



# **Zoning Board of Adjustment**

February 20, 2013

**Meeting**  
*(Minutes)*

Prepared by:

**Paul Demarest**

---

◇ **OPENING REMARKS** (Commenced at 8:02pm) ◇

---

◇ **PLEDGE OF ALLEGIANCE** ◇

---

◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman  
Steven Freesman, Esq.- Vice Chairman  
Theodore West, DDS- Secretary  
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  
Paul Demarest- Board Coordinator

Absent

Mitchell Monaco  
VACANT- Alternate #2  
John Galluccio, Esq.- Alternate #4  
Arthur Dolson- Council Liaison  
Jeffrey Morris, PE- Board Engineer

---

◇ **CORRESPONDENCE** ◇

Secretary West read mail received by the Land Use Department into the record.

---

◇ **MINUTES** ◇

A motion was made by Mr. Ouzoonian and seconded by Secretary West, to approve the minutes for the January 16, 2013 Reorganization and Meeting. The motion passed (7-0-0):

**YES-** Marks/Dhorajia/Hennessey/Ouzoonian/West/Freesman/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

**LATE ARRIVAL-** Shyong;

A motion was made by Ms. Dhorajia and seconded by Ms. Marks, to approve the minutes for the January 23, 2013 (Special) Meeting. The motion passed (6-0-0):

**YES-** Marks/Dhorajia/Hennessey/Ouzoonian/West/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

**LATE ARRIVAL-** Shyong;

A motion was made by Secretary West and seconded by Ms. Dhorajia, to approve the minutes for the January 30, 2013 (Special) Meeting. The motion passed (6-0-0):

**YES-** Marks/Dhorajia/Hennessey/Ouzoonian/West/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

**LATE ARRIVAL-** Shyong;

---

**◇SUBCOMMITTEE ASSIGNMENTS◇**

February 27, 2013 Work Session: Bianco/Ouzoonian/Hennessey;

---

**◇OPEN TO THE PUBLIC◇**

n/a;

---

**◇MEMORIALIZATION OF RESOLUTION(S)◇**

Mr. Demarest informed that requested items as per the voice votes for Case #'s Z-2012-12 (388 Anderson Avenue/Erbeli) and Z-2012-11 (120 High Street/Carpentieri) have yet to be filed; Mr. Kates stated the Resolutions for said applications, along with those for Case #'s Z-2012-14 (10 Jane Street/Marinaccio) and Z-2011-08 (343 Closter Dock Road/Galdi) would be distributed in time for votes on memorialization at the February 27, 2013 (Special) Meeting.

A motion was made by Mr. Hennessey and seconded by Dr. Shyong, to memorialize the Resolution for Case #Z-2012-13 (11 Homans Avenue/11 Homans Properties, LLC) with a noted correction. Chairman Bianco stated that Mr. Morris, in his report dated February 20, 2013, suggested the sidelights (glass panels) abutting the proposed storefront entrances be modified to eliminate the costly prospect of relocating roof drains; Chairman Bianco pointed out such is not indicated in the latest revised plans for the project. The motion passed (6-0-0):

**YES-** Shyong/Dhorajia/Hennessey/Ouzoonian/West/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

---

**◇CASELOAD◇**

<p><b>Case #Z-2013-01</b> <b>Marc Votto</b> <b>551 Closter Dock Road</b> <b>(Block 1709/Lot 12)</b> <b>District #2- Residential B</b></p>
---

Case History

The applicant is seeking Bulk Variance Relief for the construction of a deck at the subject property; the application was received January 2, 2013 and scheduled for the January 23, 2013

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 February 20, 2013 Meeting.

Representation

1.) Marc Votto, 551 Closter Dock Road, Closter, New Jersey;

Witnesses

#1: Marc Votto, 551 Closter Dock Road, Closter, New Jersey;

Exhibits

A-1: 2 photographs depicting exterior views of rear and left-facing side yards prepared by Witness #1 and dated February 18, 2013;

Relief Sought

- 1.) Bulk Variance: rear yard setback (20' minimum required/14.22' provided);
- 2.) Bulk Variance: building coverage (20% maximum allowed/23.39% provided);

Response to Prior Board and/or Subcommittee Requests

n/a;

New Board Requests

n/a;

Public Questions

n/a;

Public Comments

n/a;

Decision

A motion was made by Mr. Ouzoonian and seconded by Mr. Hennessey, to approve the application with no conditions. The motion passed (6-0-0):

**YES-** Shyong/Dhorajia/Hennessey/Ouzoonian/West/Freesman/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

Conditions

n/a;

---

◆**CLOSED SESSION**◆

The Board went into closed session at 8:48pm.

Chairman Bianco reopened the meeting to the public at 9:00pm. Mr. Kates disclosed that the Board discussed litigation, specifically Rosenblum v. Giannotti Estate/Zoning Board of Adjustment which pertains to the Board's prior decision approving Case #Z-2011-18 (47-49 Fairview Avenue/Giannotti Estate) that sanctioned both an existing 2-family use (main house) and 1-family use (detached garage) situated on 1 lot; he elaborated that the Superior Court of

New Jersey- Bergen County Law Division upheld the Board's decision. He noted that it is unknown whether or not sanctions would be imposed against the appellant (Jesse Rosenblum) for commencement of a frivolous lawsuit.

---

**◇ADJOURNMENT OF MEETING◇**

A motion was made by Dr. Shyong and seconded by Ms. Marks, to have the Board adjourn at 9:01pm. The motion passed by acclamation.

---