

MINUTES
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
JUNE 15, 2006

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 and notice is posted at River Vale Municipal Offices.

ROLL CALL:	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Present
	Melvina Fakazis		Present
	Chuck Waldes		Absent
	David Rice		Absent
	Thomas Pospisil (Alternate 2)		Present
	Robert Fortsch		Present
	Robert Adamo (Alternate 1)		Present
	J.J. Clancy		Present

Also Present:	Brian Giblin	Board Attorney
	Elliot Sachs, Board Engineer	Absent

Melvina Fakazis arrived at 8:15 p.m.
Robert Adamo arrived at 8:18 p.m.

APPLICATIONS:

06-10 Ottomanelli, 130 Demarest Avenue, Block 1602, Lot 7

500 feet of fencing. 6 foot fence in front yard where 3 foot or lower is permitted. Less than 50% open fence proposed where 50% or more is required

The application is scheduled to be continued on July 6, 2006 at the applicant's request.

06-11 Edgewood Country Club

Soil Moving (1380 Cubic Yards)

Daniel Gielchinsky, Attorney representing the applicant, presented a resolution of the River Vale Zoning Board dated September 15, 2005 and marked as Exhibit A-1; Minutes of the Zoning Board meeting of August 25, 2005 were marked as Exhibit A-2. Mr. Gielchinsky advised that the applicant has been before the Board 3 prior times. He advised that the applicant was present with an application for soil movement in connection with berm approved in resolution Exhibit A-1.

Gregory Polyniak, Engineer was sworn in by Brian Giblin, Board Attorney. He presented his qualifications which were accepted by the Board. Mr. Polyniak testified that he is retained by Edgewood Country Club to design a soil moving plan. His plan was marked as Exhibit A-3, Block 1201, Lot 6. Mr. Polyniak reviewed the plans for the berm. He advised that some soil was already in the area where the berm is to be created. Soil is being obtained from Pascack Valley High School in Hillsdale. The proposed berm will be 10 ft. high with twenty-five foot high trees placed for a total of 35 ft.

A comment letter dated May 11, 2006 from Christopher Statile was addressed by response dated May 31, 2006. Each comment was reviewed by Mr. Polyniak for the Board. Soil erosion and sediment control will be inspected and in compliance by the County.

Melvina Fakazis arrived 8:15 p.m.

J.J. Clancy commented on performance guarantee and as-built drawings.

Brian Giblin advised that an abbreviated developers agreement will be requested.

Mr. Polyniak confirmed that all would be complied with. He explained construction for a proposed fence.

Kevin Martin inquired if the soil could be brought in through the back side of the Golf Course. Paul Dotti, Superintendent of the Golf Course, was sworn in by Brian Giblin, Board Attorney. He advised that the soil could only be brought in from River Vale Road. Thomas Pospisil inquired about the number of trucks that would deliver the soil and the time frame. Mr. Dotti responded that 80 – 100 truck loads of soil in a period of 5 – 6 days would be delivered. In regards to road clean-up, Mr. Giblin advised that a clause could be placed as part of the agreement. A bond will be posted as part of the maintenance agreement to protect the value of trees. Soil moving is proposed as soon as possible. J.J. Clancy commented on regulating deliveries if they are during school days.

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

No Public Comment

The meeting was closed to the public.

A motion by J.J. Clancy, seconded by Lorraine de Stefan to approve the application subject to stipulations discussed this evening, on roll call vote, all those eligible voted yes; the motion carried.

Replacement of trees discussed.

Robert Adamo arrived 8:18 p.m.

06-14 Oriolo, 415 Mark Lane, Block 1301, Lot 54

Violation of 142-222 Required lot frontage is 120 feet and the proposed lot frontage is 95 feet.

Donald Oriolo, applicant, was sworn in by Brian Giblin, Board Attorney. Mr. Oriolo explained his application to replace a house with a modular home on Mark Lane. He advised that most houses on Mark Lane have been redeveloped. Mr. Giblin asked if the proposed house would meet all bulk requirements. Mr. Oriolo replied yes. J.J. Clancy inquired how much soil moving would be involved. Mr. Oriolo responded “under the requirement to apply to the Planning Board,” or under 500 cubic yards.

Kevin Martin commented that Mark Lane is a small road and there are baseball fields, a camp and the farmers market in the area. He hoped there would be no problems with children and residents in the area. He asked that consideration be give to stager the 18 wheelers that would be coming into the area. Mr. Oriolo confirmed that he would be sensitive to area needs and that there would be no equipment parking on Mark Lane. He stated that his property is large enough to maneuver equipment on the lot itself. Melvina Fakazis requested that he coordinate his plans with the Police Department. Robert Fortsch asked if his would be the biggest house on the block. Mr. Oriolo said “no”.

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

Florence Finger, 545 Piermont Avenue, backs into the applicant’s lot and wanted to know how far away the proposed house would be. Mr. Oriolo stated that his proposed house would be 40 feet from her property line and that currently, the existing house stands 25 feet away from her property. Mrs. Finger seemed satisfied with the reply.

The meeting was closed to the public.

Thomas Pospisil inquired how many square feet the house would be. Mr. Oriolo advised 3,669 square feet with a 1 story garage.

A motion by Melvina Fakazis, seconded by Robert Adamo to approve the application, subject to conditions discussed this evening; on roll call vote, all in favor, none opposed, the motion carried.

06-15 Haag, 600 Woodland Court, Block 914, Lot 1

Violation of 142-248 6 foot fence in front yard where 3 foot or lower is permitted. Less than 50% open fence proposed where 50% or more is required.

