



MINUTES  
ZONING BOARD OF ADJUSTMENT  
SPECIAL MEETING  
MARCH 31, 2005

Chairman Martin opened the meeting at 8:00 p.m. by reading the Open Public Meetings Law statement; This is a Special 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.

<b>ROLL CALL:</b>	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Absent
	Melvina Fakazis		Absent
	Chuck Waldes		Absent
	David Rice		Present
	Thomas Pospisil		Present
	Robert Fortsch		Present
	Robert Adamo		Present
	Brian Giblin	Board Attorney	Present
	Richard Burns	Board Engineer	Absent

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**MINUTES:**

Upon motion of Kevin Martin, seconded by Robert Adamo, on roll call vote, all in favor, the minutes of March 17, 2005 were approved

**APPLICATIONS:**

05-04 – Gambourg, Elena & Roman – 572 Wittich Terrace – Block 803, Lot 9  
New garage construction with building height required is 14 ft. and proposed 17 ft. Side yard set back of 5 ft is proposed where 10 ft. is required. Additional construction to two-story dwelling where front yard setback is 45 ft. allowed and 39 ft. and 34 ft. is proposed.

Roman Gambourg was sworn in by Brian Giblin, Board Attorney. Mr. Gambourg explained his application for an addition to the 2<sup>nd</sup> floor, a new front porch and a garage. The applicant plans to extend the front porch. Brian Giblin provided a copy of the applicant's plan. The balcony above the porch area is a bogus balcony for aesthetics of facade only.

Kevin Martin, Chairman inquired how big the eaves coming off the side of the bay window were. He was advised 18 inches.

The Chairman wanted to assure that the balcony on the 2<sup>nd</sup> floor did not extend further than the steps on the 1<sup>st</sup> floor. He commented that the application calls for a 3 car garage which needs to be 10 ft. off the property line. He stated that a lot of construction was planned and questioned the 5 ft. side yard set back instead of the standard 10 ft. requirement. Mr. Gambourg provided an explanation.

Robert Fortsch had a concern with snow removal and felt that a 5 ft. side yard set back was narrow.

Kevin Martin discussed the building height requirement and a proposed 12 ft. high ceiling. Mr. Gambourg responded that he has antique cars with hard tops and the room is needed in order to remove the tops. Robert Adamo inquired if the proposed 3 car garage, which he believed to be 20 x 30 would have 3 garage doors. He commented that 2 doors and 200 ft. of storage would be a good plan. Discussion ensued. Mr. Adamo preferred a 10 ft. side yard setback. David Rice expressed his concern of the 12 ft. high ceiling. Mr. Gambourg described a special kit that would need to be installed to accommodate the removal of the hard tops. Robert Fortsch expressed his concern of potential commercial use in the future and was not in favor of the 5 ft. side yard setback.

Brian Giblin commented on the land use ordinance. The maximum building and impervious coverage needs to be reviewed for compliance.

Kevin Martin discussed the difficulty of approving a height variance and also stated that the garage would need to be aesthetically pleasing from the road. David Rice commented that an automatic garage door opener could not be used.

Robert Adamo provided recommendations.

Kevin Martin opened the meeting to the public.

No public comment.

The meeting was closed to the public.

Brian Giblin reviewed what was before the Board and the choices of the applicant.

Mr. Gambourg asked for time to decide.

The Chairman allowed the time by permitting the discussion item, Lisa Canavan /RJSV Associates to be heard.

## **DISCUSSION:**

Lisa Canavan / RJSV Assoc. – 562 Faletti Way – Block 513, Lot 2 – Request for Variance Extension

Thomas Pospisil recused himself.

Present were Timothy J. Dunn, II, Esq. and Nick Pappas, Zoning Official on behalf of the applicant. Brian Giblin explained that this property received a variance from the Board more than one year ago. The applicant is seeking an extension of the variances that were approved.

Mr. Dunn provided background on the application and informed the Board that the applicant was seeking a one year extension.

A motion to extend the current variance, docket 03-17 for a period of one year was made by Kevin Martin, seconded by Robert Fortsch, on roll call vote, all in favor, the motion carried.

Thomas Pospisil returned to the dais.

**05-04 Gambourg, Elena & Roman – Wittich Terrace Block 803, Lot 9 (continued)**

Kevin Martin, Chairman resumed with application 05-04 Gambourg. He reviewed the requests made by the applicant, a 3 car garage 600 sq. ft. 10 ft. off the property line and 17 ft. high. Discussion ensued on voting. The Board decided to vote individually on the house and the garage.

First Variance: 34 ft. 9” Front Yard Setback (45 ft. required )and 100 ft. width on house

A motion by Kevin Martin, seconded by Thomas Pospisil to grant the variance on the house, on roll call vote, Robert Fortsch voted no, David Rice, Thomas Pospisil, Robert Adamo and Kevin Martin voted yes; the motion carried.

Second Variance: 3 car garage 600 sq. ft. 10 ft. off property line and 17 ft. high (3 ft. height variance)

A motion by Kevin Martin, seconded by David Rice, for approval of the variance for a 3 car garage as set forth above; on roll call vote, Robert Fortsch, David Rice, Thomas Pospisil, Robert Adamo and Kevin Martin voted no; the motion was denied.

Mr. Gambourg was informed by the Board that the resolutions would be memorialized at the April 21, 2005 meeting of the Board and that he can proceed with building a garage, in compliance, 10 ft. off the property line and 14 ft. high.

**2004 Annual Report**

A motion by Thomas Pospisil, seconded by David Rice to accept and approve the 2004 Annual Report; on voice vote, all in favor, the motion carried. Mr. Giblin commented that any problem areas should be brought to the attention of the Mayor and Council.

**PAYMENT OF INVOICES:**

**None**

**Comments:**

Kevin Martin advised that complete applications with check list will be provided from now on. He thanked Robert Adamo and J.J. Clancy for their help and support in making this happen.

Robert Fortsch commented on the symposium he attended with Thomas Pospisil and advised that Board members will be required to go for certification in the future. He also suggested a having a “social affair” with the Zoning Board members, Planning Board members, Zoning Official and Mayor.

Brian Giblin offered to do a presentation or question / answer session on the Land Use Law.

Kevin Martin stated that J.J. Clancy should review the Land Use Legislation new and old books for comparison

and asked that all Board members do the same.

**ADJOURNMENT:**

Upon motion of Kevin Martin, seconded by David Rice, on voice vote, all in favor, none opposed, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

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Sylvia Kokowski - Recording Secretary

**THE NEXT MEETING IS SCHEDULED FOR APRIL 21, 2005.**