

**ZONING BOARD OF ADJUSTMENT**  
**MEETING MINUTES**  
May 17, 2007

Melvina Fakazis 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	Absent
	Lorraine de Stefan		Absent
	Melvina Fakazis		Present
	Chuck Waldes		Absent
	David Rice		Present
	Thomas Pospisil		Present
	J.J. Clancy		Present
	Robert Adamo (Alternate 1)		Present (8:10)
	Joseph Massin (Alternate 2)		Present
Also Present:	Brian Giblin, Board Attorney		Present
	Elliot Sachs, Board Engineer		Absent

Robert Adamo arrived after roll call.

Announcements:

Melvina Fakazis reported that the Rehill application (06-18) was withdrawn by the applicant.

**APPLICATIONS:**

07-08- Novo, 518 Brook Avenue, Block 1301, Lot 35

Brian Giblin, Board Attorney, asked the applicant Mario Novo to come forward. Mr. Giblin advised the applicant that regarding his notice to neighbors within 200 ft. of the property, 3 of those letters were sent to Hillsdale by error of the Township when the property owner's list was provided, not the applicant.

Mr. Novo was aware of this however, he advised that he spoke with Ed Madger after the letters were returned and was told that he did not have to resend the letters as he complied with the list he was provided.

Mr. Giblin advised that he would need to notice only the 3 residents and have his application heard next month. Mr. Novo responded that this puts a delay on his plans. Mr. Giblin offered to have a draft resolution prepared for the same evening of the meeting should the Board approve his application.

The application is scheduled to be heard on June 21, 2007.

07-07 Giambona, 549 Wittich Terrace, Block 805, Lot 3  
Violation of 142-263

**E.(2)(a)** the proposed aggregate side yard setback is 35.4 feet where 40 feet is required. Aggregate side yard variance of 4.6 feet requested.

**B.(2)** the existing lost width is 100 feet where 120 feet is required. Lot width variance of 20 feet requested.

**E.(1) (a)** the proposed front yard setback is 40.9 feet where 45 feet is required. A 4.1 foot front yard setback variance is requested.

Vincent Giambona, 569 Knoll Drive, was sworn in by Brian Giblin, Board Attorney. He advised that there is an existing house on the property that would be demolished and the foundation would remain. A 5 ft. variance in the front for a porch is requested. The garage would be “bumped out” by 6 ft. to accommodate the porch.

David Rice advised that the 2 site plans differed a little. Mr. Giambona clarified that one is a survey of the property as it is now and the other shows how the new construction would look on the property.

Mr. Rice questioned water run off due to the side yard being close to a neighbor. Mr. Giblin stated that it can be subject to Township Engineer inspection to make sure drainage is adequate.

Mr. Giambona confirmed that he would not screen or enclosed the porch area.

J.J. Clancy asked what type of house were on either side of the proposed dwelling. Mr. Giambona advised a ranch and a 2 story colonial. He explained how each would be almost in line with his house or about 2 ft. more extended to the front.

Melvina Fakazis inquired about side windows and privacy for the colonial. Mr. Giambona reported that the main windows would face the rear of the house not the sides.

Mr. Adamo asked if the foundation would remain. Mr. Giambona replied “yes”, the foundation is poured concrete and is okay.

Melvina Fakazis opened the meeting to the public and so carried.

No public comment

The meeting was closed to the public.

There were no further comments or questions.

A motion by David Rice, seconded by Joseph Massin to approve the application as conditioned; on roll call vote, Melvina Fakazis, David Rice, Thomas Pospisil, J.J. Clancy, Robert Adamo, and Joseph Massin voted yes; the motion carried.

**MINUTES: April 19, 2007**

A motion by David Rice, seconded by Thomas Pospisil to approve the minutes of April 19, 2007, on roll call vote, all those eligible voted yes; the motion carried.

**DISCUSSION:**

An Ordinance Amending Chapter 142 Land Use Section 27. C Commercial District in the Township of River Vale, County of Bergen and State of New Jersey.

