

ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
September 17, 2009

Thomas Pospisil 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	Absent
	David Rice		Present
	Thomas Pospisil		Present
	Robert Adamo		Present
	Joseph Massin	Alternate # 1	Present
	Robert Fortsch		Present
	John Donovan		Present
	Douglas Marchese	Alternate # 2	Present
<u>ALSO PRESENT:</u>	Michael Gannaio	Board Attorney	Present
	Elliott Sachs	Board Engineer	Absent
	Lauren Roehrer	Land Use Admin	Present

Thomas Pospisil presided the meeting.

VOUCHERS:

A motion by Robert Fortsch, seconded by John Donovan to approve vouchers as read by the Vice-Chairman, on voice vote, all in favor, the motion carried.

MINUTES:

A motion by Robert Fortsch, seconded by John Donovan to approve the minutes of August 20, 2009 on roll call vote, all those eligible voted yes; the motion carried.

RESOLUTIONS:

688 Westwood Avenue, LLC, 688 Westwood Avenue, Block 1801, Lots 20, 21, 22
Final Amended Site Plan Approval – Violation of 142-242

A motion by Joseph Massin, seconded by Douglas Marchese to adopt the resolution for the Site Plan as Amended and Parking; on roll call vote, all those eligible voted yes; the motion carried.

The Monument Sign was denied at the last meeting.

APPLICATION:

Borrelli, 844 Berkshire Road, Block 1903, Lot 7
Violation of 142-263

Jodi and Guy Borrelli were sworn in by Michael Gannaio, Board Attorney. Mr. Gannaio read a statement into the record of what the applicants propose. Six (6) photographs taken on August 26, 2009 were reviewed. The lots size is 101 x 150. The applicant proposes paver patios outside of their 2 sets of slider doors and a walkway and patio area around their pool. The pool was placed in the summer of 2009.

Mr. Pospisil commented that the original permit was for the pool placement only and not for patio work. Mrs. Borrelli confirmed that statement. David Rice reported that the lot consisted of 15,000 square feet and is undersize but immaculate in care of the property. A variance is needed due to the undersized lot.

Mr. Massin was concerned about possible drainage issues and asked if there was an engineer's report. The Land Use Administrator advised that when the pool was installed the plans were sent to Boswell Engineering for review. Mr. Massin felt that drainage could be a potential problem. The Land Use Administrator also indicated that this application was not forwarded to the Board Engineer for review.

Mr. Donovan felt that the house was big for the lot size. He asked if the variance that was approved in 2001 for a side yard set back includes a front yard variance as well. Mr. Borrelli responded no, the front yard was like it currently is.

Mr. Adamo commented that assuming the driveway is 1,124 sq. ft., the variance requested is more than the driveway, and 1,700 sq. ft. is large.

Mr. Pospisil felt that the applicants could have considered a smaller pool to accommodate a larger patio as requested.

Mr. Massin asked if it was possible to reduce the size of the proposed patio in order to reduce the size of the requested variance. Mr. Borrelli stated that there would not be enough room for patio furniture. Mr. Adamo asked if the sidewalk on the side of the house was necessary. Mr. Borrelli advised that it was the only way to get to the rear of the house.

The meeting was opened to the public and so carried.

Betty Wagreich, 849 Berkshire Road, had no objection to the application but did not want a neighborhood precedent set.

The meeting was closed to the public and so carried.

Mr. Pospisil commented that the variance of 11.82% if denied, the applicant would need to revert back to the required 40% of the gross lot area.

Mr. Donovan asked if the calculations were done by a surveyor. Mrs. Borrelli confirmed yes. Mr.

Marchese felt that the variance request was excessive.

Mr. Pospisil asked if the 15 ft. of pavers beyond the pool ran all the way up to the front of the house. Mr. Borrelli said yes.

Mr. Massin suggested that the Board offer the applicant the option to return with a revised, reduced application at the next meeting. The Board agreed that the applicants return with a revised proposal.

Mr. & Mrs. Borrelli agreed to re-configure the application. The application will be carried and continued at the next meeting of the Zoning Board.

DISCUSSION

80 Coopers Lane – The Land Use Administrator discussed the request for a retaining wall, pond and height of pillars with lights on them. Discussion ensued. The Board felt that if there were any doubt on the applicant's request, they should appear before the Board.

ADJOURNMENT:

Upon motion seconded and carried, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary