

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
 October 20, 2011

Robert Fortsch 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>	Robert Fortsch -Chairman		Present
	Thomas Pospisil- Vice Chairman		Present
	Robert Adamo		Present
	John Donovan		Present
	Douglas Marchese		Present
	Susan Vaccaro		Present
	Kevin Martin	Alternate #1	Present
	Robert Ricco	Alternate #2	Present
	Michael Gannaio	Board Attorney	Present
	Elliott Sachs	Board Engineer	Absent

ALSO PRESENT	Robeck Knoll	Land Use Admin	Present
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Chairman Fortsch commented on the passing of Board Member Joseph Massin. A resolution will be read at the next meeting in his honor.

MINUTES: June 16, 2011

A motion by Thomas Pospisil, seconded by Douglas Marchese to approve the minutes of June 16, 2011 on roll call vote, all those eligible voted yes; the motion carried.

APPLICATIONS

Shekitka B1 1301, Lot 37.01 Fence Variance at 508 Brook Avenue – Notices are in order

Scott Shekitka and Monica Shekitka were sworn in by Michael Gannaio, Board Attorney. Mr. Shekitka explained that he had applied for a permit to install a fence at his house, corner of Cedar and Brook Avenues. He was advised at that time that a 3 ft. see through fence was permitted by ordinance. The Board members viewed photographs taken by the applicant. The applicant, in the future, would like to install a swimming pool and therefore wants to place the correct fence one time. Kevin Martin’s concern was the distance on the left side of Cedar Lane from the tree line and property line.

Robert Ricco commented that he observed there are large bushes where the proposed fence would be placed on Cedar Lane. These bushes would actually hide the fence. Kevin Martin responded that bushes are not permanent and a new owner may choose to remove them.

Susan Vaccaro asked for clarification that currently the fence ordinance calls for a 3 ft. fence that you can see through. She was told that information was correct.

John Donovan inquired what kind of fence was proposed. Scott Shekitka provided a flyer providing a description of the fence. After viewing the flyer, John Donovan commented that a 4 ft. fence open on top would be okay with him.

Robert Fortsch added that a 6 ft. solid fence would be good for the rear yard. Thomas Pospisil was in agreement with a 4 ft solid fence on the right side and on the neighbor's side.

Kevin Martin commented that the proposal was too far out on the Cedar Lane side. John Donovan recommended pulling the fence location off the easement.

Robert Adamo commented that the Board is concerned about the future pertaining to the easement and the property behind the applicant's property. He recommended that the fence be placed parallel with Cedar Lane not with the house. The easement is 17.4 feet. It was suggested that the fence come off the easement by 5 ft.

The proposal is for a

- 4 ft. solid fence along Cedar Lane on the east side
- 4 ft. solid fence on west side
- 6 ft. solid fence along the back yard facing the town's property
- Fence will be placed 5 ft. off the easement – 22 ft. off property line and around rap-around porch

Chairman Fortsch 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 John Donovan to approve the application as discussed and conditioned; on roll call vote, all in favor the motion carried. Robert Ricco was not called.

Diamantopoulos B1 1701, Lot 6, Variance Application Side Yard Setback, Building and Impervious Coverage – Notices are in order.

Bill Diamantopoulos was sworn in by Michael Gannaio, Board Attorney. Architect Vassilias Cocoros provided his qualifications which were accepted by the Board.

Architect Cocoros referred to plans and described the existing house and what is proposed. Install new 2 car garage, 2nd floor addition, remodel kitchen, convert existing garage into an in-law suite. A side yard setback variance is requested. Total impervious coverage is 44.53% / 3,830 sq. ft. – 40% is allowed 4.53% is requested from what ordinance allows.

Kevin Martin inquired about drainage commented that a 500 gallon seepage pit should be considered. He also added that if the existing shed were moved by only 2 ft. a variance would not be needed.

Thomas Pospisil commented on the plot plan of the architects drawing and the 2 ft. overhang on the east

side of the house. The measurements need to include the overhang. Kevin Martin agreed.

Robert Adamo inquired if the driveway in front of the current garage will remain a driveway. The Architect said yes; Robert Adamo then commented on the existing storm drain and recommended that the Board's Engineer look at it. The width of the driveway is three (3) cars wide and will remain that way according to the Architect. There will be a total of four (4) bedrooms. Robert Adamo commented on impervious coverage at 400 sq. ft. more. Architect Cocoros responded that the hardship included the overhang and part of existing conditions

Boninota Diamantopoulos was sworn in by Michael Gannaio, Board Attorney. She provided an explanation of the proposed plans and the existing house design.

Robert Adamo stated that he is trying to get a "feel" of the hardship, commenting on impervious coverage numbers. He added that there is an excessive amount of space proposed to be taken from the side yard – which he felt is taking too much property (4 ft. from property line). Robert Fortsch agreed.

Kevin Martin – move shed to eliminate an unnecessary variance. John Donovan agreed with the side yard 4 ft. issue and reducing the overhang. He added that the Board's Engineer needs to comment on the storm drain and the proposed new seepage pit. – Suggested, minimize the encroachment on the side yard, because the roof is being reframed anyway. By going past the maximum impervious coverage the engineer needs to provide input.

Robert Adamo has the right side yard setback concern. Kevin Martin reported the (600 sq. ft. / 5 ft. side yard rule). Suggested, move the garage and take off the overhang.

John Donovan requested a drawing be prepared and provided to the Board showing how far the neighbor is from the property line.

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

No public comment.

The meeting was closed to the public.

The applicant will reach out to the Board's Engineer and continue with his application at the next Board meeting in November.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary