

Unified Planning / Zoning Board of Adjustments Meeting
February 1, 2010

The meeting was called to order by chairman, Ken Cassidy, and the pledge of allegiance was recited.

Roll call was taken with the following members present: Mr. Buccellato, Mr. Cassidy, Mr. Dolan, Mr. Gallego, Mr. Mendes, Mr. McKenna, Mr. Montfort, Mr. Saporito and Ms. Malanga. Mr. Shea arrived later and sat in the audience.

Mr. Irene announced the new board engineer from T & M Associates, Mr. Haderer.

Mr. Montfort made a motion to approve the December meeting minutes with 1 change on page 3 and Mr. McKenna second. The board voted with all eligible members in favor.

Mr. Buccellato made a motion to approve the January meeting minutes and Mr. McKenna second. The board voted with all eligible members in favor.

The first application was Mr. & Mrs. Murphy 13 Lakeside Dr Block 115, Lot 30

Mr. Irene stated that the applicant's attorney, Mr. Schwarz, requested to carry the application to April 5 due to personal reasons of the applicants. Mr. Lane and Ms. Geiring are here tonight and have retained an attorney and the date was coordinated with them as well. This would be carried without re-notice and with extension of time granted to the board. Mr. Montfort made a motion to carry it to April 5, 2010 and Mr. Buccellato second. The board voted with all members in favor.

Mr. Lane asked to speak to the board. He thanked the board for their patience with this application since it has been 2 years since his first letter of objection. He asked that all board members review the tapes and files and gave copies of his handouts to any board member who did not receive them previously. He also requested a copy of the new set of plans in a timely manner in order to prepare for the April meeting.

The second application was Rt 34 Plaza, 745 Rt 34 Block 112, Lot 3.05

Mr. Heilbrunn is the attorney for the applicant. He sent a letter requesting the application be carried to the March 1 meeting. Mr. Montfort made a motion to carry it to the March 1, 2010 meeting with re-notice and with stipulation of time granted and Mr. Mendes second. The board voted with all members in favor.

Resolutions

Attorney/Mike Irene- Mr. Mendes made a motion to approve the resolution and Mr. McKenna second. The following roll call vote was taken: Mr. Buccellato-yes, Mr. Dolan-yes, Mr. Montfort-yes, Mr. Mendes-yes, Mr. McKenna-yes, Mr. Cassidy-yes, Mr. Gallego-yes, Mr. Saporito-yes and Ms. Malanga-yes.

Board Engineer/T & M Associates- Mr. Mendes made a motion to approve the resolution and Mr. McKenna second. The following roll call vote was taken: Mr. Buccellato-yes, Mr. Dolan-yes, Mr. Montfort-yes, Mr. Mendes-yes, Mr. McKenna-yes, Mr. Cassidy-yes, Mr. Gallego-yes, Mr. Saporito-yes and Ms. Malanga-yes.

Board Recording Secretary/Diane Cannon- Mr. Montfort made a motion to approve the resolution and Mr. McKenna second. The following roll call vote was taken: Mr. Buccellato-yes, Mr. Dolan-yes, Mr. Montfort-yes, Mr. Mendes-yes, Mr. McKenna-yes, Mr. Cassidy-yes, Mr. Gallego-yes, Mr. Saporito-yes and Ms. Malanga-yes.

Milazzo Resolution- Mr. Montfort made a motion to approve the resolution and Mr. McKenna second. The following roll call vote was taken: Mr. Dolan-yes, Mr. Montfort-yes, Mr. McKenna-yes, Mr. Cassidy-yes, Mr. Gallego-abstain, Mr. Saporito-abstain and Ms. Malanga-abstain.

Other Business

Mr. Grippi of 68 Wyckoff Street asked to speak to the board. He stated that he has a subdivision approved at 1 & 3 Church Street. He put in an apron and ADA requirements for it but his neighbors are not ADA compliant, so therefore his apron does not work as it should. It is only 80% compliant to ADA but a car cannot use it because it is too high. Mr. Irene asked him what relief he wanted from the board and Mr. Grippi stated that the ADA requirement was a stipulation from the board but he cannot comply.

Mr. Irene said that it was not a condition from the planning board but it sounded like it may be a construction issue.

Mr. Grippi stated he has sold the house and needs to close on it and cannot get this issue settled and needs advice on what to do. He would like the engineer to look at it again. His attorney and the Borough attorney have also been discussing the situation and trying to see what can be done.

Mr. Haderer said he would set up a meeting.

Mr. Irene went on to explain that the board has no authority in this issue. He suggested that Mr. Grippi continue to have his attorney speak with the Borough attorney and see what they may be able to work out to help him. Otherwise, he would have to make an application to the planning board for a variance on the parking that would include the apron.

Mr. Grippi said he does not want a variance but wants his sale of the house to go through on the 12th of February as scheduled.

Mr. Irene stated again that his best bet was to go through the two attorneys to try and work out a resolution.

Mr. Grippi agreed and thanked the board for hearing him.

Mr. Montfort made a motion to adjourn the meeting and Mr. Buccellato second. The board voted with all members in favor.

The meeting was adjourned at 8 PM

Respectfully submitted,

Diane Cannon
Board Recording Secretary