

**ZONING BOARD OF ADJUSTMENT
BOROUGH OF CLOSTER, NEW JERSEY**

**MINUTES OF THE REGULAR MONTHLY
MEETING**

Wednesday,
February 20, 2008
8:00 P.M.

Prepared and Submitted by:
Lynn Conway,
Land Use Clerk

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Wednesday,
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Mr. Bobby Knee, Chairman, called the Regular Monthly Meeting of the Zoning Board of Adjustment of the Borough of Closter, New Jersey held on Wednesday, February 20, 2008 in the Council Chambers of the Borough Hall to order at 8:04 P. M. He stated that the meeting was being held in compliance with the provisions of the Open Public Meetings Act of the State of New Jersey and had been advertised in the newspaper according to law. Mr. Knee advised that the Board adheres to an eleven o'clock curfew and no new matters would be considered after 11:00 P. M.

Mr. Knee invited all persons present to join the Board members in reciting the Pledge of Allegiance.

The following Board members and professional persons were present at the meeting:

Bobby Knee, Chairman
Joseph Bianco, AIA, PP
Denise M. Mattes, CLA
Jennifer Rothschild, Esq., Alternate No. 1
Francis Noh, Esq., Alternate No. 2
Mitchell Monaco, Alternate No. 3
Steven Iafrate, Alternate No. 4
Councilman Thomas Hennessey
Leonard Sinowitz, Zoning Officer
Michael B. Kates, Esq., Zoning Board Attorney
John Pacholek, P.E., Boswell McClave Engineering.
Lynn Conway, Land Use Clerk

The following Board members and professional persons were absent from the meeting:

Lorin Sonenshine, AIA, PP Vice Chairman
Steven Freesman, Esq. Secretary
Alan Maretic
Dr. Theodore West

Prior to the meeting, the members received copies of the correspondence for their review and comments.

Mr. Knee asked for comments on the January 16, 2008 minutes. A motion to approve was made by Mr. Bianco and seconded by Mr. Monaco. All members present and having attended that meeting voted in favor.

6. Work Session Subcommittee: Bobby Knee, Jennifer Rothschild and Steve Iafrate volunteered for the Work Session of February 27, 2008.

7. Open to the Public: There were none wishing to be heard.

8. Block 1306, Lots 1 & 2
1 Ruckman Road
Case No. Z-2007-11

Applicant: Jung Kim
Attorney: David Watkins

This site plan approval application was filed on March 29, 2007 and perfected on April 25, 2007. Hearing is scheduled for the May 16, 2007 Regular Monthly Meeting. Submissions were received on June 7, 2007 and November 30, 2007. Hearings began on January 16, 2008 and were adjourned to the February 20, 2008 Regular Monthly Meeting. David M. Watkins Esq., 285 Closter Dock Road, Closter, NJ 07624 appeared and requested postponement to the March 19, 2008 Regular Monthly Meeting. The Board granted the request.

9. Block 1905, Lot 1
7 Hickory Lane
Case No. Z-2007-29

Applicant: Seth & Susan Schwinger
Attorney: David Watkins

This appeal from zoning officer decision for a fence was filed on November 5, 2007 and deemed complete on November 26, 2007. Hearing is scheduled for the December 19, 2007 Regular Monthly Meeting. Submissions were received on December 4, 2007 and January 23, 2008. Applicant requests postponement to the March 19, 2008 Regular Monthly Meeting. David M. Watkins Esq., 285 Closter Dock Road, Closter, NJ 07624 appeared and stated that he had been prepared to proceed this evening with the engineer testifying but found out that his office had failed to notice the public and newspaper for the application. He stated that if the Board denies the request for extension, he will just end up filing again tomorrow and then the application will just be put off another three months. Ms. Mattes questioned why the application wasn't noticed in December when it was perfected. Mr. Watkins stated that it was because he wasn't going to notice until he was prepared to proceed with the application and he has been busy with another application that is scheduled the same time as our meetings. Mr. Watkins stated that it was his fault and not the Schwingers that the application was not noticed. Mr. Bianco made a motion to dismiss the application without prejudice for lack of prosecution. Ms. Mattes seconded the motion. She questioned whether there could be a stipulation that it has to be heard next month. Mr. Watkins stated that he would like it on the record that he will be here next month to present the application. Ms. Mattes withdrew her second to the motion and made a new motion that if the application is not started next month, it will be dismissed with prejudice. Mr. Iafrate seconded the motion. All members voted in favor except Mr. Bianco who voted against. The application was postponed to the March 19, 2008.

