

**BOROUGH OF FAIR LAWN
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Of April 19, 2010**

Following are the minutes of the Fair Lawn Zoning Board of Adjustment's regular meeting held on April 19, **2010**.

Acting Chairman Jane Spindel 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. Diner, Mr. Karas, Mr. Lowenstein, Mr. Puzio, Ms. Spindel
Mr. Meer, Mr. Frankel, Mr. Sacchinelli, Mr. Blecker, Ms. Taylor

Absent: Mr. Newman

Also in attendance were William Soukas, Board Attorney; Karen Kocsis, Court Reporter; Ann Peck, Assistant Zoning Officer and Cathy Bozza, Zoning Board Secretary.

Ms. Spindel makes announcement: Two Applications will not be heard this evening.

Commercial New Business: Application #10-022, T-Mobile Northeast, LLC.
12-34 George Street, Block 5611, Lot 19, Zone R-1-3

No Testimony to be heard. Application is carried to August 16, 2010

Residential New Business: Application #10-021, Igor & Irena Bass,
5-12 Lyncrest Ave, Fair Lawn

No Testimony to be heard. Application deemed incomplete. The Applicant will re-notice.

Old Residential Carried:

1. Application #10-019, Calle Simon Quinta & Lourdes Acha,
39-40 Morlot Avenue, Block 2401, Lot 1, Zone R-1-2

Proposed expansion of driveway would increase the impervious coverage from 38.83% to 39.87% where 35% is permitted as per Section 125-12 Schedule of area yard and building requirement.

Ms. Spindel asks Mr. Quinta Calle to explain what it is he wanted to do and what the changes have been to this application.

Mr. Calle explains that at the last month's meeting, there were questions on one section which was a 7'x9' concrete pad that was not noted on the survey so it was not calculated in the impervious calculations and the reason behind installing it was because they were having problems with water going into the basement. The other section was an 8x9 section of concrete which was already there when we moved in and that is the garbage area.

Discussion....

Impervious coverage is now calculated 38.83% existing to the 39.87% proposed.

Ms. Spindel questions if he could reduce some of the Impervious Coverage?

Discussion....

Concerns & suggestions are discussed regarding runoff issues, if ever there were one to place paver blocks to prevent erosion & mud into the driveway or road.

Ms. Spindel opens the resident up to residents within 200ft. Seeing no one.

Ms. Spindel closes this portion.

Ms. Spindel opens the applicant up to the general public. Seeing no one.

Ms. Spindel closes this portion.

Mr. Lowenstein makes a motion to approve the application.

Mr. Diner seconds the motion.

VOTE: Mr. Diner, Mr. Karas, Mr. Lowenstein, Mr. Puzio, Ms. Frankel, Mr. Meer & Ms. Spindel. **YES.**

Application Approved.

New Residential:

1. Application#10-020, Thomas & Kimberly Tomesco
10-11 Alexander Avenue, Block 4526, Lot 29, Zone R-1-3

Proposed addition would maintain the existing front yard of 23.3' where 25' is required. Would maintain existing side yard setback of 9.9' where 10' is required. Would reduce the existing rear yard setback of 30' to 15' where 20' is required as per Section 125-12 Schedule of area yard and building requirement.

Mr. Soukas, (Board Attorney) swears in Mr. Thomas Tomesco (Applicant)

Fees have been paid and there is proof of service.

Ms. Spindel asks Mr. Tomesco to explain what it is he would like to do.

Mr. Tomesco begins and states he would like to put a family off the back of his ranch. It is currently a dining room that extends off the back and a patio that extends from the property line across the entire back of the house.

Mr. Tomesco continues to explain that he would like to add to the Dining Room and add the Family room. All existing concrete around the addition to the Southside as well as the West will be removed and replaced with grass.

Mr. Tomesco mentions a shed that was omitted from the site plan....there is a permit pending with the Zoning department and will be an 8x12 shed.

Discussion on the proposal continues.....

Mr. Karas questions Mr. Tomesco if the addition could have been constructed to the West side rather than to the rear so that you would not decrease the rear yard beyond the minimum that is required?

Discussion....

Confusion on the site plan...Question on A2- drawing: shows the front of the house as South and the rear as North....

It is determined that the Architect put North going straight up on his drawing when it should be facing down. The survey is correct.

Further discussion....on whether the addition could go to the East...

