

ZONING BOARD OF ADJUSTMENT
VILLAGE OF RIDGEFIELD PARK
Bergen County, NJ

Minutes of Regular Meeting
October 21, 2008

The Chairman, Mr. Cathcart, called the meeting to order at 8:00 p.m. in the Municipal Building.

The Chairman announced that this meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., notice of which was published in the Record on the 21st day of December 2007.

Roll Call: Present: Messrs. Cathcart, McCormack, Vorhees, DellaFave, Wohlrab, Spontak, Mieles and Ms. Perrotta

Absent: Mr. Frontera

A motion was made by Mr. Vorhees, and seconded by Mr. DellaFave, to accept the minutes of the September 16, 2008 meeting as prepared; all in favor.

Correspondence:

Planning Board Minutes – September 8, 2008 Meeting

Building Department Certificate Logs – September 2008

Letter from RHY Construction requesting return of final site plan approval fee

Letter from Cerberus Consulting, re: providing RF engineering consulting for MetroPCS application

Historic Preservation Commission Minutes – September 25, 2008 Meeting

Request for submission of articles to Village Newsletter

Request from Village Clerk for 2009 Meeting Dates for publication

NJ Planner – September & October 2008 issues

The Chairman read the Rules of Procedure.

The Chairman announced that there are three (3) resolutions to be memorialized for cases that were heard and decided at the September 16, 2008 meeting.

Case # 1429 Block 75, Lot 9 – 17 Poplar St. – RHY Construction.

Cheryl Perrotta read the resolution to deny into the record. A motion was made by Ms. Perrotta and seconded by Mr. DellaFave, approving the resolution as prepared. A copy of the resolution is attached.

Case # 1433 Block 44, Lot 5 – 21 Third St. – Holy Name Hospital Corp.

Cheryl Perrotta read into the record the resolution to approve the application. A motion was made by Ms. Perrotta, and seconded by Mr. Vorhees, to approve the resolution as prepared. A copy of the resolution is attached.

Case # 1439 Block 29, Lot 12 – 96 Highland Pl – Olson.

Cheryl Perrotta read into the record the resolution reversing the decision of the Zoning Officer of the Building Department. Ms. Perrotta, seconded by Mr. Vorhees, made a motion to approve the resolution as prepared. All were in favor. A copy of the resolution is attached.

The Chairman announced that there are three (3) cases for hearing this month:

Case # 1436 Block 25/Lot 13 – 58 Hazelton Street – Shah

Case # 1437 Block 135/Lot 9 – 39/39A Ridgefield Ave – Durakovic

Case # 1438 Block 112/Lot 13 – 189 Cedar Street - Rodriguez

Case # 1436 Block 25/Lot 13 – 58 Hazelton Street – Shah

An application seeking permission to construct an addition to the existing one-family dwelling located at Block 25, Lot 13 - 58 Hazelton Street, requiring variances for number of stories and maximum improved lot coverage.

The Board was furnished with proof of service, publication and taxes paid.

The applicant, Mr. Satish R. Shah, was sworn in. Mr. Shah testified that he has three children and would like to build an addition so each child can have their own room. Right now, they must share and the rooms are small. The addition would extend out from the rear. There would be no encroachment into the side yard and front yard setbacks. Mr. Vinay R. Shah, the applicant's brother, was sworn in to assist in explaining the planned addition.

The Board questioned the denial letter stating that the applicant was seeking approval for a three-story structure. The plans indicate the addition would be two stories. The applicant testified that the house is a split-level structure and that he was not requesting approval for three stories of livable space. The Board reviewed Drawing A-4.1 and discussed that the basement would contain only a storage and laundry area. Also, due to the ceiling height in the basement it was not livable area.

The Board opened the case to the public.

Within 200' in favor, no one appeared.

Within 200' against, the following appeared:

Mr. Christian Sanchez of 53 Gordon Street. Mr. Sanchez lives in an adjoining property. He was concerned about the impact of the application on his property. He questioned the height. The applicant testified the addition would be no higher than the existing house. Mr. Sanchez was satisfied and did not object to the application.

Outside 200' – no one appeared

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The case was set down for work session.

Case # 1437 – Block 135, Lot 9 – 39-39A Ridgefield Avenue - Durakovic

An application to construct an addition to the rear of the existing four-family dwelling, requiring a use variance, and bulk variances for maximum lot coverage, maximum height, and side yard setbacks.

The Board was furnished with proof of service, publication and taxes paid.

The applicant, Ruzdija Durakovic, was sworn in. The applicant's son, Elvis Durakovic, was also sworn in, to assist with the explanation of the proposed construction. Mr. Durakovic testified that his property is a four-family unit. It is essentially two 2-family dwellings stuck together. He lives on the second floor of 39 Ridgefield Avenue. This is a 2-½-story frame structure. 39A Ridgefield Avenue is a brick two-family structure, with one outside entrance door and an interior separation for the two tenants. There is no connection or pass-through capability between 39 and 39A Ridgefield Avenue. He is not changing 39A Ridgefield.

The proposed addition is a two-story structure to the rear of 39 Ridgefield. He and his family live on the second floor. The addition would provide two rooms for the first floor tenant and two rooms for he and his family on the second floor. The proposed addition will not be higher than the existing house. The applicant was made aware that the third floor storage area couldn't be used for living space. He testified that he was not planning to use it as such. The Board discussed parking. The lack of sufficient parking is a pre-existing non-conforming state. The applicant is proposing to enlarge the size of the units, not increase the number of units.

The case was opened to the public. No one appeared.

The case was set down for work session

Case # 1438 – Block 112, Lot 13 – 189 Cedar Street – Rodriguez

An application to construct a patio in the rear yard of the property located at 189 Cedar Street, Block 112, Lot 13, requiring a variance for maximum impervious coverage.

The Board was furnished with proof of service, publication and taxes paid.

The applicant, Ivan Rodriguez, was sworn in. Mr. Rodriguez testified that he wished to create a patio in his rear yard. He has a corner lot, so there is no real backyard area. He plans to reduce the size of the macadam driveway, which is an eyesore, and create a patio area. He will agree to use paver bricks to allow for absorption of rainwater. He plans to plant trees along the edge of the patio as a buffer and for privacy. Right now there is just a chain link fence.

The case was opened to the public. No one appeared.

The case was set down for work session.

The Board went into work session and returned to regular session with the following decisions:

Case # 1436 - Shah

Mr. Cathcart, seconded by Mr. Vorhees, made a motion to approve the application.

Roll Call: Mr. Cathcart – Yes Mr. DellaFave – Yes
 Ms. Perrotta – Yes Mr. Wohlrab – Yes
 Mr. McCormack – Yes Mr. Spontak – Yes
 Mr. Vorhees - Yes

The Board attorney will prepare a resolution to be memorialized at the November 18, 2008 meeting.

Case # 1437 - Durakovic

Mr. Vorhees, seconded by Mr. DellaFave, made a motion to approve the application.

Roll Call: Mr. Cathcart – Yes Mr. DellaFave – Yes
 Ms. Perrotta – Yes Mr. Wohlrab – Yes
 Mr. McCormack – No Mr. Spontak – Yes
 Mr. Vorhees - Yes

The Board attorney will prepare a resolution to be memorialized at the November 18, 2008 meeting.

Case # 1438 - Rodriguez

Mr. Cathcart, seconded by Mr. Vorhees, made a motion to approve the application.

Roll Call: Mr. Cathcart – Yes Mr. DellaFave – Yes
 Ms. Perrotta – Yes Mr. Wohlrab – Yes
 Mr. McCormack – Yes Mr. Spontak – Yes
 Mr. Vorhees – Yes

A resolution approving the application was read into the record by Ms. Perrotta. A copy is attached.

Prior to adjournment, the Board considered a request by Avner Turm, owner of RHY Construction, for return of the final site plan approval fee in the amount of \$ 1000.00, since the application was denied. The Board considered his request and agreed to return the application fee for final site plan approval. The Secretary was directed to process the release of funds with the Village Clerk.

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Linda Quinn
Secretary
Tape 509

