

**BOROUGH OF FAIR LAWN
ZONING BOARD OF ADJUSTMENT
Regular Meeting Minutes
Of APRIL 22, 2013**

Following are the minutes of the Fair Lawn Zoning Board of Adjustment's regular meeting held on April 22, 2013

Chairman Todd Newman called the regular meeting to order at 7:10 p.m. and declared that the meeting was being held in accordance with the Open Public Meeting Law.

Roll Call: Present: Mr. Dunay, Mr. Lowenstein, Mr. Seibel, Mr. Gil, Mr. Sina, Mr. Puzio, Mr. Meer & Mr. Newman.

Absent: Mr. Blecher, Mr. Sacchinelli, Mr. Lancaster

Also in attendance were Bruce Rosenberg, Board Attorney; Candice Galaraza; Court Reporter, Ann Peck, Assistant Zoning Officer, Cathy Bozza, Zoning Board Secretary.

No Board Professionals in Attendance.

New Residential:

1. Application #13-007, Katina Agaliotis,
2-02 Lambert Road, Block 5629, Lot 27, Zone R-1-3
Proposed one story rear addition would increase building coverage from 19.01% to 26.46% where 25% is permitted. Would increase the impervious coverage from 37.14% to 44.33% where 35% is permitted. Would have a side yard setback of 5.24' and 5.30' where 8ft. is required. Proposed roof overhang would reduce the front yard setback from 25.80' to 22.64' where 25' is required as per Section 125-12 Schedule of area yard and building requirements.

Mr. Newman swears in: Ms. Katina Agaliotis (Applicant)
2-02 Lambert Road
Fair Lawn, N.J.

Mario Agaliotis (Son of Ms. Agaliotis)
Hanover, N.J.

Fees have been paid and there is proof of service.

Mr. Newman asks what brings them before the Board.

Mr. Agaliotis speaks for his mother & begins his testimony noting he has brought copies of a summary for the Board on the proposal requested.(Passes them to Board Members)

Marked as Exhibit A1-Summary List prepared by Vassilios Cocoros, Architect, VCA Group, (no date noted)

Mr. Newman asks rather than read the summary into record the applicants refer to it as they discuss the proposal.

Mr. Agaliotis states the reason they are here is because they would like to put an addition on to his mother's property, noting her lot is a non-conforming lot, it is an undersized lot. Most of the lots on Lambert Road are this size, but the reason for the addition is essentially to create a 1st floor bedroom for her, increasing the size of the bathroom and also including a laundry room.

Mr. Agaliotis speaks for his mother when he states she has been a Fair Lawn Resident since 1968, etc...she does not want to leave. She has had a rough few years with her health and this would make it livable to her. It will be nothing dramatic; it is only a 394sf addition....but because of the non conformance of the lot....explains...

Testimony continues...

Front & Side Yard Setbacks are discussed....existing.

Mr. Agaliotis explains the footprint of the existing staircase is going to be exactly the same...they are going to put a covered porch with two ballisters. They are trying to keep it as minimal as possible. They are not putting any extra patios in...etc. There is a home a few yards down that have a similar addition...there are two homes with 2nd story additions....

Mr. Newman asks if this improvement stand to make the house more in conformance with the existing neighborhood.

Mr. Agaliotis testifies that right now his mother's home is one of the tiniest and would be more in conformance with the rest of the neighborhood for sure. It will all be an improvement. The siding, the windows....it will certainly improve the appearance of the neighborhood as well.

Testimony continues...

Discussion continues...

Mr. Lowenstein questions some improvements recently done to the home...

Mr. Agaliotis testifies to a new roof, new garage door that was falling apart and planting that were removed in the front of the home.

Mr. Lowenstein asks if there are plans to replanting in the front after ...

Ms. Agaliotis testifies yes...they were all dead and she is thinking about planting Azaleas...

No further questions from Mr. Lowenstein.

Mr. Dunay notes for the record, the math, if in fact this were a conforming lot vs. a non conforming lot. Explains...

Mr. Puzio questions the stairs going out the back on the plans...

Review of plans...

Mr. Agaliotis explains the plan is incorrect and explains where the steps will be.

Location noted for the record.

Mr. Newman asks if there are any other questions from Board Members, seeing none,

Mr. Newman asks if there are questions or comments from residents living within 200ft. of the applicant. Seeing none,

Mr. Newman opens the application to the General Public for questions or comments. Seeing none,

Mr. Newman closes this portion and asks for a motion.

Mr. Puzio makes a motion to approve the application.

Mr. Seibel seconds the motion.

VOTE: Mr. Dunay, Mr. Lowenstein, Mr. Seibel, Mr. Gil, Mr. Puzio,
Mr. Meer & Mr. Newman. **YES.**

Motion carries.

Application Approved.

2. Application #13-008, Jared Port Vliet,
2-02 35th Street, Block 2314, Lot 13, Zone R-1-3
Proposed second floor addition and 2nd floor cantilever would reduce the existing front yard setback of 15.9' to 13.9' where 25' is required as per Section 125-12 Schedule of area yard and building requirements.

Mr. Newman swears in: Lauren Port Vliet & Jared Port Vliet (Applicants)
2-02 35th Street
Fair Lawn, N.J.

Fees have been paid and there is proof of service.

