

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

Minutes of Regular Meeting
April 29, 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 14th day of April 2008.

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

A motion was made by Mr. DellaFave, and seconded by Mr. Voorhees, to accept the minutes of the March 18, 2008, meeting as prepared, all in favor.

Correspondence:

Historic Preservation Commission — February 2008 minutes
Notice from Teaneck Municipal Clerk, re: Ordinance #4062
Letter from Boswell Engineering, re: Case #1427
Letter from Board Attorney, re: Shaker vs. Ridgefield Park
Notice from NJ DCA, re: mandatory training for board members
Building Dept Certificate of Compliance & Occupancy & Permit Fee Logs — Feb. 2008

The Chairman announced that there were two applications to be heard at the meeting as well as one resolution from the previous month to be read and that one case will be carried to the next month at the request of the applicant.

Case #1425 Block 23, Lot 17—22 Gordon St — JACK (carried from March meeting)
Case #1426 Block 57, Lot 1 —65 Railroad Ave — Olson/Kelly
Case #1428 Block 133.01, Lots 4 & 7— E. Winant & Hille — J&M Builders (carried to May meeting per applicant's request with no need to re-notice)

Memorialization of resolution for:

Case #1427 Block 88/Lot 15—172 Main St. — RIALTO (approved at March meeting)

The Chairman read the Rules of Procedure.

Case #1427 Block 88/Lot 15—172 Main St. — RIALTO (approved at March meeting)

Cheryl Perrotta read the resolution for this application. After reading, a short discussion was held on some language changes. Members of the Board questioned the use of the term “mini mall” and requested that it be changed to “multi-use facility”. The resolution will also be changed to read “7” units” since there is one office that can only be accessed through another unit. Attorney DeMarrais amended the resolution to include these changes. A motion was made by Ms. Perrotta and seconded by Mr. DellaFave to approve the resolution as amended.

Roll Call:	Mr. Cathcart — Yes	Ms. Perrotta — Yes
	Mr. McCormack — Yes	Mr. Vorhees — Yes
	Mr. DellaFave — Yes	Mr. MacNeill — Yes
	Mr. Wohlrab — Yes	

Case #1425 Block 23/Lot 17—22 Gordon St — JACK (carried from March meeting)

This is a continuance of an application requiring a variance for maximum improved lot coverage to construct a two-story addition to the one-family dwelling at the premises located at 22 Gordon Street, Block 23, Lot 17, in an R-2 Zone, on the Tax Map of Ridgefield Park.

The applicant, Barbara Doyle Jack, was sworn in and proof of service, taxes paid and proof of publication were previously provided to the Board. Mrs. Jack indicated that the original application called for habitable space on the third floor attic. Since being advised this is not permitted, she has revised her plans to remove the habitable space and simply use the attic as unfinished storage space. The Board had no questions on this revision. No one wished to be heard concerning this application. The case was held over for work session.

Case #1426 Block 57/Lot 1 —65 Railroad Ave — Olson/Kelly

The applicant, Robert Olson, was sworn in. The Board was provided with proof of service, taxes paid, and proof of publication. Attorney DeMarrais stepped down as he had previously done some legal work for Mr. Olson. Attorney Dorgan took over at this time.

Mr. Olson testified that Pat Kelly is the owner of 65 Railroad Avenue and over the past 23 years of ownership there have been various changes of tenants. All the previous businesses have been granted a CO from the Building Dept. and have gotten the necessary fire permits, inspections, etc. All occupancies have been approved by the Building Dept. in the past. Mrs. Kelly is trying to rent out the empty space. She is not trying to change anything that has been there for the past 23 years. All current tenants are permitted business to the best of Mr. Olson’s knowledge and have a CO for their business. There are less employees and parking now than with the original business. They plan to stay as four tenants but were told by the Building Dept. that they needed a variance.

The Zoning Board said it did not understand the wisdom behind asking for a variance after 23 years operating without one but in the interest of moving forward, will grant a variance so the building owner will never require one in the future.

The case was opened to the public:

Within 200' feet in favor of the application — no one wished to be heard

Within 200' feet against the application, the following appeared:

Stanley Hull was sworn in and asked a few questions. He had a concern since he lives on Fifth Street and it is already hard to park due to other businesses on Railroad Avenue. Originally he was under the impression that tenants might mean residential but was assured the building would remain as is and not add to the parking congestion in front of his house. Mr. Hull was satisfied with the response from the Board.

Outside 200' either in favor or opposed — no one appeared

The Board held this application over for work session.

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

Case #1425 Block 23, Lot 17 — 22 Gordon St — JACK (carried from March meeting)

A motion was made by Mr. DellaFave and second by Mr. Cathcart to approve the application with the revisions.

Roll Call:	Mr. Cathcart - Yes	Ms. Perrotta — Yes
	Mr. McCormack — Yes	Mr. Vorhees — Yes
	Mr. DellaFave — Yes	Mr. MacNeill — Yes
	Mr. Wohlrab — Yes	

Attorney DeMarrais had a resolution prepared, which was read by Cheryl Perrotta.

Case #1426 Block 57, Lot 1 — 65 Railroad Ave — Olson/Kelly

A motion was made by Mr. Vorhees and seconded by Mr. Cathcart to approve the application.

Roll Call:	Mr. Cathcart — Yes	Ms. Perrotta — Yes
	Mr. McCormack — Yes	Mr. Vorhees — Yes
	Mr. DellaFave — Yes	Mr. MacNeill — Yes
	Mr. Wohlrab — Yes	

The resolution will be memorialized at the next meeting.

The meeting was adjourned at 8:45 pm

Respectfully submitted,

Barbara DeLuca
Acting Secretary

Tape # 501