

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
October 18, 2007

Kevin Martin opened the meeting at 8:00 p.m. by reading the Open Public Meetings Law Statement:

This is a Regular Meeting of the Zoning Board of Adjustment. In compliance with the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers & notice is posted at River Vale Municipal Offices.

<u>ROLL CALL:</u>	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Present
	Melvina Fakazis	Vice-Chairperson	Absent
	David Rice		Present
	Thomas Pospisil		Present
	Robert Adamo	Alternate # 1	Present
	Joseph Massin	Alternate # 2	Present
	Robert Fortsch		Present
	John Donovan		Present
 <u>ALSO PRESENT:</u>	 Brian Giblin	 Board Attorney	
	Elliott Sachs	Board Engineer	Absent

Robert Adamo arrived at 8:15 p.m. after roll call.

Thomas Pospisil served as acting secretary; all in favor, none opposed.

New members, Robert Fortsch and John Donovan were sworn in by Brian Giblin, Board Attorney.

APPLICATIONS:

07-13 Galasso, 578 Hamilton Place, Block 1503 Lot 12

Violation of 142-263

No one was present for this application.

A motion by Robert Fortsch, seconded by Joseph Massin to deny the application without prejudice on “no show”, on roll call vote, all in favor, the motion carried.

07-12 Bassani, 310 Martin Street, Block 1504, Lot 1

Violation of 142-263

Mr. Giblin announced that this application was withdrawn by the applicant via letter to Damien Gil.

07-15 Hagen, 728 Wilson Court, Block 2102, Lot 46

Violation of 142-265

Mr. Hagen was sworn in by Brian Giblin, Board Attorney. Mr. Giblin advised that due to the 10 day requirement of notice, the notice was not advertised in time. Therefore details of the application that were discussed at the last Board meeting are to be reviewed again this evening. An addition of a garage with livable space above it is proposed. Mr. Hagen explained that he originally requested a larger garage but cut back to a minimum of 7.17 ft. side yard setback. The Board members discussed details.

Kevin Martin opened the meeting to the public.

No public comment.

The meeting was closed to the public.

There was no further discussion.

A motion by Thomas Pospisil, seconded by Lorraine de Stefan, to approve the application, on roll call vote, all in favor, the motion carried. Robert Adamo was not eligible. John Donovan was not called.

07-16 Ceglia, 589 Piermont avenue, Block 1301, Lot 15

Violation of 142-263

Melinda Ceglia was sworn in by Brian Giblin, Board Attorney. She requires a variance to build a fire place on the side of her house which will conform with fire codes. Mr. Adamo inquired about venting. Mrs. Ceglia advised that it would vent up to the roof. Mr. Donovan inquired if the chimney pipe would be exposed. Mrs. Ceglia responded that the fire place would be covered with a boxed wall around it to the top of the house. The proposed side yard setback is 13.5 feet where 15 feet is required. The proposed aggregate of two side yards is 38 feet 4 inches where 40 feet is required. Mr. Pospisil detected that the agenda incorrectly read 38 feet 6 inches. The total aggregate is 38 feet 4 inches. The side yard is 13 feet 5 inches. Therefore, the variance requested is 2 inches more.

Kevin Martin opened the meeting to the public and so carried.

No public comment.

The meeting was closed to the public.

A motion by Thomas Pospisil, seconded by Robert Adamo to approve the application, on roll call vote, all in favor, the motion carried. John Donovan was not called.

RESOLUTIONS:

07-14 Cornerstone Bible Church, 819 Rivervale Road, Block 402, Lot 9.01

Violation of 142-242

B. (27) The proposed sign is internally illuminated where internally illuminated signs are generally

prohibited.

D. (2) (a) The proposed sign is 29 square feet where 18 square feet is allowable for institutional monument signs for a church in a residential zone.

A motion by David Rice, seconded by Thomas Pospisil to adopt the resolution of denial, on roll call vote, all those eligible voted yes; the motion carried.

07-15 Hagen, 728 Wilson Court, Block 2101, Lot 46

Violation of 142-265

*E.(2)(b) The existing side yard setback (east) is 9.78 feet where 10 feet is required. A 0.22 foot side yard setback variance is requested to expand the pre-existing non-conforming structure by 20 feet towards the rear of the property at the current side yard setback of 9.78 feet.

E.(3)(b) The proposed side yard setback (west) is 7.41 feet where 10 feet is required. A 2.59 foot side yard setback variance is requested.

*E.(3) (a) The proposed aggregate of two side yards is 17.19 where 20 feet is required. A 2.81 foot aggregate side yard setback variance is requested.

*Partial approval was given under Docket #07-11.

A motion by Joseph Massin, seconded by Kevin Martin, to adopt the resolution, on roll call vote, all those eligible voted yes; the motion carried.

DISCUSSION:

Spillane, 878 Westwood Avenue, Extension for Variance

Kevin Martin explained the application that was previously approved. A variance was approved and an extension already granted. Mr. Giblin advised that Mr. Spillane was present to ask for another extension of the approved variance. An extension can be granted by code. Mr. Spillane explained why he was requesting an extension and why he was delayed. He would have applied for an extension earlier if he had known he had to. Mr. Spillane advised that there was a new law with Bergen County soil movement as well. Mr. Spillane advised that he is now ready to begin work and permits have been applied for. Mr. Martin advised that the maximum is a 2 year extension and stated that work needed to be started very soon.

Kevin Martin opened the meeting to the public.

No public comment.

The meeting was closed to the public.

A motion by Kevin Martin, seconded by Joseph Massin to grant the extension request, on roll call vote, all in favor, the motion carried. John Donovan was not called.

MINUTES:

A motion by David Rice, seconded by Thomas Pospisil to approve the minutes of September 20, 2007,

on roll call vote, all those eligible voted yes; the motion carried.

VOUCHERS:

A motion by Thomas Pospisil, seconded by David Rice to approve vouchers presented and read for the record, on roll call vote, all in favor, the motion carried.

ADJOURMENT:

Upon motion seconded and carried, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Sylvia Kokowski
Recording Secretary