

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
March 19, 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		Present
	Joseph Massin	Alternate # 1	Present
	Robert Fortsch		Present
	John Donovan		Present
	Douglas Marchese		Present
<u>ALSO PRESENT:</u>	Brian Giblin Board Attorney		Present
	Elliott Sachs	Board Engineer	Absent
	Lauren Roehrer	Land Use Admin	Present

Robert Adamo arrived at 8:30 p.m.

VOUCHERS:

None

RESOLUTIONS: - None

Talocco, 688 Westwood Avenue, Block 1801, Lots 20, 21, 22

The number of seats approved at the last meeting was verified by Brian Giblin, Board Attorney to be no more than 40 seats.

A motion by Thomas Pospisil, seconded by David Rice to adopt the resolution as amended; on roll call vote, all in favor, the motion carried.

Yuki Hanna, LLC, 688 Westwood Avenue, Block 1801, Lots 20, 21, 22

Violation of 142-273

A motion by Thomas Pospisil, seconded by David Rice to adopt the resolution as amended; on roll call vote, all in favor, the motion carried.

Capone, 570 Wittich Terrace, Block 803, Lot 10

Violation of 142-263

A motion by Thomas Pospisil seconded by David Rice to adopt the resolution as amended; on roll call vote, all in favor, the motion carried. Robert Fortsch was recused.

APPLICATIONS:

Forcellati, 823 Loretta Drive, Block 304, Lot 12
Violation of 142-263

Fred Forcellati, applicant advised that he was reapplying for a variance that was accepted in 2006 and lapsed. The aggregate is 27 ft. as apposed to 23 in 2006.

After brief discussion, Mr. Giblin announced that the prior approval may still be valid and that he would research the matter. Mr. Forcellati did not wish to be detained to another meeting. He preferred that the issue be finalized if possible.

The Board recessed at 8:20 p.m.

The meeting reconvened at 8:30 p.m.

Mr. Giblin determined that the approval of February, 2006 was valid until December 31, 2010. Therefore the extension is still good and there is no need for the applicant to be before the Board.

Robert Adamo arrived.

Scialabba, 26 John Shine Court, Block 2301, Lot 3.10
Violation of 142-265

William Scialabba, applicant and Phil Bjork, builder were sworn in by Brian Giblin, Board Attorney.

Mr. Giblin inquired if the applicant received the current letter of denial dated this day and if he understood the amendments. Mr. Scialabba responded yes.

The height being proposed is 32 ft. 1 inch causing a 2 ft. 1 inch variance request.

Mr. Scialabba explained the reason for the application requiring additional living space for his family.

Kevin Martin concern was that the addition would be only 10 ft. off the road. Mr. Bjork advised that the plans were not for an oversized room. Mr. Rice asked if the kitchen was being expanded. Mr. Scialabba responded that the dining room would be swapped with the kitchen area.

Robert Adamo inquired how many bedrooms the house currently had. He was informed 3 and it would remain at 3.

Mr. Adamo advised that the plans only show proposed modifications rather than the entire plans which

make it difficult to see the entire scenario. He also agreed that 10 ft off the road was close to the road. He suggested extended the addition out towards the wood deck area.

John Donovan also commented that the addition was close to the property line and that there already is a 10 ft. easement in the rear yard. He suggested minimizing the request a little. He advised that the fence is in the right of way and so is the corner of the shed. Mr. Donovan asked how far the fence was to the curb. Mr. Scialabba advised about 4 ft.

Mr. Giblin advised that the town's ordinance does not permit a fence that high and that the fence needs to be 50% open.

The proposed 17 ft. is too close to the road. Other alternatives need to be considered.

Mr. Giblin commented that the applicant needed to be careful to stay below 33 ft. so not to cause a D variance request.

Mr. Adamo suggested considering going up with the house. He felt there was a lot of attic space.

Mr. Martin advised that the 10 ft. distance from the road is right on the easement which is an issue. The plans should be reconfigured by the architect.

The application will be continued at the April 16, 2009 meeting.

DISCUSSION

Douglas Marchese will attend the Land Use Symposium on April 25th at Bergen Community College.

Proclamations for JJ Clancy, Lorraine de Stefan and Rica Fakazis discussed.

ADJOURNMENT:

Upon motion seconded and carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary