

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
May 21, 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.

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

Robert Adamo arrived at 8:30 p.m.

John Donovan arrived at 8:10 to advise the Chairman that he needed to be excused from the meeting.

Certificates of Appreciation:

Provided to former Board members: Lorraine DeStefan, J.J. Clancy and Melvina Fakazis. The Board thanked the former members for their years of service to the community.

VOUCHERS:

A motion by Kevin Martin, seconded by Robert Fortsch to approve vouchers as read by the Board Chairman, on voice vote, all in favor, the motion carried.

MINUTES:

A motion by Thomas Pospisil, seconded by Joseph Massin to approve the minutes of April 16, 2009 on roll call vote, all those eligible voted yes; the motion carried.

RESOLUTIONS:

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

The amendment made to the resolution was read and described by Michael Gannaio. A motion by Kevin Martin, seconded by Joseph to adopt the resolution as amended; on roll call vote, all those eligible voted yes; the motion carried.

APPLICATIONS:

Mazzone, 608 Baylor Avenue, Block 905; Lot 4
Violation of 142-263

Joseph Mazzone was sworn in by Michael Gannaio Board Attorney. Notice is in order. Mr. Mazzone explained his application for new garage construction. Photographs were previously provided and marked as A-1, A-2, A-3 and dated 5/21/2009. He is planning on expanding the roof to add a second garage. A 2-door garage will add 12 ft. The existing garage is attached to the house. A survey was provided dated February 17, 1997. Mr. Mazzone advised that the side would be 11.3 ft. where 15 ft. is required. There is no intention to expand the width of the driveway. Mr. Massin felt that the diagram was not consistent with the photos as regards the macadam.

Robert Adamo arrived (8:30 p.m.)

Kevin Martin commented on water run-off. He stated that the Town Engineer would need to inspect.

Mr. Pospisil asked if Mr. Mazzone considered placing the 2 car garage in the back yard. If he did, a variance would not be required. Mr. Mazzone responded “no” because trees would need to be removed and it would not look as nice.

Mr. Massin commented that the new garage would be closer to the property line on the west side. Mr. Massin asked if there would be any plans for further expansion. Mr. Mazzone responded “no”.

Mr. Fortsch commented that the house was built just 12 years ago and a smaller house with a two car garage could have been built at that time. Mr. Mazzone was aware of the set back at the time of construction according to Mr. Fortsch. Mr. Mazzone responded that at the time of construction, he needed office space for his business.

Mr. Adamo discussed maximum impervious coverage. A pool is in the back yard, 16 x 32 ft. with a 3 ft. sidewalk surrounding it. The addition is 240 sq. ft and this application would increase the impervious coverage. There does not seem to be a lot of buffer between the Mazzone’s and the neighbor.

Mr. Mazzone plans on removing the rear stairs and placing a solid railing. Mr. Mazzone stated that there would be no second floor above the garage.

The Chairman opened the meeting to the public and so carried.

No public comment.

The meeting was closed to the public.

Mr. Gannaio reviewed the conditions of the application; the garage would not be converted into living space; the garage is not to exceed one story; the garage door will be no more than 8 ft and both doors will match; the rear staircase will be removed and grass will be placed on the side; no livable space above the garage.

A motion was made by Robert Fortsch to deny the application; seconded by Joseph Massin; on roll call vote, Kevin Martin, David Rice, Thomas Pospisil and Robert Adamo voted no; which approved the application; the motion carried.

Mr. Gannaio asked for another roll call vote for clarification of the “no” votes.

A motion was made by Robert Adamo, seconded by Thomas Pospisil to approve the application; on roll call vote, Kevin Martin, David Rice, Thomas Pospisil, Robert Adamo, Robert Fortsch and Joseph Massin voted yes; the motion carried.

Stephan, 638 Woodside Avenue, Block 303; Lot 3
Violation of 142-263

Michael and Amy Stephan and Architect Roger Schlicht were sworn in by Board Attorney Michael Gannaio. Mr. Stephan explained that he needed more room for his family so he discussed the matter with Architect Roger Schlicht. Mr. Schlicht advised that the house is currently an existing single family in the A zone. There are 2 pre-existing non-conforming conditions. A 2 car garage is proposed. Currently a one car garage exists. A 9 ft. wide garage is proposed. Currently 8 ft. wide. An addition of a portico with an open roof is proposed. A walk out bay off the dining room on the left is proposed. The family room in the rear is conforming.

Three variances are needed; garage- side yard; portico – front yard and bay – walk out. Improvements were reviewed. New siding as an upgrade to the house exterior proposed.

Photographs were previously submitted with the application. Mr. Schlicht reviewed current and proposed conditions pertaining to lot size, lot width and location of house. Mr. Stephan commented that the house has no basement, no shed and one garage is needed for storage.

Kevin Martin, Chairman advised that drainage would need to be evaluated by the Town Engineer.

Comments were made by Board members.

Mr. Adamo stipulated that the site plan be followed. The set back should not exceed the amount of square footage allowed. The second floor addition should not encroach side yard setback and will not exceed right side of 25 ft. setback.

The meeting was opened to the public and so carried.

No public comment.

The meeting was closed to the public.

A motion by David Rice, seconded by Robert Fortsch to approve the application; on roll call vote, all in favor, the motion carried.

DISCUSSION

601 Piermont Avenue – formally approved application.

Seminar – June 16th relative to Green Building Codes.

ADJOURNMENT:

Upon motion seconded and carried, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary