

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**REGULAR MEETING**  
April 16, 2009

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.

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<b><u>ROLL CALL:</u></b>	Kevin Martin	Chairman	Present
	David Rice		Absent
	Thomas Pospisil		Present
	Robert Adamo		Absent
	Joseph Massin	Alternate # 1	Present
	Robert Fortsch		Absent
	John Donovan		Present
	Douglas Marchese	Alternate # 2	Present
<b><u>ALSO PRESENT:</u></b>	Michael Gannair for	Board Attorney	Present
	Elliott Sachs	Board Engineer	Absent
	Lauren Roehrer	Land Use Admin	Present

Michael Gannair announced that applicant Mazzone, 608 Baylor Avenue, Block 905, Lot 4 did not properly notice and therefore would not be heard this evening.

**VOUCHERS:**

A motion by Kevin Martin, seconded by Joseph Massin to approve vouchers in the amount of \$2,600 payable to Brian Giblin, Board Attorney; on voice vote, the motion carried.

**MINUTES:**

A motion by John Donovan, seconded by Thomas Pospisil to approve the minutes of March 19, 2009 on roll call vote, all in favor, the motion carried.

**RESOLUTIONS: - None**

**Rosell's Citgo, 190 Demarest Avenue, Block 1602, Lot 9**  
Violation of 142-226

Thomas Pospisil chaired this portion of the meeting. Chairman Martin was absent at the February 19<sup>th</sup> meeting when testimony was heard on this application.

A motion by Thomas Pospisil, seconded by Joseph Massin to adopt the resolution as amended adding language into paragraph #1 to reflect that the applicant is leasing the property at lot 9, block 1602; on roll call vote, all those eligible voted yes; the motion carried.

**Kevin Martin resumed chair.**

**APPLICATIONS:**

Scialabba, 26 John Shine Court, Block 2301, Lot 3.10  
Violation of 142-265 – continued application

William Scialabba, applicant and Phil Bjork, builder were previously sworn. Kevin Martin reported that it was determined that the existing fence is considered grandfathered. If the fence is damaged in anyway, replacement of it would need to be in compliance with Township ordinance. Mr. Bjork provided an updated report on the application. The house will be placed 10 – 15 ft. off the road. The room in the rear will be smaller. Overall height proposed is 32 ft. 10 inches.

The meeting was opened to the public and so carried.

No public comment.

Meeting closed to the public.

Joseph Massin commented that the front yard setback proposed is 15 ft. The actual variance requested is 12.5 ft.

No further discussion.

A motion by Joseph Massin to approve the application based upon aggregate front yard of 12.5 feet variance and 2.10 ft. height variance for an overall height of 32.10 ft.; seconded by Kevin Martin; on roll call vote, all in favor, the motion carried.

It was noted that the existing fence is considered grandfathered.

**DISCUSSION**

Checklist for completeness discussed. Discussion was heard on pending applications and an application previously approved which may have an approval discrepancy. This will be looked into.

**ADJOURNMENT:**

Upon motion seconded and carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary

