



# **Zoning Board of Adjustment**

August 17, 2016

**Meeting**  
*(Minutes)*

Prepared by:

**Paul Demarest**

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◇ **OPENING REMARKS** (Commenced at 8:10pm) ◇

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◇ **PLEDGE OF ALLEGIANCE** ◇

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◇ **OATH OF OFFICE** ◇

Full Member (Existing 4-Year Term Expires December 31, 2019): Thomas Hennessey  
\*Appointed\*

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◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman  
Mitchell Monaco- Vice Chairman  
Thomas Hennessey  
Heena Dhorajia, EIT  
Dharamraj Baboo  
Evan Elias  
Richard Daly  
Antranig Ouzoonian, PE- Alternate #1  
Joan Marks- Alternate #2  
Mindy Rothbaum- Alternate #3  
Phillip Kwon, Esq.- Alternate #4  
Jannie Chung- Council Liaison  
Leonard Sinowitz- Zoning Officer  
Daniel Steinhagen, Esq.- Board Attorney  
Jeffrey Morris, PE- Board Engineer  
Paul Demarest- Board Coordinator

Absent

n/a;

Election of Officer

A motion was made by Vice Chairman Monaco and seconded by Mr. Daly, to nominate Mr. Hennessey as Secretary of the Board for the calendar year 2016. The motion passed (7-0-0):

**YES-** Ouzoonian/Daly/Elias/Dhorajia/Hennessey/Monaco/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

**LATE ARRIVAL-** Baboo;

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◇ **CORRESPONDENCE** ◇

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

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◇ **MINUTES** ◇

A motion was made by Vice Chairman Monaco and seconded by Mr. Daly, to approve the minutes for the July 20, 2016 Meeting. The motion passed (5-0-0):

**YES-** Ouzoonian/Daly/Elias/Monaco/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

A motion was made by Mr. Ouzoonian and seconded by Ms. Marks, to approve the minutes for the July 27, 2016 (Special) Meeting. The motion passed (6-0-0):

**YES-** Kwon/Marks/Ouzoonian/Daly/Dhorajia/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

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**◇SUBCOMMITTEE ASSIGNMENTS◇**

August 24, 2016 Work Session: \*\*\*CANCELLED\*\*\*;

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**◇MISCELLANEOUS◇**

Chairman Bianco stated Mr. Elias, Ms. Rothbaum and Councilwoman Chung obtained their land use board certification via a recent land use seminar hosted by New Jersey Planning Officials (NJPO). He noted that newly-appointed Mr. Hennessey is not required to attend a course being he became certified while previously serving on the Board.

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**◇OPEN TO THE PUBLIC◇**

n/a;

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

A motion was made by Mr. Ouzoonian and seconded by Mr. Daly, to memorialize the Resolution for Case #Z-2015-05 (511 Durie Avenue/Five Eleven Durie Avenue, LLC). The motion passed (7-0-0):

**YES-** Kwon/Marks/Ouzoonian/Daly/Baboo/Dhorajia/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

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**◇CASELOAD◇**

<p><b>Case #Z-2016-04</b> <b>Sean Strouth &amp; Lisa Mahmarian-Strouth</b> <b>27 Brook Street</b> <b>(Block 1002/Lot 10)</b> <b>District #2- Residential B</b></p>
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Case History

The applicants are appealing the determination of the Zoning Officer as to whether the construction of (2) dormers at the subject property would violate prior variance relief granted by the Board (see Case #Z-2002-38); in the alternative, they would seek Amendment Approval; the application was received July 8, 2016 and scheduled for the July 20, 2016 (Special) Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the August 17, 2016 Meeting.

Representation

1.) Sean Strouth, 27 Brook Street, Closter, New Jersey;

Witnesses

#1: Sean Strouth, 27 Brook Street, Closter, New Jersey;

Exhibits

- A-1: pre-filed photograph depicting existing subject building with proposed construction superimposed, prepared by Witness #1 and dated July 2016;
- A-2: pre-filed/memorialized Resolution for Case #Z-2002-38 granting Bulk Variances relating to addition at subject property, signed by Board Chairman Glen Teitell and dated January 22, 2003;
- A-3: pre-filed/non-professionally designed site plan prepared by Witness #1 (incorporating survey prepared by Edward Loram, PLS and dated July 28, 1998) and dated July 8, 2016;

Relief Sought

- 1.) Appeal of Zoning Officer Determination: pre-existing/nonconforming condition as per Case #Z-2002-38 (dated January 22, 2003) granting Bulk Variances for addition; <REQUEST WITHDRAWN BY APPLICANTS>;
- 2.) Amendment Approval-
  - a.) Bulk Variance: front yard setback (25' minimum required/12.40' 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 Secretary Hennessey and seconded by Vice Chairman Monaco, to approve the application without conditions. The motion passed (7-0-0):

**YES-** Daly/Elias/Baboo/Dhorajia/Hennessey/Monaco/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

Conditions

n/a;

**Case #Z-2016-05  
Jacob Vinson  
20 Ryerson Place  
(Block 1006/Lot 3)  
District #2- Residential B**

Case History

The applicant is seeking a Bulk Variance for a patio (on-grade) expansion at the subject property; the application was received July 8, 2016 and scheduled for the July 20, 2016 (Special) Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the August 17, 2016 Meeting.

Representation

1.) Jacob Vinson, 20 Ryerson Place, Closter, New Jersey;

Witnesses

#1: Jacob Vinson, 20 Ryerson Place, Closter, New Jersey;

Exhibits

A-1: 5 photographs depicting existing conditions of subject property, prepared by Witness #1 and dated July 2016;

Relief Sought

1.) Bulk Variance: impervious coverage (30% maximum allowed/35% 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 Vice Chairman Monaco and seconded by Mr. Daly, to approve the application. The motion passed (7-0-0):

**YES-** Daly/Elias/Baboo/Dhorajia/Hennessey/Monaco/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

Conditions

- 1.) plant vegetation (type and amount at applicant's discretion) to assist in groundwater absorption;

**Case #Z-2016-06  
Kyle Khorozian  
40 Chestnut Avenue  
(Block 1708/Lot 8)  
District #2- Residential B**

#### Case History

The applicant is seeking Bulk Variances for the construction of an addition, balcony, roof overhang, front steps/landing and driveway at the subject property; the application was received July 8, 2016 and scheduled for the July 20, 2016 (Special) Work Session, at which time, it was deemed complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the August 17, 2016 Meeting.

#### Representation

- 1.) Thomas Izzard, Esq., Fierro, Fierro & Izzard, PC, 230 Main Street, Fort Lee, New Jersey;

#### Witnesses

- #1: Kyle Khorozian, 40 Chestnut Avenue, Closter, New Jersey;
- #2: Stanley Kufel, RA, 337 Demarest Avenue, Oradell, New Jersey;

#### Exhibits

- A-1: 11 photographs depicting existing conditions of subject and surrounding properties, prepared by Witness #1 and dated July 2016;
- A-2: front yard setback analysis prepared by Witness #2 and dated May 29, 2016;

#### Relief Sought

- 1.) Bulk Variance: side yard <left-facing> setback (15' minimum required/10.75' provided);
- 2.) Bulk Variance: side yard <right-facing> setback (15' minimum required/7.64' provided);
- 3.) Bulk Variance: side yard aggregate setback (30' minimum required/18.39' provided);
- 4.) Bulk Variance: impervious coverage (30% maximum allowed/32.25% 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 Secretary Hennessey and seconded by Mr. Elias, to approve the application. The motion passed (7-0-0):

**YES-** Daly/Elias/Baboo/Dhorajia/Hennessey/Monaco/Bianco;

**NO-** n/a;

**ABSTAIN-** n/a;

Conditions

- 1.) revise architectural drawings to reflect correct proposed ceiling heights for both 1<sup>st</sup> and 2<sup>nd</sup> floors (9' and 8' respectively);
- 2.) revise architectural drawings to include hip roof design on east and either west or south elevations to reduce casting of shadows onto neighboring properties (solar azimuth angle);
- 3.) revise architectural drawings to indicate proposed setback of existing screened-in/enclosed porch to westerly side yard property line will increase from 9.64' to 10' upon it being converted to habitable space (remainder of westerly foundation wall shall keep its existing 7.64' setback);

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◇ **ADJOURNMENT OF MEETING** ◇

Mr. Steinhagen revealed that the Superior Court of New Jersey (Appellate Division) recently affirmed the Site Plan, Minor Subdivision and Major Soil Movement Approvals granted by the Planning Board for the redevelopment of the Closter Plaza shopping center; he noted it is extremely unlikely the appellant (Jesse Rosenblum) would obtain a petition for certification by the Supreme Court of New Jersey, especially given the strong language of the lower Court's decision.

Councilwoman Chung indicated the Governing Body had yet to discuss the potential improvement of Westminster Avenue (paper street portion) as it relates to Case #'s Z-2008-12 (35 John Street/Armaniaco), Z-2009-14 (63 John Street/Wiggers) and Z-2014-14 (49 John Street/Crimmins), except for periodic updates from the Borough Attorney, Edward Rogan, Esq. Mr. Steinhagen said he would contact Mr. Rogan to discuss further.

A motion was made by Vice Chairman Monaco and seconded by Mr. Daly, to have the Board adjourn at 10:58pm. The motion passed by acclamation.

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