

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
 June 17, 2010

Robert Fortsch opened the meeting at 8:10 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>	Thomas Pospisil		Present
	Robert Adamo		Present
	Joseph Massin		Present
	Robert Fortsch		Present
	John Donovan		Absent
	Douglas Marchese	Alternate #2	Absent
	Susan Vaccaro		Absent
	Alejandro Alvarez		Absent
<u>ALSO PRESENT:</u>	Michael Gannaio	Board Attorney	Present
	Elliott Sachs	Board Engineer	Absent
	Lauren Roehrer	Land Use Admin	Present

MINUTES

May 20, 2010

A motion by Joseph Massin, seconded by Thomas Pospisil to approve the minutes of May 20, 2010; on roll call vote, all those eligible voted yes; the motion carried.

APPLICATION (continued)

LaViano, 262 Ford Avenue, Block 1707, Lot 21
 Violation of 142-248

This is a continued application. Mr. LaViano was previously sworn. Mr. LaViano was heard and agreed at the April 15, 2010 meeting that he would modify his application. Photographs were presented. Mr. LaViano reported that his amended application would move the fence back to line up with the corner of his house. Mr. Gannaio commented that there would not be modification to the type of fence proposed and that the fence as it runs along the side street would run with the house. Mr. LaViano stated that Mr. Gannaio was correct on his comments.

Joseph Massin commented that there would still be a solid 6 ft. fence along Elizabeth Street. Mr. Fortsch stated that the height of the proposed fence is still an issue and that there is still the same setback issue as before. The house is on a corner lot – Ford and Elizabeth Streets.

The ordinance calls for 50% open fence with setback and height requirements. Mr. Fortsch stated that there have been issues with fences in the past and enforcement has been a problem.

Mr. Adamo commented that the concept creates an uncomfortable feeling. Placement of the fence off of Ford and further back is okay but still a lot of solid fence is being proposed. Being a corner lot the house is considered having two front yards. Mr. Fortsch suggested an open cyclone fence and perhaps shrubs for privacy. Mr. LaViano thought the issues were along Ford and not Elizabeth. Mr. Fortsch responded that the length, setback and height on Elizabeth is the concern. Mr. Pospisil had concerns with a proposed solid 6 ft. fence.

Mr. LaViano agreed to revise the application and return at the July 29th Zoning Board Meeting.

DISCUSSION

Commercial Vehicles – Ordinance 229-2010 Vehicle Parking

Mr. Massin researched the subject matter. He prepared a summary sheet showing other town comparisons on vehicle parking. Enforcement is an issue and usually rests with the Building Inspector and sometimes the Police. Any parking variance issued and approved would run with the property and could possibly cause future problems. Mr. Fortsch felt that enforcement should be done by the Police. Mr. Massin commented on “spot zoning”. He suggested drafting a letter to the Mayor and Council expressing the Board’s concerns on enforcement. Discussion ensued. Included in the letter should be the recommendation that vehicle parking laws should be contained in the property management code and not in the Land-Use portion where it is currently located. Trailers, boats and commercial use vehicles were discussed. Mr. Massin will draft the letter to the Mayor and Council and email it to the Board members.

The next meeting of the Zoning Board was re-scheduled to July 29th with the consent of the Board members.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary