

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

Minutes of Regular Meeting
March 21, 2006

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 16th day of December, 2005.

Roll Call: Present: Messrs. Cathcart, Morton, McCormack, Vorhees, DellaFave,
MacNeill, Wohlrab, & Ms. Perrotta
Absent: Mr. Spontak

A motion was made to approve the minutes of the February 21, 2006 meeting as prepared; all in favor.

Correspondence:

- Permit Fee and Certificate Log Reports for February 2006
- Copy of Minutes of Planning Board dated January 9, 2006
- Letter from attorney DeMarrais, re: hiring of expert for Nextel case
- Notice from Borough of Little Ferry, re: amendments to Little Ferry's residential zone ordinances
- Notice from Bergen County Bar Association, re: land use committee symposium
- Report from Bernard Nelson, Cerberus Consulting Corp, re: Nextel
- From Gregory Czura, requesting Nextel case to be carried to April.
- From Board Attorney DeMarrais to Mr. Czura, requesting resolutions or corporate approvals from Camelot Corporation for the Nextel application.
- From Mr. Czura to attorney DeMarrais with attachments, regarding approvals from Camelot Corporation for the Nextel application
- Correspondence from St. Francis School, re: Nextel
- Civil Action Complaint from Coastal Outdoor Advertising, filed in Superior Court of NJ

Resolutions for the following cases approved at the February 21, 2006 meeting were read into the record. Copies are attached:

- CASE # 1380 – FOX MARKETING, Block 63, Lot 5 – 20 Paulison Avenue.
Approval was subject to conditions as outlined in the resolution.
- CASE # 1381 - HOSSEINI, Block 16.01/Lot 3 – 429 Main Street

CASE # 1383 – YEAGER/FERREIRO, Block 46, Lot 18 – 126 Paulison Avenue.
Approval was subject to conditions as outlined in the resolutions.

The Chairman read the Rules of Procedure.

The Chairman announced that there are two (2) cases set for hearing:

CASE # 1374 – NEXTEL, Block 75, Lots 3 & 4 – 239 Main Street (continued)

The Chairman announced that the attorney for Nextel has requested that the case be carried to next month, without need to renotice or republish. The Chairman announced to all interested parties present that Case # 1374 would be carried to the April meeting.

CASE # 1379 – KONTOGIANNIS, Block 79.01/Lot 19 – 153 Poplar Street

An application for a variance to reconstruct a one-family dwelling located at 153 Poplar Street, Block 79.01, Lot 19, in an R-1 Zone.

The Chairman read the denial letter from the Zoning Officer. The Chairman was presented with proof of taxes paid, notice to property owners and publication. The applicants were represented by Albert Birchwale, Esq. The applicant, Sotirios (“Steve”) Kontogiannis, was sworn in. He testified that he and his family have been living in at 153 Poplar Street for 25 years. Currently, they are living at 48 Gordon Street, because they received a permit to renovate the house and put on an addition last November. However, the house is nearly 100 years old, and when construction began, the foundation was unstable and the structure collapsed. They wish to rebuild a one-family home. They like the town and want to stay.

The architect, Vassilio Cocoros, was sworn in. The Chairman accepted his credentials. The architectural drawings for the proposed dwelling were marked Exhibit A-1 (all five pages). Mr. Cocoros explained that the applicants wished to reconstruct their new home on the footprint of the old building, plus an addition – as had been approved by the building department last fall. Mr. Cocoros explained that the only variance they need is for front yard setback. They want to keep to the previous home’s footprint with a 7.9 foot setback, rather than moving it back to a 20 foot setback (which would mean no variances required). Why? There is a pre-existing detached garage at the rear of the property. If they move the house back to meet the 20 foot setback requirement, it would get too close to the garage, and accessing the garage would be difficult. Also, due to the sloping nature of the lot at the rear, moving the house back to the setback requirement would cause many difficulties in construction, to deal with the change in elevation.

Exhibit A-2 was introduced: a site plan of the proposed construction, with distances shown to structures on adjoining lots, which had been requested by the Board. Mr. Cocoros showed that the requested setback of the proposed house would place it in line with the neighbor’s existing home.

The Board questioned the height, and the architect testified that a height variance is not needed. It complies with the current ordinance.

Mr. Birchwale explained that the applicants wish to build a one-family home, which will be owner-occupied. They wish to remain in the town. They had secured approvals last fall. Because the foundation was bad and the structure collapsed, they then had to apply for a variance to build the new home at the same setback as the old one.

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

The Board went into work session at 8:45 pm and returned with the following decision:

Case # 1379 - Kontogiannis

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

The resolution will be memorialized at the next meeting.

Roll Call:	Mr. Cathcart – Yes	Mr. Morton – Yes
	Mr. McCormack – Yes	Mr. Vorhees – Yes
	Mr. MacNeill - Yes	Mr. Wohlrab - Yes
	Mr. DellaFave - Yes	

The meeting was adjourned at 9:05 pm.

Respectfully submitted,

Linda Quinn
Secretary

TAPE # 449