10. Block 2304, Lot 16
408 Anderson Avenue
Case No. Z-2007-30

Applicant: Diamond Engineers & Developers Inc.
Attorney: David Watkins

This variance approval application for new construction was filed on December 6, 2007 and perfected on December 19, 2007. Submissions were received on December 31, 2007, January 3, 2008 and February 5, 2008. Hearing was scheduled for the January 16, 2008. Applicant requests postponement to the February 20, 2008 Regular Monthly Meeting. David M. Watkins Esq., 285 Closter Dock Road, Closter, NJ 07624 appeared on behalf of the applicant and requested postponement to the March 19, 2008 Regular Monthly Meeting. The Board granted the request.

11. Block 601, Lot 24
187 Crescent Street
Case No. Z-2008-01

Applicant: Joseph Higgins
Attorney: Representing Himself

This variance approval application for an addition was filed on January 3, 2008 and deemed complete on January 23, 2008. Submissions were received on January 24, 2008. Joseph Higgins appeared and was sworn. He stated that he wanted to convert his Florida room to a kitchen and add about ten more feet to the right of it. Mr. Higgins stated that he had a sealed letter from Mr. Radick stating that an impervious coverage variance was not needed. A revised architectural plan prepared by Douglas Radick, R.A., 243 West Street, Closter, NJ with a revision date of December 19, 2007 was admitted into evidence and marked Exhibit A-1. The letter dated February 2, 2008 from Douglas Radick, 243 West Street, Closter NJ was admitted into evidence and marked Exhibit A-2. Mr. Bianco questioned Mr. Higgins on why he is doing the addition. Mr. Higgins stated that his mother thinks if he has a nicer house, he will find a wife. Mr. Bianco questioned whether the addition could be made smaller. Mr. Higgins stated that it couldn't be smaller because of the oil tank he is removing from underground and replacing with an above ground one. Mr. Higgins stated that he is adding a second bathroom and expanding the kitchen. The meeting was open to the public. There were none wishing to be heard. A motion to approve the application was made by Mr. Bianco and seconded by Ms. Rothschild. All members present voted in favor.

12. Block 2205, Lot 4
240 Anderson Avenue
Case No. Z-2008-02

Applicant: Makoto & Makiko Sato
Attorney: Representing themselves

This variance approval application for a portico was filed on January 8, 2008 and deemed complete on January 23, 2008. Submissions were received on January 30, 2008. Makoto and Makiko Sato were sworn. They stated that they are doing a garage addition, deck and portico at the same time. Ms. Sato stated that the only thing they need a variance for is the portico and it is for safety reasons like ice, snow and rain. She stated that they are 3.65 feet deficient in their front yard set back. A sheet of twelve black and white photos of houses from the surrounding area, some depicting porticos was submitted into evidence and marked Exhibit A-1. Ms. Sato explained the individual photos and also the three photos originally submitted. The meeting was open to the public. There were none wishing to be heard. A motion to approve the application was made by Ms. Rothschild and seconded by Ms. Mattes. All members present voted in favor.

13. Block 1407, Lot 8
31 Carlson Court
Case No. Z-2008-03

Applicant: Christiano & Bianca Pereira
Attorney: Representing themselves

This variance approval application for an addition was filed on January 10, 2008 and deemed complete on January 23, 2008. Submissions were received on February 6, 2008. This application was adjourned to the March 19, 2008 Regular Monthly Meeting.

Mr. Kates requested volunteers to form a subcommittee of three members to meet with him to draft the annual report. He stated that they can review the variances that were granted to see if there could be changes made to the ordinances. Mr. Kates also requested that Mr. Sinowitz join the subcommittee. Ms. Mattes, Ms. Rothschild and Mr. Knee will be on the subcommittee. The meeting will be held at 7:00 p.m. prior to the March 19, 2008 Regular Monthly Meeting.

Mr. Kates updated the Board on the Franco case which was on appeal from Mr. Rosenblum and Mrs. Franco was able to sell the home as a two family home so the appeal was withdrawn. Mr. Sinowitz is to change the required documents to a two family home. Mr. Kates stated that the Dalto case, which is Mr. Rosenblum again, is pending before Judge Harris.

There being no further business to come before this Board, a motion to adjourn was made by Ms. Rothschild, seconded by Ms. Mattes. The meeting adjourned at 9:34 P. M.

Land Use Clerk,
Lynn Conway