

**BOROUGH OF FAIR LAWN
ZONING BOARD OF ADJUSTMENT
Regular Meeting
Of July 20, 2009**

Following are the minutes of the Fair Lawn Zoning Board of Adjustment's regular meeting held on July 20, 2009.

Chairman Todd Newman called the regular meeting to order at 7:10 p.m. and declared that the meeting was being held in accordance with the Open Public Meeting Law.

Roll Call: Present: Mr. Diner, Mr. Karas, Mr. Charipper, Ms. Spindel, Mr. Frankel, Mr. Sacchinelli, Mr. Blecher, Mr. Meer & Mr. Newman.

Absent: Mr. Salerno (Death in family) Mr. Karas recused himself from Fire House Co#1 Application.

Also in attendance were William Soukas, Board Attorney; Karen Kocsis, Court Reporter; Ann Peck, Assistant Zoning Officer and Cathy Bozza, Zoning Board Secretary.

Residential New Business:

1. Application#2009-023, Mr. & Mrs. Kevin Sakow,
0-96 Blue Hill Ave, Block 1100, Lot 1, Zone R-1-3
Proposed in-ground pool and patio would increase the impervious coverage from 41% to 43.9% where 35% is permitted as per Section 125-12 Schedule of area yard and building requirements.

Mr. Newman swears in Mr. Kevin Sakow & Christina Sakow.

Fees have been paid and there is proof of service.

Mr. Newman asks Mr. Sakow what he would like to do.

Mr. Sakow explains that he would like to downsize the existing pool and add a patio which would increase the impervious coverage. Instead of an above ground pool they would like to install an in-ground pool with a 3ft. tile surrounding the pool along with a patio.

Lot size existing is 56x125. The lot is narrow for the ordinance. Requirement is 65sf.

Discussion....

Ms. Sakow mentions they would be willing to reduce the patio if need be.

Mr. Newman questions the size of the pool which Mr. Sakow answers it would be smaller than the pool that is existing now.

Mr. Newman discusses ways to reduce the impervious coverage with Mr. & Mrs. Sakow.

It is determined that 250sf could be taken out which would bring them to a 3% reduction in impervious coverage. The applicant can choose where he would want to take it off after discussion with the designer/architect.

Mr. Karas asks the applicant what material would be used by the firepit and pool.

Material used will be pavers.

Mr. Karas & Mr. Newman discuss different types of pavers that are available that affect pervious coverage & impervious coverage.

Ordinance is discussed.

Mr. Newman asks if any Board members have questions. Seeing none,

Mr. Newman opens the applicant to residents within 200ft. Seeing none,
Mr. Newman closes this portion.

Mr. Newman opens the applicant to the general public. Seeing none,
Mr. Newman closes this portion.

Ms. Spindel makes 1st motion to approve the application with an amendment to reduce the impervious coverage to 40.9%.

Mr. Karas seconds the motion.

VOTE: Mr. Diner, Mr. Karas, Mr. Charipper, Ms. Spindel, Mr. Frankel, Mr. Sacchinelli, Mr. Blecher, Mr. Meer & Mr. Newman. **YES.**

Application Approved.

2. Application#2009-024, Mr. Philip Mendillo,
1-33 Summit Ave, Block 4313, Lots 37-38, Zone R-1-3
Existing lot is 5000sf where 6500sf is required. Lot frontage of 50' where 65' is required. Proposed addition would increase the building coverage from 20% to 26% where 25% is permitted. Would increase the FAR from 51% to 55% where 40% is permitted as per Section 125-12 Schedule of area yard and building requirements. Section 125-57.D.(d) D-4 FAR variance required.

Mr. Newman swears in both Mr. Philip Mendillo, Applicant
& Richard Maehan, 11-02 Marshall Road, Fair Lawn,(Friend of the family)

Fees have been paid and there is proof of service.

Mr. Newman speaks to Mr. Mendillo's request, doing an addition which would increase building coverage as well as the FAR.

Mr. Mendillo continues with his explanation of taking the deck away but adding a room which is the same size as the deck.

Ms. Spindel questions pictures of the applicant's home, including sheds that are not shown on the site plan. Elevations are not shown and you want to increase your FAR from 51% to 55%.

Ms. Spindel states she cannot vote on this application being this site plan is very vague.

Mr. Karas concurs with Ms. Spindel. There is not enough information given to the Board to intelligently render a decision.

