

The applicant is seeking Use Variance and Site Plan (Major) Approvals for the continuation of an existing contractor's yard operation located in District #2 (Residential); the application was received August 14, 2009 and scheduled for the August 26, 2009 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the November 16, 2009 Hearing; due to the Board's heavy caseload, the application was postponed to the December 16, 2009 Hearing, April 21, 2010 Hearing, May 19, 2010 Hearing, June 16, 2010 Hearing, July 21, 2010 Hearing and, again, to the **August 18, 2010 Hearing**.

Item #2

Case #Z-2010-08
95 Robinhood Avenue
(Block 704/Lot 15)

Applicant(s): Frank & Imma Rotondo
Representation: Selves

The applicants are seeking Bulk Variance Relief for a driveway expansion at their residence; the application was received July 12, 2010 and scheduled for the July 28, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **August 30, 2010 (Special) Hearing**.

Item #3

Case #Z-2010-09
251 Parsells Lane
(Block 2304/Lot 16)

Applicant(s): Phillip & Sung Kwon
Representation: Elliot Urdang, Esq.

The applicants are seeking Bulk Variance Relief for the construction of an in-ground swimming pool and patio at their newly-constructed residence; the application was received July 21, 2010 and scheduled for the July 28, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **August 30, 2010 (Special) Hearing**.

Item #4

Case #Z-2010-10
1 Ruckman Road
(Block 1306/Lots 1 & 2)

Applicant(s): Joong Kim (et al)
Representation: David Watkins, Esq.

The applicant is seeking Amendment Approval to a previously-approved Board application (Case #Z-2007-11) whereby a Use Variance and Site Plan (Major) Approval were granted for both the construction of a new office building and renovation of an existing office/warehouse; the application was received July 21, 2010 and scheduled for the July 28, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **August 30, 2010 (Special) Hearing**.

Item #5

Case #Z-2009-15
9 First Street
(Block 1707/Lot 1)

Applicant(s): James & Glynis Dolan
Representation: Andrew Kohut, Esq.

The applicants are seeking an Interpretation of Zoning Ordinance(s) for the continuation of a 2-family use at the subject property; in the alternative, they would seek a Use Variance; the application was received September 1, 2009 and scheduled for the September 23, 2009 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the November 16, 2009 Hearing; due to the Board's heavy caseload, the application was postponed to the January 20, 2010 Hearing, April 21, 2010 Hearing, May 19, 2010 Hearing, June 16, 2010 Hearing, July 21, 2010 Hearing, August 18, 2010 Hearing and, again, to the **September 15, 2010 Hearing**.

Item #6

Case #Z-2010-05
85 Chestnut Avenue
(Block 2401/Lot 1)

Applicant(s): Woo Kum Kang
Representation: Rose Tubito, Esq.

The applicant is seeking Bulk Variance Relief for the construction of an addition and deck to 1 of the 2 existing single-family houses situated on her property; <NOTE: due to a decision by the Superior Court of New Jersey- Bergen County Law Division (see Docket #BER-L-7807-05) reversing a prior Board decision to uphold an Appeal of the Zoning Officer's determination of said project, the applicant is entitled, as per the Court's order, to pursue a new application to the Board strictly for Bulk Variance Relief (a Use Variance, the Court has determined, is not required)>; the application was received March 9, 2010 and scheduled for the March 24, 2010 Work Session, at which time, it was deemed incomplete; the applicant was required to re-appear before the Subcommittee and scheduled, pending the Board's receipt of requested items, for the April 28, 2010 Work Session; being the applicant did not file requested items by the deadline, the case was postponed to the May 26, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the July 21, 2010 Hearing; due to the Board's heavy caseload, the application was postponed to the August 18, 2010 Hearing and, again, to the **September 15, 2010 Hearing**.

Item #7

Case #Z-2010-07
24 Yale Place
(Block 2004/Lot 7)

Applicant(s): Estate of Rudi & Gertrude Mitschke
Representation: David Watkins, Esq.

The applicant is appealing the determination of the Zoning Officer as to whether or not the subject property and 25 Yale Place (known as Block 2004/Lot 6 and located on the same side of the street even though it has an odd number as its address) are either legally-merged or separate lots; NOTE #1: the applicant's objective is to construct a new single-family house on the subject lot; NOTE #2: it is the position of the Zoning Officer that, due to a lack of documentation on the merger question, the Board has jurisdiction on the application; NOTE #3: the applicant argues the subject property was purchased by the deceased from the Borough in 1951 as a separate/buildable lot and that a merging of the 2 adjacent parcels of land was never the

intention of either the grantor or grantee; the application was received May 21, 2010 and scheduled for the June 23, 2010 Work Session; since neither the applicant nor counsel were in attendance, the Subcommittee rescheduled the case for the July 28, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **September 15, 2010 Hearing**.

Item #8

Case #Z-2010-11
531 Durie Avenue
(Block 1312/Lot 23)

Applicant(s): Steven Panagi
Representation: Donna Vellekamp, Esq.

The applicant is seeking a Use Variance for the continuation of a 2-family use at the subject property; the application was received August 4, 2010 and scheduled for the **September 22, 2010 Work Session**.

Item #9

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

Applicant(s): James Crimmins
Representation: Stuart Liebman, Esq.

The applicant is seeking a Use Variance for the continuation of an existing contractor's yard operation located in District #2 (Residential); 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 by the Board; due to the slow progression being made with regards to the 63 John Street application *<said application has since been dismissed without prejudice by the Board and re-filed by the applicant>*, the applicant requested to be scheduled, pending receipt of public *re-noticing* requirements, for the June 17, 2009 Hearing; due to both the Board's heavy caseload and scheduling conflicts with the applicant's planner, the applicant requested a postponement to the September 16, 2009 Hearing; due to the Board's heavy caseload, it granted the applicant an appearance at the November 2, 2009 (Special) Hearing, at which time, it was postponed to the December 16, 2009 Hearing and, again, to the January 20, 2010 Hearing; due to a scheduling conflict with the applicant, the case was postponed to the March 17, 2010 Hearing; the applicant opted to forgo bifurcation and filed an addendum for Site Plan Review as part of his application, requiring *re-perfection* and, therefore, the case was referred back to the Subcommittee for completeness review at the March 24, 2010 Work Session; the addendum for Site Plan (Major- Preliminary/Final) Review was perfected and scheduled, pending the Board's receipt of requested items, for the April 21, 2010 Hearing; due to the Board's heavy caseload, the application was postponed to the May 19, 2010 Hearing; direct testimony and questioning of the applicant and his engineer was completed, the case was adjourned to the June 16, 2010 Hearing and, subsequently, the applicant requested a postponement to the July 21, 2010 Hearing; the

application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**