James Haag, applicant was sworn in by Brian Giblin, Board Attorney. He explained his proposal to place a 6 ft. fence from Woodland Avenue back to River Vale Road and then parallel to the back of the property behind shrubs that are already placed. He advised that he has 3 small children. A pool is not intended to be placed in the rear yard. The fence would be 5 foot of solid wood with 1 foot of lattice. Robert Fortsch advised that the Police Department prefers a 4 foot fence. Mr. Haag responded that you can see over a 4 foot fence and he was concerned with his children. The fence would be placed 23 feet off the house and 28 feet from River Vale Road. The house is on a corner

lot. The fence would be stained. The back yard fence would be chain linked.

J.J. Clancy read a letter dated June 14, 2006 from the DPW noting restrictions. Mr. Haag stated that he would comply with the DPW restrictions.

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

No Public Comment

The meeting was closed to the public.

A motion by Kevin Martin, seconded by Thomas Pospisil to approve the application subject to compliance to DPW restrictions, on roll call vote, Lorraine de Stefan, Melvina Fakazis, J.J. Clancy, Kevin Martin, Thomas Pospisil and Robert Adamo voted yes; Robert Fortsch voted no; the motion carried.

06-16 DeMartini, 525 Bernita Drive, Block 903, Lot 8

Violation of 142-222 Required front yard setback is 45 feet and 36.7 feet is proposed

Robert Fortsch recused himself and left the dais.

Stefanie Pantale, Architect presented her qualifications which were accepted by the Board. Ms. Pantale advised that she prepared the drawings and the homeowner prepared the site plan. The house is on a corner lot and sits caddy corner on it. The proposal is to add a master bedroom, enlarge the dining room, move the garage out further causing an 8.3 ft. variance. Ms. Pantale explained that in order to construct, ½ of the garage would need to be demolished and the 2nd story extended onto the remaining portion of the garage. No height variance is needed. The driveway would need to be widened a little. All new siding and roof where needed will be placed. Mr. Giblin inquired how much area would encroach into the required setback. Ms. Pantale responded about 82 square feet.

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

Bettyann McGuire, 618 Sunnyhill Terrace, stated that the homes in the area were built in the 1950's. She commented that the applicant's house had already been added onto. She commented on the approach to the house and currently seeing a single story garage. She felt that 2 stories in the garage area would cause a detriment to the neighborhood. Mrs. McGuire asked that the DeMartini's consider placing an addition on the property they have available. She added that almost 20% of the required setback is being requested.

The meeting was closed to the public.

Stefanie Pantale re-reviewed the plans and the benefit of them for the Board.
Kevin Martin discussed placing the garage back more.

Robert Adamo felt that the comments made by the opposing resident should be considered. He felt that enough property exists behind the house for an addition.

J.J. Clancy felt that encroaching in the front yard of a corner lot with 2 front yards is not good planning.

Melvina Fakazis felt that the request is reasonable being on an awkward piece of property it would be an improvement.

Kevin Martin felt that 82 square feet was not dramatic and it would fall under upgrading the street and be good for the neighborhood.

Robert Adamo clarified that 82 square feet is the footprint plus a 2nd level would double the square footage. He commented that the elevation is not guaranteed.

Mr. DeMartini spoke about the design of the house.

Mrs. DeMartini advised of the reason for the “peak” plans so not to create a level, billboard type house for aesthetic purposes.

There were no further comments or questions.

A motion by Melvina Fakazis, seconded by Lorraine de Stefan in favor of the application, on roll call vote, Lorraine de Stefan, Melvina Fakazis, and Kevin Martin voted yes; J.J. Clancy, Thomas Pospisil and Robert Adamo voted no; Robert Fortsch was recused; the motion was denied.

Robert Fortsch returned to the dais.

MINUTES:

A motion by J.J. Clancy, seconded by Thomas Pospisil to approve the minutes of April 20, 2006; on roll call vote, all those eligible voted yes; the motion carried.

A motion by J.J. Clancy, seconded by Robert Fortsch to approve the minutes of June 1, 2006; on roll call vote, all those eligible voted yes; the motion carried.

RESOLUTIONS:

06-12 Higgins, 847 Westwood Avenue, Block 1903, Lot 5

Side yard setback – 3.25 feet where 15 feet is required for deck extension and hot tub.

A motion by Thomas Pospisil, seconded by Melvina Fakazis to adopt the resolution, on roll call vote, all those eligible voted yes; the motion carried.

VOUCHERS:

A motion by Melvina Fakazis, seconded by Robert Fortsch to approve vouchers payable to Brian Giblin, Board Attorney, on roll call vote, all in favor, the motion carried.

A motion by J.J. Clancy, seconded by Melvina Fakazis to approve vouchers payable to Boswell Engineering, on roll call vote, all in favor, the motion carried.

DISCUSSION:

Planner for 688 Westwood Avenue LLC application. Brian Giblin, Board Attorney provided 4 recommendations with their backgrounds and qualifications for consideration by the Board.

A motion by J.J. Clancy, seconded by Kevin Martin, to seek Peter Steck, to serve as Planner for 688 Westwood Avenue, LLC application, on voice vote, all in favor, the motion carried.

ADJOURNMENT:

Upon motion of Kevin Martin, seconded by Robert Fortsch, on voice vote, all in favor, none opposed, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Sylvia Kokowski - Recording Secretary

THE NEXT MEETING IS SCHEDULED FOR JULY 6, 2006

Name	Moved	Second	Ayes	Nays	Absent	Abstain
Lorraine de Stefan						
Melvina Fakazis						
Chuck Waldes						
David Rice						
Robert Fortsch						

J.J. Clancy						
Kevin Martin						
Thomas Pospisil Alt 1						
Robert Adamo Alt 2						