

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
 December 3, 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		Absent
	Joseph Massin	Alternate # 1	Present
	Robert Fortsch		Present
	John Donovan		Present
	Douglas Marchese	Alternate # 2	Present
<u>ALSO PRESENT:</u>	Michael Gannaio	Board Attorney	Present
	Elliott Sachs	Board Engineer	Absent
	Lauren Roehrer	Land Use Admin	Present

MINUTES:

A motion by Thomas Pospisil, seconded by Robert Fortsch to approve the minutes of October 15, 2009 on roll call vote, all those eligible voted yes; the motion carried.

VOUCHERS:

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

Confirmation of Reorganization Meeting – January 21, 2010

The Board members agreed to have their regular/reorganization meeting on January 21, 2010.

RESOLUTIONS

Borrelli, 844 Berkshire Road, Block 1903, Lot 7
Violation of 142-263

A motion by Thomas Pospisil, seconded by Joseph Massin to adopt the resolution as discussed by the Board with the amendment by Thomas Pospisil on page 4 to read “undersized”; on roll call vote, all in favor, the motion carried.

King, 811 Bailey Road, Block 507, Lot 1
Violation of 142-263

A motion by John Donovan, seconded by Robert Fortsch to adopt the resolution, on roll call vote, all in favor, the motion carried.

Joseph Massin thanked John Donovan for his research on this application.

APPLICATIONS:

Russini, 210 Highland Avenue, Block 1714, Lot 24
Violation of 142-265

Michael Russini, Noreen Sansum and Architect Joseph Bruno were sworn in by Michael Gannaio, Board Attorney. Mr. Bruno presented his qualifications which were accepted by the Board.

Mr. Russini reported that he purchased the house in July and wants to do some renovations before moving into it. Mr. Bruno referred to a proposed renovation drawing to create a foyer in front of the house to receive quests and place a portico. A total of four bedrooms are proposed on the second floor. The existing 1 car garage will remain. A new bedroom is proposed above the garage.

Variances needed are a front yard setback for the foyer and portico and a side yard for the proposed bedroom above the garage. The additional bedroom is proposed at 9 ft. 6 inches x 14 ft. 6 inches. The style of the house is colonial.

Mr. Bruno advised that photographs were included in the original application submission. The first photograph was marked as Exhibit A-1.

Chairman Martin commented that a 1 door closet in the front foyer instead of a 2 door closet would reduce the size of the front yard variance.

The next photograph was marked as Exhibit A-2. It showed the house with an approximate 4 ft. portico.

Mr. Massin inquired about the new proposed bedroom above the garage pertaining to an external entrance and exit. Mr. Bruno advised that the bedroom would be connected only to the inside of the house.

Thomas Pospisil asked about demolition proposed to sections of the house. Mr. Bruno explained inside demolition plans. Mr. Rice inquired about height. Mr. Bruno responded 31 ft. 6 inches to the ridge proposed but does not go all the way to the garage. The Land Use Administrator advised that the maximum height is 30 ft. in the "B: zone.

Mr. Massin asked if the proposed bedroom above the garage will be incorporated into the air and heat central system. Mr. Bruno responded "yes" and that the condenser will be in the rear. Mr. Rice inquired about water capture / drainage. Mr. Bruno advised that seepage pits would be installed.

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

No public comment.

The meeting was closed to the public.

Conditions discussed were reviewed by the Board Attorney.

- The proposed bedroom above the garage would not be converted into a rental unit with access from the outside.
- The air conditioner condenser will be placed in the rear yard.
- The existing structure would not be torn down.
- Variance request from 30 ft. to 31.6 ft.

A motion by Thomas Pospisil, seconded by Joseph Massin to approve the application as conditioned and discussed; on roll call vote, all in favor, the motion carried.

**Novo, 518 Brook Avenue, Block 1301, Lot 35
Amend Resolution of Approval**

Mario Novo was sworn in by Michael Gannaio, Board Attorney. Mr. Novo advised that he appeared before the Board in July, 2007. A resolution was adopted pertaining to placement of air conditioner condensers. Four units were placed at that time in the rear yard. Photographs were presented showing the rear of the house, side view of the deck, 4 covered condenser units and the neighbor's house.

Mr. Gannaio inquired about the generator. Mr. Novo advised that it is emergency natural gas back up.

Chairman Martin explained that the original plan and intent was to not place anything on the side of the house and yet a generator is placed. This was not the intent of the Board's decision. Chairman Martin advised that the original resolution called for air conditioning to be placed in the rear of the house. Mr. Nova explained that the air conditioners are approximately 15 ft. back on the side of the house from the front of the house.

Mr. Nova explained landscaping proposal around the units. The units are about 3 ft. high; he proposes 3 ½ - 4 ft. high plants. An underground sprinkler system will be placed. Mr. Fortsch suggested a solid very small fence. Mr. Nova advised that he would place a stucco wall, a fence or plants if requested to do so.

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

Lori Montgomery, 522 Brook Avenue, resides east of Mr. Novo. She has no problem with the units on the side of the house.

Mr. Marchese advised that it would be hard to replace a unit if a wall were placed. Mr. Novo prefers natural screening. Mr. Donovan was okay with natural screening if there is no neighbor problem. Mr. Massin is okay with natural screening or a fence. Mr. Rice agreed.

The resolution will be amended to reflect air conditioning units on the side of the house and natural screening will be placed 4 – 6 ft. and will be maintained.

A motion by Douglas Marchese, seconded by Joseph Massin to approve an amended resolution as discussed, on roll call, all in favor, the motion carried.

DISCUSSION

“Input” for annual report regarding permits.

ADJOURNMENT:

Upon motion seconded and carried, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary