



# **Zoning Board of Adjustment**

July 20, 2016

**Meeting**  
*(Minutes)*

Prepared by:

**Paul Demarest**

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◇ **OPENING REMARKS** (Commenced at 8:26pm) ◇

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◇ **PLEDGE OF ALLEGIANCE** ◇

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◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman  
Mitchell Monaco- Vice Chairman  
Kenneth Wasserman- Secretary  
Evan Elias  
Richard Daly  
Antranig Ouzoonian, PE- Alternate #1  
Jannie Chung- Council Liaison  
Leonard Sinowitz- Zoning Officer  
Daniel Steinhagen, Esq.- Board Attorney  
Jeffrey Morris, PE- Board Engineer  
Paul Demarest- Board Coordinator

Absent

Heena Dhorajia, EIT  
Dharamraj Baboo  
Joan Marks- Alternate #2  
Mindy Rothbaum- Alternate #3  
Phillip Kwon, Esq.- Alternate #4

A motion was made by Secretary Wasserman and seconded by Mr. Daly, to excuse those Board members absent this evening due to extenuating circumstances. The motion passed (6-0-0):  
**YES-** Ouzoonian/Daly/Elias/Wasserman/Monaco/Bianco;  
**NO-** n/a;  
**ABSTAIN-** n/a;

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◇ **CORRESPONDENCE** ◇

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

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◇ **MINUTES** ◇

A motion was made by Secretary Wasserman and seconded by Vice Chairman Monaco, to approve the minutes for the June 15, 2016 Meeting. The motion passed (6-0-0):  
**YES-** Ouzoonian/Daly/Elias/Wasserman/Monaco/Bianco;  
**NO-** n/a;  
**ABSTAIN-** n/a;

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◇ **SUBCOMMITTEE ASSIGNMENTS** ◇

July 27, 2016 Work Session: \*\*\*CANCELLED\*\*\*;

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**◇ MISCELLANEOUS ◇**

Regarding Case #Z-2015-05 (511 Durie Avenue/Five Eleven Durie Avenue, LLC), Mr. Steinhagen explained that being a full complement of the Board could not be provided this evening, the applicant requested its case be postponed to the July 27, 2016 (Special) Meeting, assuming 7 voting Board members as well as the Board and applicant's professionals would be present. Given the uncertainty about attendance, Mr. Steinhagen explained that if the Board were to have a quorum, but not a full complement, at the July 27, 2016 (Special) Meeting, it could deliberate and take a sense of the Board (voice vote), and Chairman Bianco could direct him to prepare a Resolution that would not be memorialized until the August 17, 2016 Meeting; he noted that the Resolution could be amended if such was warranted. He further stated the subject application is of special importance because there is a declaratory judgement action whereby the Borough is an applicant before the Superior Court of New Jersey (Law Division) asking for certification of its affordable housing plan, and it would be beneficial for the Borough to show the Court that the 511 Durie Avenue project is moving forward and receiving approval. Mr. Steinhagen stressed that an advocacy group, the Fair Share Housing Center, is monitoring those municipalities who are making facial efforts to comply, and it will intervene in such instances to have their housing unit requirements increased. Thus, he concluded there is some merit to bringing the subject case to a conclusion quickly.

A motion was made by Mr. Daly and seconded by Vice Chairman Monaco, not to take Mr. Steinhagen's alternate approach to proceeding with Case #Z-2015-05 (511 Durie Avenue/Five Eleven Durie Avenue, LLC) but carry the applicant's public notice to the August 17, 2016 Meeting in the event the Board does not convene the July 27, 2016 (Special) Meeting. The motion passed (6-0-0):

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

**NO-** n/a;

**ABSTAIN-** n/a;

Michael Hakim, PP, 68 Dean Street, Harrington Park, New Jersey, introduced himself as the Borough's Planning Consultant retained specifically for review of Case #Z-2015-05 (511 Durie Avenue/Five Eleven Durie Avenue, LLC) as it relates to the Borough's affordable housing obligations. The Board confirmed it received his report and Mr. Steinhagen promised to forward him the 2 reports prepared by the Board Special Planner. Mr. Hakim confirmed his availability for the July 27, 2016 (Special) Meeting.

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**◇ OPEN TO THE PUBLIC ◇**

Steven Isaacson, 97 Columbus Avenue, Closter, New Jersey, questioned if a developer would be required to provide affordable housing if multiple-family dwelling units were constructed at 515 Piermont Road, a 3.12 acre vacant lot. Given the Borough's future obligations related to its submission of a constitutionally compliant fair share plan in response to the Supreme Court of New Jersey's decision in March 2015 to relinquish oversight of the state's affordable housing process from the Council on Affordable Housing (COAH), the Board deferred Mr. Isaacson to the Mayor and Council.

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

n/a;

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**◇CASELOAD◇**

n/a;

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**◇CLOSED SESSION◇**

A motion was made by Vice Chairman Monaco and seconded by Mr. Daly, to have the Board go into closed session at 8:45pm. The motion passed (6-0-0):

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

**NO-** n/a;

**ABSTAIN-** n/a;

Chairman Bianco reopened the meeting to the public at 9:20pm.

*Due to the topic(s) discussed, the minutes for this closed session will be released upon the resolution of said matter(s).*

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**◇ADJOURNMENT OF MEETING◇**

A motion was made by Secretary Wasserman and seconded by Vice Chairman Monaco, to have the Board adjourn at 9:21pm. The motion passed by acclamation.

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