Mr. Tomesco refers to A4- Current floor plan. That whole side of his house to the east is the bedrooms, so to add to my dining room, I would have to reconfigure the entire floor. This proposal had the least impact. This addition would encompass the dining room. If we were to do as you suggest, if you look at A4, bedroom #4, it would infringe on his son's bedroom window.

Mr. Karas's questions are satisfied by Mr. Tomesco.

The size of the rooms proposed are discussed....

Mr. Tomesco addresses all concerns....

Ms. Spindel opens the applicant up to residents within 200ft. Seeing none.

Ms. Spindel opens the applicant up to the General Public.

Mr. Soukas swears in: Mark Moerdler (Vice-President of Synagogue)
10-04 Alexander

He would like to support his neighbor in this proposal.

Ms. Spindel closes this portion.

Mr. Meer makes 1st motion to approve the application.

Mr. Karas seconds the motion but asks that somewhere in the Resolution it be indicated that the 96sf of the shed be in the Impervious Coverage figure.

VOTE: Mr. Diner, Mr. Karas, Mr. Lowenstein, Mr. Puzio, Ms. Frankel, Mr. Meer & Ms. Spindel. **YES.**

Application Approved.

Ms. Spindel announces for the second time for the General Public:

Application #10-022, T-Mobile Northeast, LLC. is carried to August 16, 2010.
No Testimony to be heard.

Vouchers:

1. Karen Koscis in the amount of \$275.00 fee for April 19, 2010 meeting.
2. Mr. Bill Soukas in the amount of \$833.33 for March 31, 2010 for legal services.
3. Mr. Bill Soukas in the amount of \$27.00 for non-litigation legal services.
4. Mr. Bill Soukas in the amount of \$180. 00 for litigation related costs.
5. Mr. Bill Soukas in the amount of \$125.00 for legal services for 18-35 River Rd.
6. Mr. Bill Soukas in the amount of \$962.00 for legal services for preparation & memorializing Resolutions on Commercial Variance Application on Just4Wheels.
7. Azzolina, Feury Engineering in the amount of \$2,102.00 regarding 18-35 River Road., LLC.
8. Azzolina & Feury Engineering in the amount of \$1,621.00 for Grande Pointe Fitness.
9. Azzolina & Feury in the amount of \$1,230.00 for Just4Wheels.

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

VOTE: All Present – AYE.

Resolutions:

1. Application #2010-012, James & Janet DeSomma, 39-14 Van Duren Avenue, Block 1507, Lot 56, Zone R-1-2 – Addition- Approved.
2. Application #2010-013, Valerij & Tatyana Yasyukyanets, 13-08 Morlot Avenue, Block 4405, Lot 6, Zone R-1-3– Addition- Approved.
3. Application #2010-014, Harry & Norma Zarrow, 40-01 Paterson Street, Block 1409, Lot 6, Zone R-1-2– 2nd story addition- Approved.
4. Application #2010-015, Joseph D’Onofrio & Lisa Polera , 5-15 Berdan Avenue, Block 5628, Lot 1, Zone R-1-2– 2nd story addition & roof over existing platform- Approved.
5. Application #2010-016, Linda Santana, 2-19 34th Street, Block 2314, Lot 18, Zone R-1-3– extended sidewalk creating patio area to property line- Approved.
6. Application #2010-017, Saban Y. Kalkay, 30-14 Norwood Drive, Block 2524, Lot 4, Zone R-1-2– New attached garage & driveway expansion-Denied
7. Application #2010-018, Elly & Svetlana Lerner, 39-02 Kuiken Terrace, Block 1710, Lot 10, Zone R-1-2– Conversion of a side porch to bathroom- Approved.

Mr. Frankel made a motion to accept these resolutions and Mr. Diner seconded the motion.

VOTE: All Present – AYE.

Minutes

Mr. Frankel would like to amend the March 4, 2010 minutes to include himself in which he was omitted from attendance.

Mr. Karas makes the first motion for the amendment & approval of the March 4, 2010 minutes to include the attendance of Mr. Frankel and Mr. Puzio seconds the motion.

VOTE: All Present – AYE

Mr. Meer makes motion to approve the minutes for the January 25, 2010 reorganization meeting.

Mr. Karas seconds the motion.

VOTE: All Present- AYE

Adjourn

Mr. Sacchinelli made a motion to adjourn this meeting and Mr. Frankel seconded the motion.

TIME: 8:00P.M.

VOTE: All Present - AYE.

Respectfully submitted,

Cathy Bozza
Zoning Board Clerk