Mr. Giblin advised that the amendment lists *permitted* uses which prohibits anything that is not listed.

J.J. Clancy explained that the amendment is to be reviewed by the Board members and the Chairman, Kevin Martin, is to be advised of any comments so he can discuss with, forward to the Mayor and Council.

**RESOLUTIONS:**

Brian Giblin, Board Attorney, summarized the resolutions.

**07-04 Wolf, 137 Highland Court, Block 2203, Lot 2.06**

Violation of 142-248

A. 5 foot high 50% open fence that encroaches 15.06 feet into the front yard. Fences in front yard must not exceed 3 feet high.

A motion by J.J. Clancy, seconded by Thomas Pospisil, to adopt the resolution, on roll call vote, Melvina Fakazis, Thomas Pospisil, J.J. Clancy, and Joseph Massin voted yes; David Rice and Robert Adamo were not eligible; the motion carried.

**06-06 Westwood Avenue LLC, Block 1801, Lot 20, 21, 22**

Soil moving for approved site plan

A motion by J.J. Clancy, seconded by Joseph Massin, to adopt the resolution, on roll call vote, all in favor, the motion carried.

**07-06 Parkland Construction, 580 Cleveland Avenue, Block 1503, Lot 21 (amended plan)**

Violation of 142-263

**E.(2) (a)** The proposed dwelling has an aggregate side yard setback of 30 feet where 40 feet is required. Aggregate side yard variance of 10 feet requested.

**B. (2)** The existing lot width is 75 feet where 120 feet is required. Lot width variance of 45 feet requested.

**B. (1)** The existing lot area is 11570 square feet where 18000 square feet is required. Lot area variance of 6430 square feet is requested.

A motion by Thomas Pospisil, seconded by J.J. Clancy, to adopt the resolution; on roll call vote, Thomas Pospisil, J.J. Clancy, Joseph Massin voted yes; Melvina Fakazis, David Rice and Robert Adamo were not eligible; the motion carried.

**VOUCHERS:**

Melvina Fakazis read vouchers for approval and payable to Brian Giblin, Board Attorney.

A motion by Melvina Fakazis, seconded by J.J. Clancy to approve the voucher list; on voice vote, all in favor, the motion carried.

Melvina Fakazis read vouchers for approval and payable to Elliott Sachs, Board Engineer.

A motion by J. J. Clancy, seconded by Thomas Pospisil to approve the voucher list; on voice vote, all in favor, the motion carried.

**ADJOURNMENT:**

Upon motion, seconded and carried, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Sylvia Kokowski - Recording Secretary

**THE NEXT MEETING IS SCHEDULED FOR JUNE 21, 2007**

Name	Moved	Second	Ayes	Nays	Absent	Abstain
Lorraine de Stefan						
Melvina Fakazis						

Chuck Waldes						
David Rice						
Joseph Massin Alt 2						
J.J. Clancy						
Kevin Martin						
Thomas Pospisil						
Robert Adamo Alt 1						

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JUDGE OF THE MUNICIPAL COURT  
BOROUGH OF WESTWOOD, 1994-2006

May 17, 2007

**Via fax (201) 358-7754**  
Zoning Board of Adjustment  
Township of River Vale  
406 Rivervale Road  
River Vale, NJ 07675

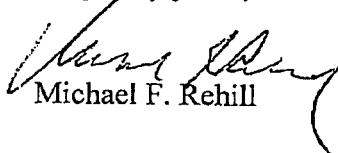
Attention: Mr. Ed Madger, Land Use Administrator

Re: Application 73 Rivervale road, River Vale (Senior citizen housing)  
Lot 12, Block 2301

Dear Members of the Board:

My wife and I have decided not to proceed at this time with the above referenced application. Accordingly, please accept this letter as formal notice of withdrawal of same. We want to thank you for the time and consideration you have given on this matter.

Very truly yours,

  
Michael F. Rehill

cc: Brian Giblin, Esq.