



MINUTES  
 ZONING BOARD OF ADJUSTMENT  
 REGULAR MEETING  
 February 16, 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.

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

Also Present: Michael Gannaio Board Attorney

Robert Fortsch arrived at 8:10 p.m.

**APPLICATIONS:**

**06-01 Valente, Mr. Mrs., 371 Rivervale Road, Block 1301, Lot 31**

Lot width and lot frontage

Kevin Martin advised that the Valente application would be heard on March 16, 2006 at the request of the applicant's attorney. Melvina Fakazis reported that input had been received from the Fire Department however, not the Police and Ambulance.

**06-02 Forcellati, Fernando, 823 Loretta Drive, Block 304, Lot 12**

Side Yard and aggregate side yard setback (6.5 feet with an aggregate of 22.5 feet where 15 feet with an aggregate of 40 feet are required)

Fred Forcellati was sworn in by Michael Gannaio. Mr. Forcellati reviewed his application to construct a 2 car garage with bedrooms above and to add a kitchen and family room at the opposite end of the house. Between his lot (12) and the neighbor's lot (10), there is property of approximately 20 feet that is owned by the town. The town was noticed along with others on the property owners list. According to Mr. Forcellati, an existing easement is not on his property. Two variances are

being requested.

J.J. Clancy inquired about all over exterior plans for the house. Mr. Forcellati reported that the entire house will be re-done and the exterior would match.

There were no legal concerns due to the town owning property between the two lots.

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

No Public Comment.

The meeting was closed to the public.

A motion to grant both variances, side yard and aggregate by Melvina Fakazis, seconded by David Rice, conditioned that the exterior of the house is uniform, on roll call vote, all those eligible voted yes; the motion carried.

**06-03 Martino, Genaro, 236 Oak Avenue, Block 1712, Lot 32**

Rear Yard Setback (25.65 feet where 30 feet is required)

Rena Martino was sworn in by Michael Gannaio. Ms. Martino explained her application to add a kitchen and dining room to the rear of the house in the location where the deck existed. She advised that the deck and pool and metal shed were removed. Behind the existing patio is grass, a fence and then a neighbor's house which is a raised ranch. The addition will have the same siding and be uniform. There will be no doors to the back or steps; 2 windows will be placed in lieu of doors.

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

No public comment.

The meeting was closed to the public.

A motion by Lorraine de Stefan, seconded by Melvina Fakazis to approve the application conditioned that the exterior of the house is uniform, on roll call vote, all in favor, the motion carried.

**RESOLUTIONS:**

**Appointment of Zoning Board of Adjustment Engineer**

No action taken. Resolution needs to be prepared.

**05-25 Spechar, Mr. & Mrs., 168 Brookside Avenue, Block 2103, Lot 4.02**

Due to his late arrival on January 19, 2006 and whereas Melvina Fakazis served as Chairperson during the hearing of this application, Kevin Martin deferred the action on the resolution to Melvina Fakazis.

A motion by J.J. Clancy, seconded by Melvina Fakazis, to approve the resolution, on roll call vote, Lorraine de Stefan, Melvina Fakazis, David Rice, Robert Fortsch, J.J. Clancy, and Thomas Pospisil voted yes, Kevin Martin was not eligible; the motion carried.

**05-28 Anita Tires, 678 Westwood Avenue, Block 1801, Lot 18**

The resolution was amended. Page 7, item #6 should read recommendations of the “Zoning” Board Engineer. In addition, item #7 should be “added” to read “*Resolution subject to approval by the Bergen County Planning Board*”.

A motion by Robert Fortsch, seconded by J.J. Clancy to approve the resolution as amended; on roll call vote, Lorraine de Stefan, Melvina Fakazis, David Rice, Robert Fortsch, J.J. Clancy, Kevin Martin, voted yes; Thomas Pospisil was recused, therefore not eligible. The motion carried.

Robert Fortsch recommended that the bullets listed in the resolution are followed up on for compliance of the approval.

**MINUTES:**

A motion by Robert Fortsch, seconded by David Rice, to approve the minutes of January 19, 2006 as amended by Melvina Fakazis, on roll call vote, those eligible to vote voted yes, the motion carried.

**CORRESPONDENCE: none**

**VOUCHERS:** A motion by Melvina Fakazis, seconded by Lorraine De Stefan, to approve a voucher in the amount of \$1,125.00 payable to Schwanewede Hals Engineers ; on voice vote, all in favor, the motion carried.

**DISCUSSION:**

Annual Report – J.J. Clancy reported that he recommended to Ed Madger that applications be clarified on the annual report as to whether they are approved, denied or conditioned. And, if conditioned, the conditions should be listed.

Recommendations provided by J.J. Clancy, discussed at the January 5, 2006 meeting and approved by the Board need to be added to the annual report and a resolution prepared.

A motion to carry the Annual Report to March 16, 2006 by Kevin Martin, seconded by Melvina Fakazis, on voice vote, all in favor, the motion carried.

Melvina Fakazis reviewed action items; that Ed Madger review the annual report list comments as discussed and a resolution be prepared. The Police and Ambulance submit input on the Valente application. The Anita Tire resolution be amended, a resolution be prepared to hire a Zoning Board Engineer and status of the Meadows application be obtained.

Thomas Pospisil discussed a mandatory certification course that needs to be completed by Board members within 18 months. He also discussed a Bar Association Land Use Conference and suggested information be obtained. The Board respectfully requests that they be notified of all seminars, conferences and courses that would be of benefit to them

**ADJOURNMENT:**

Upon motion of Kevin Martin, seconded by Melvina Fakazis, on voice vote, all in favor, none opposed, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Sylvia Kokowski - Recording Secretary

**THE NEXT MEETING IS SCHEDULED FOR MARCH 16, 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						

