

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

Minutes of Regular Meeting
February 19, 2013

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 seq., notice of which was published in the Record on the 28th day of December 2012.

Roll Call: Present: Messrs. Cathcart, DellaFave, Miele, Albuquerque, Orth

Absent: Vorhees, Wohlrab, Frontera, Ms. Perrotta

Mr. DellaFave moved the minutes of the January 15, 2013 meeting be approved. Seconded by Mr. Albuquerque

Roll Call: Cathcart, DellaFave, Miele, Albuquerque, Orth

Correspondence:

- Letter from Alampi and DeMarrais RE: Shaker – Variance Application Appeal January 18, 2013

Mr. Cathcart read the rules of procedure.

***The Chairman announced there are (3) resolutions to be memorialized.**

Case #1485 36 Edwin Street Block 16/Lot 19 Use Variance

Mr. Orth read into the record the memorialization of the resolution.

Motion to deny by Mr. Orth. Seconded by Mr. Albuquerque

Roll Call: Cathcart, DellaFave, Miele, Albuquerque, Orth

Case #1487 176 Overpeck Avenue Block 70/Lot 12 Variance

Mr. DellaFave read into the record the memorialization of the resolution.

Motion to approve by Mr. DellaFave. Seconded by Mr. Miele.

Roll Call: Cathcart, DellaFave, Miele, Albuquerque, Orth

Case #1488 105 Challenger Road Block 24.03/Lot 4.01 Use Variance

Mr. Miele read into the record the memorialization of the resolution.

Motion to approve by Mr. Miele. Seconded by: Mr. Alberque

Roll Call: Cathcart, DellaFave, Miele, Alberque, Orth

***The Chairman announced there is (1) case continued from the January 15, 2013 meeting.**

Case #1486 58 Hille Place Block 131/Lot 15 Variance

Mr. Bitar again represented himself.

Mr. DeMarrais explained why Mr. Bitar is back. Initially the Board was presented with two denial letters from the Building Dept. One indicating problems with the foundation and the second indicated a variance for minor factors and impervious coverage of plans. The Board reviewed the plans and had no information regarding the initial letter. The Board has received a response from the Building Department, dated February 19, 2013, and not sure how it is answering Boards questions. December 27, 2012 denial letter from the Zoning Official was read into the record. Variances required according to how Mr. DeMarrais reads the letters are height and set-back. Mr. Bitar requires a Variance because the lot is undersized and any expansion to a house requires a variance. This has nothing to do with the foundation.

Mr. Bitar stated he will not exceed the height required. The addition will not have an attic. He explained this to Mr. Ballard.

Mr. DellaFave asked what do the blacked out areas of drawing 12-19 Rev. 00 A-52 mean. Is this the addition you want to put on? Mr. Bitar stated yes. Mr. DellaFave felt better plans were needed to explain the blacked out areas.

Photo A-3 1/19/13 has already been marked as evidence and Mr. Bitar states the photo is prior to the work being done. Mr. Bitar stated the work has not started.

Mr. Alberque asked when the work has been done. Mr. Bitar stated just recently. The brick work has a permit and has been completed.

Mr. Alberque asked what was the issue with the foundation? Mr. Bitar stated the issue is with the back of the house.

A-20 is plans for the back and this was referenced in the first denial letter.

Mr. Cathcart reminded Mr. Bitar the Board is reviewing the extension and not the foundation.

Mr. Miele referred to the letter from the Zoning Official dated February 19, 2013.

Mr. DeMarrais stated it seems the Zoning Official is requesting the Board to review the construction plans.

Mr. Miele asked does the extension require a variance.

Mr. DeMarrais stated the resolution can state exactly what the Board has reviewed and not the construction plans.

Mr. Bitar understands from the Zoning Official, the variance is required because of the 4' 1" set-back on the existing and the requirement is 7'.

Mr. DeMarrais stated the house is being expanded and that requires a variance even if you remain within the footprint.

Mr. Cathcart asked Mr. Bitar if he was adding to the back and going up in the front. There is no expansion in the front and you are going out in the back. Mr. Bitar responded yes, there will be no overhang in the front.

Mr. DellaFave stated he is increasing the footprint by going out in the back.

Mr. DeMarrais referred to the Zoning Officials memo and spoke about Paragraph 5 refers to an "L" shaped extension, there is no 2nd floor extension in the back. Are you expanding the second floor in the back? Mr. Bitar said yes.

Mr. Alberque, your building a second floor on the front and two stories on the back. Mr. Bitar said yes, in the back it will be two stories in the back and will build on top of the bathroom in the back.

Mr. DeMarrais, the footprint of the house is expanding. Mr. Bitar yes, by about 6' x 9'.

Mr. Cathcart stated there will be no expansion in the front but an addition of 6' x 9' in the yard.

Mr. Cathcart asked how big is the yard? Mr. Bitar stated approximately 40' x 43' from the edge of the bathroom.

Mr. Alberque stated the back of the house is about 33' from the property line. The house is being squared off. The only part the applicant is coming out is next to the stairs, 6' x 9', in the back of the house.

Mr. Cathcart asked if there were any questions.

Mr. Bitar stated he wants to expand the house because the house is getting tight for his family.

Mr. DellaFave stated the confusion is that normally the Board is given plans showing what will be done with the "L" shape and in the back on the addition and we only have plans with darkened areas. Mr. DellaFave understands the front but the blackened areas are confusing.

Mr. Cathcart asked Mr. Bitar you are not violating any height requirements and in the back you are going up 9' and squaring the house. You are adding to the front up and adding to the back by 9' and going up two stories. You are basically squaring off the house.

Mr. Bitar yes.

Mr. Alberque asked if Mr. Bitar would be going out any further than the bathroom in the back. Mr. Bitar stated no.

Mr. DeMarrais stated the house is being expanded by about 1'2" in the new area in the back.

Mr. Alberque asked if the back of the house will have a 1' foot overhang.

Mr. Bitar said yes, it will be the roof overhang and the gutter line. It is not the wall.

Mr. DellaFave asked are you overhanging over the second floor. Mr. Bitar yes, by 1'.

Mr. Alberque stated the footprint of the building is increasing. Mr. Bitar answered yes by 1' or less than 100 sq. feet.

Mr. Orth asked if the second floor will have 3 bedrooms just larger and a walk in closet in the back. Mr. Bitar stated yes.

Mr. DeMarrais stated the second floor dimensions on A52 indicate a rectangular bedroom. The dining room is not, will you keep the outline of the dining room and square off the roof. Mr. Bitar said the dining room does bump out and the second floor bedroom does not, so no.

Mr. Bitar explained the dotted lines represent the roof line and not a wall in the back.

Mr. Miele explained there is still a 1'2" overhang beyond the 6'.

Mr. Bitar explained the 6' is coming 1' beyond the existing bathroom wall.

Mr. Cathcart asked the Board if everyone understand there is a 1'6" overhang. Yes.

Case will be set aside for the work session.

The case was opened to the public within 200' in favor. No one appeared.
The case was opened to the public outside 200' in favor. No one appeared.
The case was opened to the public within 200' opposed. No one appeared
The case was opened to the public outside 200' opposed. No one appeared

***The Chairman announced there is (1) new case to be heard.**

Case #1484 180 Hobart Street Block 111/Lot 12 Variance

Mr. Cathcart stated taxes are current and noticing ran in the Bergen Record on February 7, 2013.

Mr. Carl Melillo was sworn in and represented himself.

Mr. Melillo explained to the Board he is requesting a Variance to construct a three car garage on his property at 180 Hobart Street. There was a garage there at one time but was removed.

There are two sheds on the property currently. There are two houses and a dual use building on the property. The dual use was grandfathered.

Mr. DeMarrais questioned the plans show two doors and you're requesting a three car. Mr. Melillo explained there may be a carriage door on the left. Mr. Melillo stated the third door will not change the footprint and referred to SK 1 of 7. The third door will be located on the northeast side. The existing doors will not face the street.

Mr. DellaFave asked the size of the carriage door. Mr. Melillo responded 6' x 8'.

Mr. Alberque asked if the height will be 20'. Mr. Melillo yes.

Mr. DellaFave asked the height will be up 20'. Mr. Melillo stated yes, they are requesting an additional 4' of storage.

Mr. Cathcart asked about utilities. Mr. Melillo stated yes there will be electricity. It will only be used as a garage and additional storage.

Mr. Cathcart asked the Board for questions. Mr. Orth asked if the Village will lose a parking spot for the driveway. Mr. Melillo said no, it will not interfere with the current parking.

The case was opened to the public within 200' in favor. No one appeared.

The case was opened to the public outside 200' in favor. No one appeared.

The case was opened to the public within 200' opposed. No one appeared

The case was opened to the public outside 200' opposed. No one appeared

Work Session.

Board returned from work session.

Case #1484 58 Hille Place Approved as presented.

Motioned by Mr. Orth Seconded by Mr. DellaFave

Roll Call: Cathcart, DellaFave, Miele, Alberque, Orth

Case #1486 – 180 Hobart Street Approved as presented.

Motioned by Mr. Alberque Seconded by Mr. Miele

Roll Call: Cathcart, DellaFave – abstain, Miele, Alberque, Orth

Mr. Alberque motioned to adjourn meeting. Mr. DellaFave seconded.

Meeting adjourned at 9:07 p.m.

(Note: Please refer to the Transcription of the February 19, 2013 meeting for the rest of the minutes.)

Respectfully submitted,

Francine Orovitz