Mr. Newman speaks to Mr. Mendillo and asks if he understands and follows the concerns of the Board Members.

Mr. Mendillo understands.

Discussion continues.....

It is determined that the Board Members have concerns regarding the FAR being that he is already over what is required.

Mr. Newman speaks to Mr. Mendillo and advises him to have a plan done professionally and having the Professional testify with him to explain the reasoning behind the FAR.

Mr. Newman also states that Mr. Mendillo does have the prerogative to go ahead with the application and be heard, but advises him it would be better to be presented with the architect.

Mr. Medillo agrees with the suggestion of Mr. Newman & the Board.

Mr. Medillo asks the Board to carry the application to the meeting of September 21, 2009.

Application carried to September 21, 2009

Commercial Carried Business:

1. Application#2009-022, Fair Lawn Fire Company#1, Inc.
12-34 George Street, Block 5611, Lots 19-24(24.01)
Amended site plan, variance and subdivision approval so as to permit the applicant to renovate the existing Firehouse in the R-1-3 zone.

Mr. Sy Karas has recused himself from this application.

Mr. Andrew Karas(Attorney for the Applicant) steps forward and speaks to Application#2009-013, Tribal Iron Choppers, 18-02 River Road, Block 5729, Lot 1, Zone I-2, Expansion of original Certificate of Occupancy.

Mr. Karas states because of the time restraints of the evening, he has discussed with his client the possibility of carrying the application to August 17, 2009. His client has no problem with this and will allow the Board an extension of time with no additional public notice required.

Application#2009-013, Tribal Iron Chopper carried to August 17, 2009

Mr. Newman opens Application#2009-022, Fair Lawn Fire Company#1, Inc.

Fees & Escrow fees have been paid and there is proof of service.

Mr. Charipper notes for the record that he did not vote on the original application and asks our Board Council if there was any problem with that.

Mr. Soukas defers to the applicant's counsel to which Mr. Karas states because the first application was already approved and it was a prior approval, going forward with an amendment, we are looking for an approval on the amendment only.

Mr. Karas opens his testimony with the purpose of this application. Noting for the record the witnesses he will bring forth and testimony regarding the prior planning approval if needed pertaining to the present application... Minutes, etc...

He will ask the Board to incorporate that testimony from the prior approval into this application if needed.

Mr. Newman defers to our Board Counsel.....

Discussion.

Mr. Karas continues with the site plans, explaining the differences & amendments that are to be done.

Mr. Karas calls his first witness, Mr. Joel Ives, Professional Architect with a private practice for over 30 years, licensed in the State of N.Y. & N.J.

Mr. Ives is accepted as an expert witness.

Mr. Ives begins his testimony explaining what is presently on the property regarding the structure and the revisions they wish to do.

Testimony continues.....

Mr. Karas refers to Exhibit A-, a replica of the site plan from the previous application & only the changes are highlighted in yellow.

Original footprint of the building will not change. It differs from the prior application because of the proposed three story structure. It will no longer be a three story; we will keep only the one story addition to the right side of the plan.

Mr. Ives continues showing the revisions within the building, new rooms, kitchen, engineer's room, media room where lectures, homeland security are discussed.

Testimony continues.....

2nd level is discussed....gym area, etc. office where paperwork will be kept. A room for cots where the firefighters would stay in case of an emergency.

Mr. Ives continues.....

Mr. Newman speaks to Mr. Ives and discusses the original objections in the application regarding the bulk of the building and the mass. Can you comment on that?

Mr. Ives explains they have reduced the mass by not having a third story.....
There is less obstruction of light and air, etc...

Height has not changed from the original proposal.

Impervious coverage has been reduced....

Ms. Spindel questions the building's drainage issues.

Drainage is discussed.

Mr. Newman asks if any of the Board Professionals have questions.
Mr. Paul Azzollina(Board Engineer) steps forward.

Mr. Newman swears in all Board Professionals.

Mr. Azzollina questions Mr. Ives on a seepage pit system? It is not reflected on the Engineer's site plan and if there is an existing system to be continued on the site or a proposed system to be connected to the storm drain.

Mr. Ives replies he is not aware of a seepage pit on site but would prefer to turn this portion over to the Engineer.

Discussion.....

It is determined for the Professional Engineer to speak to this....

No further questions from the Board.

Mr. Newman opens the witness to residents within 200ft. Seeing no one, Mr. Newman closes this portion.

