



Zoning Board of Adjustment

May 23, 2012

*****Special***
Hearing
(Minutes)**

Prepared by:

Paul Demarest

◇ **OPENING REMARKS** (Commenced at 8:09pm) ◇

◇ **PLEDGE OF ALLEGIANCE** ◇

◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman
Steven Freesman, Esq.- Vice Chairman
Antranig Ouzoonian, PE
Thomas Hennessey
Heena Dhorajia, EIT
Andrew Shyong, DDS- Alternate #1
Joan Marks- Alternate #3
Leonard Sinowitz- Zoning Officer
Michael Kates, Esq.- Board Attorney
Jeffrey Morris, PE- Board Engineer
Paul Demarest- Board Coordinator

Absent

Theodore West, DDS- Secretary
Mitchell Monaco
Evan Elias- Alternate #2
John Galluccio, Esq.- Alternate #4
Arthur Dolson- Council Liaison

◇ **MINUTES** ◇

A motion was made by Dr. Shyong and seconded by Mr. Ouzoonian, to approve the minutes for the February 29, 2012 (Special) Hearing. The motion passed (6-0-0):

YES- Marks/Shyong/Dhorajia/Hennessey/Ouzoonian/Bianco;

NO- n/a;

ABSTAIN- n/a;

◇ **OPEN TO THE PUBLIC** ◇

n/a;

◇ **CASELOAD** ◇

Case #Z-2011-17
TD Bank, NA
597 Piermont Road
(Block 1608/Lot 1)
District #1- Residential Area A

Case History

The applicant is seeking Use Variance and Site Plan Approvals for the construction of a new commercial/retail bank (detached drive-thru canopy inclusive) at the subject property; the application was received October 7, 2011 and scheduled for the October 26, 2011 Work Session, at which time, it was perfected; due to the Board's heavy caseload, the applicant was granted, pending the Board's receipt of requested items and public noticing requirements, an appearance at the January 25, 2012 (Special) Hearing; the applicant's engineer completed initial testimony and the case was adjourned, pending the Board's receipt of requested items, to the February 22, 2012 (Special) Hearing; the applicant's engineer completed subsequent testimony, its security expert completed initial testimony as did its architect and the case was adjourned, pending the Board's receipt of requested items, to the March 28, 2012 (Special) Hearing; the applicant's real estate expert completed initial testimony as did its planner (less Board and public questioning) and the case was adjourned to the May 23, 2012 (Special) Hearing.

Representation

- 1.) Paul Conciatori, Esq., Price, Meese, Shulman & D'Arminio, PC, 50 Tice Boulevard- Suite 380, Woodcliff Lake, New Jersey;

Witnesses

- #1: Richard Preiss, PP, Phillips, Preiss, Grygiel, LLC, 33-41 Newark Street- 3rd Floor/Suite D, Hoboken, New Jersey;
- #2: John Harter, PE, Atlantic Traffic & Design Engineers, Inc., 35 Technology Drive, Warren, New Jersey;

Exhibits

- BD-1:** sketch of development alternative (2 single-family houses) for subject site prepared by Chairman Bianco, dated May 23, 2012 and superimposed on page 5 of Exhibit A-4 (colorized version of pre-filed engineering plans prepared by Bohler Engineering Co., 35 Technology Drive, Warren, New Jersey dated September 28, 2011 and last revised February 9, 2012);
- A-8:** pre-filed traffic impact analysis prepared by Witness #2's firm dated September 29, 2011;

PLEASE REFER TO THE OFFICIAL TRANSCRIPT OF PROCEEDINGS PREPARED BY THE FOLLOWING FIRM RETAINED BY THE APPLICANT:

**Laura Carucci, CSR, LLC
Certified Court Reporters
PO Box 505
Saddle Brook, NJ 07663
201-641-1812
laccsr2@aol.com**

◇ **ADJOURNMENT OF HEARING** ◇

A motion was made by Dr. Shyong and seconded by Vice Chairman Freesman, to adjourn the meeting at 10:50pm. The motion passed by acclamation.
