

**BOROUGH OF FAIR LAWN
ZONING BOARD OF ADJUSTMENT
Special Meeting Amended Minutes
Of March 4, 2010**

Following are the amended minutes of the Fair Lawn Zoning Board of Adjustment's Special meeting held on March 4, 2010

Chairman Todd Newman called the regular meeting to order at 7:05 p.m. and declared that the meeting was being held in accordance with the Open Public Meeting Law.

Roll Call: Present: Mr. Diner, Mr. Karas, Mr. Lowenstein, Mr. Puzio, Ms. Spindel, Mr. Frankel, & Mr. Newman.

Absent: Mr. Meer, Mr. Sacchinelli, Mr. Blecher & Ms. Donna Taylor

Also in attendance were William Soukas, Board Attorney & Cathy Bozza, Zoning Board Secretary.

Mr. William Soukas (Board Attorney) swears in Mr. Ira Frankel, as Alternate #1.

Commercial Business:

1. Application #2009-038, **18-35 River Road, LLC**
18-35 River Road, Block 5834, Lot 1, 3&4, Zone I-2
Preliminary and final site plan approval for development. Retail/Commercial uses and a 64unit residential garden apartment building. Sign variances 125-41.B.(3)(b)125-41.B.(40(b) 125-41.C.(3) and waivers.

Mr. Stuart Liebman,(Applicant's Attorney) has requested an adjournment of the Special Meeting and allow the hearing to be carried to the meeting of March 15, 2010 per the request of the applicant's attorney, Mr. Stuart Liebman based on an Objector's letter received.

Mr. Newman opens the meeting and reads a letter dated March 1, 2010 from Carbone & Faasse, Attorneys at Law in which it states that their office has been retained to represent the Owl & I, LLC, the owner of 6-18 Maple Ave, Block 5834, Lot 2.01. Frank & Victor Rivara are the members of the LLC who operate the Rivara's Restaurant on the property.

The letter points out that the application that has been filed shows an access drive across the client's property, thus incorporating the client's property into this application to which the owner has stated he has never authorized nor consented to this use of its property.

Mr. Newman asks Mr. Liebman if there is anything he wishes to add before carrying the application to the next meeting & adjourning.

Mr. Stuart Liebman explains to the Board that he had been contacted by an Attorney representing the neighboring property owner, Rivera's. A copy of the letter was sent to the Board and read by Mr. Newman and although his client is prepared to move forward, he hereby requested an adjournment so that the applicant can meet with his neighbor again and attempt to resolve any differences in order to proceed amicably with this application.

Mr. Stuart Liebman thanks everyone for their time in this matter.

Mr. Newman announces that the meeting will be carried to March 15, 2010 but does offer the suggestion to Mr. Liebman for Special Meeting dates because of the possibility of not being heard on March 15, 2010 based on a full agenda with residential applications.

Mr. Liebman agrees.

APPLICATION CARRIED TO MARCH 15, 2010

Adjourn:

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

TIME: 7: 20 P.M.

VOTE: All Present - AYE.

Respectfully submitted,

Cathy Bozza
Zoning Board Clerk