Mr. Newman swears in: Glen Stubaus (Architect)
26-02 Broadway
Fair Lawn, N.J.

Mr. Newman certifies Mr. Stubaus as an Expert Architect in the field of Architecture without any objections from the Board.

Mr. Stubaus begins his testimony stating the Applicant's currently own a Cape Cod Style home on a corner lot...like so many other Cape Cod homes in Fair Lawn, his clients would like to add a 2nd floor & a 2nd floor cantilever....explains.

The cantilever would change the existing non conforming front yard setback from 15.9' to 13.9'...

Testimony continues....

Mr. Stubaus would like to point out this lot is an undersized lot; the R-1-3 requires a 6500sf area. This lot is only 50 but also a corner lot....explains in either case, if this lot was a 7500sf lot, they would not be here. The only variance we are asking for is the front yard which is only 2ft...

Due to the unusual shape of the lot and the zone it is situated in, there is a hardship. It is a long and narrow lot and also a hardship being it is a corner lot which places an additional burden...

Testimony continues....

There is a discussion between Mr. Newman & Mr. Stubaus regarding the Lot size...and the hardships.

An additional photo taken by the Homeowner is submitted for review.

Photo marked as Exhibit A-1 taken 4/21/13

Mr. Newman asks Mr. Stubaus if this addition would improve the overall appearance of the house.

Mr. Stubaus notes this would improve this particular property and stay within the character of the area because a lot of the homes have already added on.

Mr. Newman asks if there are any questions from Board Members. Seeing none,

Mr. Newman asks if there are questions or comments from Residents living within 200ft. of the Applicant. Seeing none,

Mr. Newman opens the application to the General Public for questions or comments. Seeing none,

Mr. Newman closes this portion & asks for a motion.

Mr. Lowenstein makes a motion to approve the application.
Mr. Meer seconds the motion.

VOTE: Mr. Dunay, Mr. Lowenstein, Mr. Seibel, Mr. Gil, Mr. Puzio,
Mr. Meer & Mr. Newman. **YES.**

Motion carries.
Application Approved.

Mr. Newman opens for Public Comment. Seeing none,
Mr. Newman Closes Public Comment.

Mr. Lowenstein asks for a moment of silence for the Victims of the Boston Marathon to acknowledge the pain and suffering the City is going through right now.

Moment of Silence...

Ms. Peck (Assistant Zoning Officer) speaks to the Board regarding the Annual Report, noting the Counsel is in the process of completing an Ordinance regarding the Pools, etc. also noting in the Resolution the Mayor & Counsel from the Borough of Fair Lawn

declared their appreciation & admiration for the Volunteers of the Fair Lawn Board of Adjustments, and extend their gratitude...

Discussion...

Mr. Newman continues to Order of Business.

Resolutions:

1. Application #2013-005, PSE&G, 17-01 Nevins Road, Block 4901, Lot 1, Zone I-1 Proposed Upgrades/New Transformers & Equipment- Approved.

Mr. Puzio made a motion to accept these resolutions and Mr. Seibel seconded the motion.

VOTE: All Present – **AYE.**

2. Application #2013-006, DaVita, 15-00 Pollitt Drive Associates, LLC, Block 4804, Lot 3, Zone I-1– Proposed Medical/Dialysis Center- Approved.

Mr. Sina made a motion to accept these resolutions and Mr. Gil seconded the motion.

VOTE: All Present – **AYE.**

3. Application #2013-003, Elena Cunubas, 39-15 Northern Drive, Block 1303, Lot 5, Zone R-1-3– Proposed Enlargement of the Front steps- Approved.

Mr. Puzio made a motion to accept these resolutions and Mr. Lowenstein seconded the motion.

VOTE: All Present – **AYE.**

4. Application #2013-004, Sherri Reeves & Van Casey, 30-07 Gentner Road, Block 3811, Lot 9, Zone R-1-2– Proposed Addition & Renovations- Approved.

Mr. Seibel made a motion to accept these resolutions and Mr. Puzio seconded the motion.

VOTE: All Present – **AYE.**

Vouchers:

1. Winnie Banta Hetherington Basralian & Kahn in the amount of \$816.66 for the meeting of February 25, 2013 meeting.
2. Winnie Banta Hetherington Basralian & Kahn in the amount of \$816.66 for the meeting of April 22, 2013 meeting.
3. Winnie Banta Hetherington Basralian & Kahn in the amount of \$1,260. for the Davita Dialysis Application #13-006
4. Winnie Banta Hetherington Basralian & Kahn in the amount of \$1,012.50 for the PSE&G Application #13-005
5. Winnie Banta Hetherington Basralian & Kahn in the amount of \$540.00 for the Application #13-000, Fair Lawn Senior Housing (Hadco)

Mr. Lowenstein made a motion to accept these Vouchers and Mr. Puzio seconded the motion.

VOTE: All Present – **AYE.**

Minutes

Mr. Dunay made a motion to approve the minutes for the February 25, 2013 meeting and Mr. Puzio seconded the motion.

VOTE: All Present - **AYE**

Adjourn

Mr. Lowenstein made a motion to adjourn this meeting and Mr. Puzio seconded the motion.

TIME: 7:45 P.M.

VOTE: All Present - AYE.

Respectfully submitted,

Cathy Bozza
Zoning Board Clerk