



Zoning Board of Adjustment

REORGANIZATION & HEARING (AGENDA)

Wednesday, January 19, 2011 @ 8:00pm

- A.) Opening Remarks
- B.) Pledge of Allegiance
- C.) *Reorganization for 2011:*
 - 1.) Oaths of Office
 - a.) *Steven Freesman, Esq.* (Full Member)
4-Year Term Expires: December 31, 2014
 - b.) *Antranig Ouzoonian, PE* (Full Member)
4-Year Term Expires: December 31, 2014
 - c.) *Thomas Hennessey* (Alternate #1)
2-Year Term Expires: December 31, 2012
 - d.) *Andrew Shyong, DDS* (Alternate #3)
2-Year Term Expires: December 31, 2012
 - e.) *Arthur Dolson* (Council Liaison)
1-Year Term Expires: December 31, 2011
 - 2.) Election of Officers
 - a.) *Chairman*
 - b.) *Vice Chairman*
 - c.) *Secretary*
 - 3.) Appointment of Professionals
 - a.) *Attorney*
 - b.) *Engineer*
 - 4.) Adoption of Meeting Dates/Deadlines
 - 5.) Adoption of Application Fee Schedule

Item #2*Taxes:* 3rd Quarter (2010)*Newspaper:* n/a*200' List:* n/a

Case #Z-2010-13
 268 West Street
 (Block 904/Lot 9)

Applicant(s): Rita Dalto
 Representation: David Watkins, Esq.

The applicant is seeking a Use Variance for the continuation of a 2-family use at the subject property; the application was received October 12, 2010 and scheduled for the **January 26, 2011 Work Session**.

Item #3*Taxes:* 4th Quarter (2010)*Newspaper:* n/a*200' List:* n/a

Case #Z-2010-15
 24 Naugle Street
 (Block 1302/Lot 4)

Applicant(s): David & Elena Hansen
 Representation: Elliot Urdang, Esq.

The applicant originally sought a Use Variance only for the continuation of an existing contractor's yard operation located in District #3 (Business); the application was received October 18, 2010 and scheduled for the November 22, 2010 Work Session; since neither the applicant nor counsel were in attendance, the Subcommittee rescheduled the case for the January 26, 2011 Work Session; the applicant subsequently filed an addendum seeking Site Plan (Major) Approval, which was received January 13, 2011 and incorporated into the original application scheduled for the **January 26, 2011 Work Session**.

Item #4*Taxes:* 4th Quarter (2010)*Newspaper:* n/a*200' List:* n/a

Case #Z-2011-01
 49 Colgate Street
 (Block 2006/Lot 4)

Applicant(s): Yuval & Sarit Ron
 Representation: Selves

The applicants are seeking Bulk Variance Relief for the construction of an garage addition and driveway expansion at their residence; **NOTE:** a construction project, consisting of a separate addition as well as a front portico and deck, is currently underway on-site, all of which has received Building Department approval; the application was received January 4, 2011 and scheduled for the **January 26, 2011 Work Session**.

Item #5*Taxes:* Not Certified*Newspaper:* n/a*200' List:* n/a

Case #Z-2011-03
 211 Irving Avenue
 (Block 1901/Lot 4)

Applicant(s): Greenbough, LLP
 Representation: Walter Aurell, RA

The applicant is seeking Use Variance and Site Plan Approvals for the construction of an addition, deck and retaining wall to a private child daycare/school facility ("Lindgren Nursery School & Camp"); the application was received January 13, 2011 and scheduled for the **January 26, 2011 Work Session**.

