

Zoning Board of Adjustment

Minutes January 23, 2013 8:00 pm

At 8:07pm Richard McLaughlin opened the meeting with the following announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

ROLL CALL

Richard McLaughlin-present

Michael Roth-present

Marilyn Simpson-present

Jin Cho-present

Karen Brady-absent

Stephen Martinez-present

Councilman Napolitano-absent

Reverend Marilyn Peoples-present

John Powers (to be sworn in)-present

Mark Antonucci-present

Also Present: Marti Francis, Board Clerk
John Schettino, Board Attorney
Lynnae Psaras, Planning Board Member

New Member Sworn In: John Powers was sworn in.

Minutes Approval

November 28, 2012, with the adjustments made in the 1/17/13 letter from the OLV attorney. Reverend Peoples moved to approve, second Mr. Martinez. All in Favor.

December 19, 2012. Reverend Peoples moved to approve with one alteration—twelfth line of the Budinich section should read applicant to alert the architect, not attorney, second Mr. Martinez. All in Favor.

Reorganization:

Board Officers

Chair: Ms. Simpson moved to reappoint Mr. McLaughlin Chair, second Reverend Peoples. Roll Call Vote:

| | |
|----------------------------|----------------------|
| Richard McLaughlin-abstain | Stephen Martinez-yes |
| Michael Roth-yes | Reverend Peoples-yes |
| Marilyn Simpson-yes | John Powers-yes |
| Jin Cho-yes | |

Vice-Chair: Ms. Simpson moved to reappoint Mr. Roth Vice-Chair, second Reverend Peoples. Roll Call Vote:

| | |
|------------------------|----------------------|
| Richard McLaughlin-yes | Stephen Martinez-yes |
| Michael Roth-abstain | Reverend Peoples-yes |
| Marilyn Simpson-yes | John Powers-yes |
| Jin Cho-yes | |

Secretary: Mr. Martinez moved to reappoint Ms. Simpson Secretary, second Mr. Roth. Roll Call Vote:

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|-------------------------|----------------------|
| Richard McLaughlin-yes | Stephen Martinez-yes |
| Michael Roth-yes | Reverend Peoples-yes |
| Marilyn Simpson-abstain | John Powers-yes |
| Jin Cho-yes | |

Board Professional Appointment

Recording Secretary: Mr. Roth moved to reappoint Marti Francis Recording Secretary, second Reverend Peoples. Roll Call Vote:

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|------------------------|----------------------|
| Richard McLaughlin-yes | Stephen Martinez-yes |
| Michael Roth-yes | Reverend Peoples-yes |
| Marilyn Simpson-yes | John Powers-yes |
| Jin Cho-yes | |

Board Attorney: Mr. Roth moved to reappoint John Schettino Board Attorney, second Ms. Simpson. Roll Call Vote:

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|------------------------|----------------------|
| Richard McLaughlin-yes | Stephen Martinez-yes |
| Michael Roth-yes | Reverend Peoples-yes |

Marilyn Simpson-yes
Jin Cho-yes

John Powers-yes

Old Business

Richard Budinich, 5 South Avenue (Block 1319, Lot 16) Harrington Park, NJ seeks a variance to build an addition. Structure is nonconforming and needs a variance; also, per Harrington Park Code 350-84 addition would violate size limits for the property. Mr. Budinich remained under oath. New plans were submitted. A new variance is required (45% lot coverage is allowed; plans call for 46.54%). A variance is also required for the side yard. The architect will need to revise plans to reflect required variances and make changes in the “proposed” column. The number of bedrooms is going from 2 to 3. The plans should be changed so that “conforms” reads “variance.” Ms. Simpson moved to approve the application with the noted changes, second Mr. Martinez. Roll Call Vote:

Richard McLaughlin-yes
Michael Roth-yes
Marilyn Simpson-yes
Jin Cho-yes

Stephen Martinez-yes
Reverend Peoples-yes
John Powers-unable to vote

The applicant was advised to have revised plans in before the February 27th meeting and that a resolution would be adopted at that meeting and then adopted. Once the attorney sends a letter to the applicant he may proceed at his own risk, but the public has 45 days after publication to appeal the resolution.

Jon Mangano, 291 The Parkway (Block 1308, Lot 5) Harrington Park, NJ seeks a variance to add a front porch. Addition would violate Zoning Ordinance 350-9E in that it would encroach upon the front yard setback by 8 feet. Applicant requests matter to be carried to the February meeting to allow him to procure architect plans. Ms. Simpson moved to allow the application to be carried to February without notice required, second Mr. Martinez. All in Favor.

Resolution for Approval

Our Lady of Victories Church, 81 Lynn Street, Harrington Park, NJ, Block 1304, Lot 1, seeks a variance to build an addition. Proposed addition would violate the

maximum allowed lot coverage, the maximum allowed improved lot coverage, and the maximum height allowance of 35 feet. Ms. Simpson moved to adopt, with the clarifications from the 1/17/13 letter from the Our Lady of Victories attorney and the email from Ms. Psaras, second Mr. Roth. Roll Call Vote:

| | |
|------------------------|---------------------------------|
| Richard McLaughlin-yes | Stephen Martinez-unable to vote |
| Michael Roth-yes | Reverend Peoples-yes |
| Marilyn Simpson-yes | John Powers-unable to vote |
| Lynnae Psaras-yes | Jin Cho-yes |

Budget

Ms. Simpson moved to approve the budget, with a line added for \$200 to be used for land use classes (Education and Training), totaling \$1550, second Mr. Martinez. Roll Call Vote:

| | |
|------------------------|----------------------|
| Richard McLaughlin-yes | Stephen Martinez-yes |
| Michael Roth-yes | Reverend Peoples-yes |
| Marilyn Simpson-yes | John Powers-yes |
| Jin Cho-yes | |

Adjournment

Ms. Simpson moved to adjourn, second Reverend Peoples. All in Favor. Meeting adjourned at 8:40pm.

The next Board of Adjustment meeting is scheduled for February 27, 2013.