nays: None
(7 Ayes – 0 Nays – Motion Carried)

OTHER BUSINESS:

The Board Secretary stated that there is nothing on the agenda for the November 1, 2007 meeting. Thereupon Chairman Steven Loesner set forth the motion seconded by Al Heimall to cancel the November 1, 2007 meeting.

ALL IN FAVOR

The next Planning Board meeting will be November 8, 2007.

ADJOURNMENT:

Thereupon Al Heimall set forth the motion seconded by Glenn Venza to adjourn the meeting.

ALL IN FAVOR

Meeting adjourned at 8:44 p.m.

Respectfully submitted by:

Linda Roetman
Board Secretary