Item #6*Taxes:* 4th Quarter (2010)*Newspaper:* n/a*200' List:* n/a

Case #Z-2011-04
 8 Wainwright Court
 (Block 2208/Lot 12)

Applicant(s): John Yuder
 Representation: Self

The applicant is seeking Bulk Variance Relief for the installation of an in-ground swimming pool (spa and waterfall inclusive) at his residence; the application was received January 13, 2011 and scheduled for the ***January 26, 2011 Work Session.***

Item #7*Taxes:* 4th Quarter (2010)*Newspaper:* 9/3/10*200' List:* 9/3/10

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; due to the Board's heavy caseload, the application was postponed to the October 20, 2010 Hearing, November 15, 2010 Hearing, December 15, 2010 Hearing and, again, to the January 19, 2011 Hearing; due to a scheduling conflict with the applicant's engineer, the application was postponed to the ***February 16, 2011 Hearing.***

Item #8*Taxes:* 3rd Quarter (2010)*Newspaper:* 12/3/10*200' List:* 12/2/10

Case #Z-2010-12
 237-241 Closter Dock Road
 (Block 1303/Lot 1)

Applicant(s): Mrs. Kubitis Realty, LLC
 Representation: David Watkins, Esq.

The applicant is seeking Use Variance and Site Plan Approvals for the construction of an addition and the conversion of existing office space to (3) residential units at the subject mixed-use building; the application was received September 8, 2010 and scheduled for the September 22, 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 December 15, 2010 Hearing; due to the Board's heavy caseload, the application was postponed to the January 19, 2011 Hearing; due to a scheduling conflict with the applicant's engineer, the application was postponed to the ***February 16, 2011 Hearing.***

Item #9*Taxes:* Not Certified*Newspaper:* Not Received*200' List:* Not Received

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, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the January 19, 2011 Hearing; due to the Board's heavy caseload, the application was postponed to the ***February 16, 2011 Hearing.***

Item #10*Taxes:* 4th Quarter (2010)*Newspaper:* Not Received*200' List:* Not Received

Case #Z-2010-14
 3 Lindemann Avenue
 (Block 608/Lot 7)

Applicant(s): Inga Grossman-Savitsky
 Representation: Thomas Izzard, Esq.

The applicant is seeking Amendment Approval, specifically, the removal of a deed restriction stipulated in a previously-approved Board application (Case #Z-1991-08), whereby Bulk Variance Relief was granted for the construction of an addition to her residence; the application was received October 15, 2010 and scheduled for the November 22, 2010 Work Session, at which time, it was perfected; pending the Board's receipt of public noticing requirements, the application was scheduled for the ***February 16, 2011 Hearing.***

Item #11*Taxes:* Not Certified*Newspaper:* n/a*200' List:* n/a

Case #Z-2010-16
 3-5 Harvey Street
 (Block 801/Lot 18)

Applicant(s): Lawrence Berler
 Representation: Michael Goodman, Esq.

The applicant is appealing the determination of the Zoning Officer as to the legality of the continuation of a 2-family use at the subject property; in the alternative, he would seek a Use Variance; the application was received December 29, 2010 and scheduled for the ***February 23, 2011 Work Session.***

Item #12*Taxes:* Not Certified*Newspaper:* n/a*200' List:* n/a

Case #Z-2011-02
 17 Bogert Street
 (Block 1710/Lot 7)

Applicant(s): Robert & Dolores Witko
 Representation: Selves

The applicants are seeking Bulk Variance Relief for the as-built driveway expansion at their residence; the application was received January 13, 2011 and scheduled for the ***February 23, 2011 Work Session.***

Item #13

Taxes: n/a

Newspaper: n/a

200' List: n/a

Case #Z-2009-14
63 John Street
(Block 1203/Lot 2)

Applicant(s): Dennis Wiggers
Representation: Donna Vellekamp, Esq.

The applicant is seeking Use Variance and Site Plan 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; being the applicant did not fulfill public noticing requirements, the application was carried to the September 15, 2010 Hearing; the applicant's direct testimony was completed and the case was adjourned to the October 20, 2010 Hearing; being the applicant did not file requested items by the deadline, the case was postponed to the November 15, 2010 Hearing; based upon unsatisfactory feedback from the Board, the applicant was granted a continuance and, pending the Board's receipt of modifications to the presented case, the application was adjourned to the December 15, 2010 Hearing; the application was denied by the Board; ***awaiting prepared Resolution by Board Attorney to memorialize.***