

Item #2

Case #Z-2009-02
38 Fairview Avenue
(Block 704/Lot 10)

Applicant: Viray I, LLC
Representation: Edna Jordan, Esq.

The applicant is seeking Use Variance (Floor Area Ratio) and Bulk Variance Relief for the construction of an as-built single-family residence; the application stems from the “Final As-Built Survey” being denied by the Zoning Officer; the application was received January 26, 2009 and scheduled for the February 25, 2009 Work Session; the application was perfected and, pending the Board’s receipt of requested items and public noticing requirements, scheduled for the April 15, 2009 Hearing; due to the Board’s heavy caseload, the applicant requested a postponement to the May 20, 2009 Hearing, at which time and due to the Board’s heavy caseload, the Board granted the applicant an appearance before it at the May 27, 2009 (Special) Hearing; testimony by the applicant’s witnesses was essentially completed and the application, pending the Board’s receipt of requested items, was adjourned to the ***June 17, 2009 Hearing.***

.....

Item #3

Case #Z-2008-28
249 Knickerbocker Road
(Block 908/Lot 1)

Applicant: Karen Seagaard
Representation: Victor Brown, Esq.

The applicant is appealing the determination of the Zoning Officer which denied an application for 2-family use ratification; in the alternative, the applicant would seek a Use Variance; the application was received December 19, 2008 and scheduled for the January 28, 2009 Work Session; the application was perfected and, pending the Board’s receipt of requested items and public noticing requirements, scheduled for the March 18, 2009 Hearing; the applicant requested a postponement to the April 15, 2009 Hearing; due to the applicant’s scheduling conflicts, the application was postponed to the ***June 17, 2009 Hearing.***

.....

Item #4

Case #Z-2008-12
35 John Street
(Block 1203/Lot 7)

Applicant: Robert Armaniaco
Representation: Stuart Liebman, Esq.

The applicant is appealing the determination of the Zoning Officer that the existing outdoor commercial vehicle storage on a residential property is not permitted; in the alternative, the applicant would seek a Use Variance for said existing condition; the application was received May 20, 2008 and was scheduled for the June 25, 2008 Work Session; due to documentation not being received prior to the deadline, the application was postponed to the July 23, 2008 Work Session and again, to the August 27, 2008 Work Session; the application was perfected and, pending the Board’s receipt of requested items and public noticing requirements, scheduled for the September 17, 2008 Hearing; the applicant postponed to the October 15, 2008 Hearing, December 17, 2008 Hearing and, again, to the January 21, 2009 Hearing; the

applicant's request to get direction on how to proceed, via the outcome of the 63 John Street application (Case #Z-2008-21), was granted by the Board; due to the slow progression being made with regards to the 63 John Street application, the applicant requested to be scheduled, pending receipt of public *re-noticing* requirements, for the **June 17, 2009 Hearing**.

.....

Item #5

Case #Z-2008-13
49 John Street
(Block 1203/Lot 5)

Applicant: James Crimmins
Representation: Stuart Liebman, Esq.

The applicant is appealing the determination of the Zoning Officer that the existing outdoor commercial vehicle storage on a residential property is not permitted; in the alternative, the applicant would seek a Use Variance for said existing condition; the application was received May 20, 2008 and scheduled for the June 25, 2008 Work Session; due to documentation not being received prior to the deadline, the application was postponed to the July 23, 2008 Work Session and again, to the August 27, 2008 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the September 17, 2008 Hearing; the applicant postponed to the October 15, 2008 Hearing, December 17, 2008 Hearing and, again, to the January 21, 2009 Hearing; the applicant's request to get direction on how to proceed, via the outcome of the 63 John Street application (Case #Z-2008-21), was granted; due to the slow progression being made with regards to the 63 John Street application, the applicant requested to be scheduled, pending receipt of public *re-noticing* requirements, for the **June 17, 2009 Hearing**.

.....

Item #6

Case #Z-2009-06
14 Maplewood Road
(Block 2407/Lot 4)

Applicant: Augustine & Deborah Lancellotti
Representation: Self

The applicants are seeking Variance Relief for the installation of an on-grade patio; the application was received April 9, 2009 and scheduled for the April 22, 2009 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the May 20, 2009 Hearing; due to the Board's heavy caseload, the application was postponed to the **July 15, 2009 Hearing**.

.....

Item #7

Case #Z-2008-24
185 Closter Dock Road
(Block 1302/Lot 28)

Applicant: George Futterknecht
Representation: Jennifer Knarich, Esq.

The applicant originally-sought Use Variance Relief to continue conducting a commercial enterprise (landscaping business/storage) on a property also used as a residence and located in

District #3 (Business); the application was received August 22, 2008 and scheduled for the September 24, 2008 Work Session; the application was perfected and scheduled for the October 15, 2008 Hearing; the applicant requested postponements to the November 17, 2008, January 21, 2009 and, ultimately, the February 18, 2009 Hearing; the applicant was referred back to the Subcommittee so an amended application, received April 15, 2009 and now including Site Plan Review, can be reviewed for completeness at the April 22, 2009 Work Session; the application was, for a 2nd time, perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the May 20, 2009 Hearing; testimony from the applicant's engineer continued and the application, pending the Board's receipt of requested items, was adjourned to the **July 15, 2009 Hearing.**

.....

Item #8

Case #Z-2009-07
459 High Street
(Block 1315/Lot 4)

Applicant: Albert Giannotti
Representation: David Watkins, Esq.

The applicant is seeking both Use and Bulk Variance Relief (no construction being proposed) for the continuation of a 2-family use at the subject property; the application was received April 23, 2009 and scheduled for the May 27, 2009 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the **July 15, 2009 Hearing.**

.....

Item #9

Case #Z-2009-08
186 Harrington Avenue
(Block 803/Lot 12)

Applicant: Alexander Guerra
Representation: Self

The applicant is seeking Variance Relief (building height only) for the construction of a new single-family residence *already in progress*; the application was received April 28, 2009 and scheduled for the May 27, 2009 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the **July 15, 2009 Hearing.**

.....

Item #10

Case #Z-2009-09
254 Demarest Avenue
(Block 913/Lot 3)

Applicant: Robert Wermert
Representation: Joseph Mecca, Esq.

The applicant is seeking both Use and Bulk Variance Relief (no construction being proposed) for the continuation of a 2-family use at the subject property; the application was received May 4, 2009 and scheduled for the May 27, 2009 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the **July 15, 2009 Hearing.**

.....

Item #11

Case #Z-2008-21
63 John Street
(Block 1203/Lot 2)

Applicant: Dennis Wiggers
Representation: Donna Vellekamp, Esq.

The applicant is seeking Use Variance Relief to continue conducting a commercial enterprise (contractor's yard) on a residential property; the application was received July 15, 2008 and scheduled for the August 27, 2008 Work Session; the application was perfected and, pending the Board's receipt of requested items and public noticing requirements, scheduled for the September 17, 2008 Hearing; the applicant requested postponement to the October 15, 2008 Hearing; due to the Board's heavy caseload, the applicant, having presentation in-progress, was adjourned to the December 17, 2008 Hearing; due to a scheduling conflict with the applicant's professional planner, counsel asked to postpone the continuation of their case to the January 21, 2009 Hearing; the applicant was referred back to the Subcommittee so that an amended application, which will now include Site Plan Review, could be perfected at a **yet-to-be-determined Work Session date.**

.....

Item #12

Case #Z-2008-06
170 & 176 Closter Dock Road
(Block 1301/Lots 10 & 11)

Applicant: Desan Enterprises, Inc.
Representation: David Watkins, Esq.

The applicant is seeking Conditional Use Variance and Site Plan Approvals for the conversion of office space to residential apartment units; the application was received January 30, 2008 and reviewed by the Planning Board Minor Site Plan Subcommittee, which referred it to the full Planning Board for Site Plan Approval; the Planning Board Attorney and Engineer determined that said application should be heard by the Zoning Board of Adjustment; the application was reviewed on February 27, 2008 and perfected on March 26, 2008; a hearing date was scheduled for April 16, 2008, at which time it was adjourned to the May 21, 2008 Hearing; the applicant requested postponement to the September 17, 2008 Hearing and then asked for the application to be carried to the October 15, 2008 Hearing and again to the November 17, 2008 Hearing; all testimony and cross-examinations were completed; written summations, prepared by counsel for both the applicant and objector, were submitted as per the Board; at the December 17, 2008 Hearing, the Board approved a request for bifurcation, following with an approval of the 1st part of a now 2-pronged application, Use Variance Relief; a revised site plan was submitted as per the Board allowing for the 2nd part of the application, Site Plan Approval, to be discussed at the January 21, 2009 Hearing; the applicant requested a postponement to the February 18, 2009 Hearing, and again, to the March 18, 2009 Hearing; testimony was adjourned to the April 15, 2009 Hearing; the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**

.....

Item #13

Case #Z-2008-27
23 Storig Avenue
(Block 803/Lot 18)

Applicant: Orlando Tobia
Representation: Judith Reilly, Esq.

The applicant is seeking Use Variance Relief (no construction being proposed) for the continuation of a 2-family use at the subject property; the application was received December 19, 2008 and scheduled for the January 28, 2009 Work Session; the application was perfected and, pending the Board’s receipt of requested items and public noticing requirements, scheduled for the March 18, 2009 Hearing; an addendum to the application (consisting of an Interpretation request) was received March 12, 2009; the applicant requested a postponement to the April 15, 2009 Hearing; all testimony was completed, however, a Board vote was carried, due to the presence of <7 voting members, to the May 20, 2009 Hearing; the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**

.....

Item #14

Case #Z-2008-17
9 Ranch Lane
(Block 2402/Lot 2)

Applicant: Terrance Allen
Representation: Alain Mulkay, Esq.

The applicant is seeking Variance Relief for an as-built reflective pond and patio; NOTE: due to a decision by the Superior Court of New Jersey (see Docket #BER-L-6892-07) to vacate a prior Variance Approval granted by the Board for the attempted construction of a reflective pond and patio, the applicant has been compelled to re-apply for the now as-built project because the Court’s decision required the matter be remanded to the Board; the application was received July 2, 2008 and scheduled for the July 23, 2008 Work Session; the application was deemed incomplete and referred to the August 27, 2008 Work Session; due to documentation not being received prior to the deadline, the application was postponed to the October 22, 2008 Work Session, at which time, it was perfected; the application was scheduled for the January 21, 2009 Hearing, however, due to the Board’s heavy caseload, the applicant requested a postponement to the February 18, 2009 Hearing and again, to the May 20, 2009 Hearing; the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**

.....

I. Adjournment of Hearing

.....