Mr. Newman opens the witness to the general public...

Mr. Newman swears in: Mr. Harvey Rubenstein, of Fair Lawn, N.J.

Mr. Rubenstein asks Mr. Ives about the lack of windows? If there are no windows and there is a fire?

Mr. Ives states there are windows wherever there is habitable space.

Height of first floor is discussed.

All concerns are addressed.

Mr. Newman closes this portion.

Mr. Newman swears in Mr. Raymond Fox, A Professional Engineer, for Canger Engineers in Fair Lawn, N.J. Licensed in the State of New Jersey as well as a Land Surveyor.

Mr. Fox is accepted as an expert witness.

Mr. Fox begins his testimony....

Speaks to parking which was reversed from the South side to the North side. How they did away with the proposed 3rd story dwelling and provided a needed piece of property to the Municipality that is 86ft. wide x100deep for the town to utilize in it's parks department.

Mr. Fox refers to the minor subdivision site plan. Showing the revisions in the parking, the revised schedule of bulk requirement. Revised layout and variance & waivers associated with this application.

Revised Major site plan showing revision from the prior application is marked as A-3.
Dated July 7, 2009

Mr. Fox speaks to some additional information on the Minor subdivision....Zoning schedule is discussed.

Existing Lot size....proposed Lot area...

Bulk Schedule is discussed.

Front yard setback is reduced by 4inches because of the brick façade.

Side yard requirement...

Rear yard....

Building height....

Impervious coverage...

Mr. Mark Kataryniak(Board Traffic Engineer) questions the dates to the revisions....

All the Board Professional's reports reflect prior plans before the revisions, never sent the updated revisions(noted for the record.)

Mr. Fox continues....

Landscaping is discussed.

Impervious coverage has been decreased to 83.37% or 13%

No storm water management measures are being proposed as part of the site. There is enough of a decrease in the runoff at the site that we don't need to provide additional drainage.

Mr. Newman questions Mr. Fox on the existing impervious coverage versus the proposed based on all lot coverage. Reduction of 60-70%

Mr. Fox continues.....

Traffic flow is discussed based on Mr. Kataryniak comments in his report.

Parking layout is discussed. Traffic flow & circulation issues and a loss of 6 parking spaces as first proposed due to the circulation needed for Fire activities.

Mr. Fox speaks to Mr. Azzolini's concerns, storm drain, no seepage pit located on site.

Mr. Fox continues with his testimony.

Lightening Plan has been submitted....point by point analysis.
Existing fence will be addressed....

Mr. Newman asks if any Board member or Professionals have any comments or questions for Mr. Fox.

Mr. Azzollini (Board Engineer) states his report is dated on June 15, 2009, the applicant has indicated they submitted revised drawings dated July 7, in which he has not had the opportunity to review so he can't state conclusively that they have addressed all comments contained therein....listening to Mr. Fox's testimony it appears that he has addressed the majority of them but he would like the opportunity to review the revised drawings and ask the Board if they are going to entertain the application that they make the approvals subject to my subsequent review of the plans as revised.

Mr. Azzollini speaks to hand-i-cap spaces, dumpsters & recyclables containers.

Mr. Fox speaks to his concerns.

Mr. Kataryniak echoes Mr. Azzolini comments in terms of confirmation of outstanding comments on his letter of June 12, 2009.

Two Dead end aisles are discussed....would prefer to see a full forward movement circulation aisle through the parking aisle.

Trash Enclosure is mentioned. Location? Garbage Pick up?

Discussions continue regarding parking....Lightening is discussed with Mr. Kataryniak and they will agree with whatever suggestions are offered from him.

Signage is addressed. Compliance with Zoning regulations will be met.

Mr. Newman opens the witness to residents within 200ft. Seeing none,
Mr. Newman closes this portion.

Mr. Newman opens the witness to the general public.

Mr. Harvey Rubenstein, Fair Lawn, N.J. is sworn in.

Snow removal? How will this be done?

Mr. Newman asks Mr. Rubenstein to present this question to the Fire Department representative.

Mr. Rubenstein agrees.

Mr. Newman opens the witness to the general public, seeing none.
Mr. Newman closes this portion.

Mr. Karas calls his next witness: Mr. Eric Remy, (Battalion Chief)
5-27 Essex Place, Fair Lawn, N.J.

Mr. Newman swears in Mr. Remy.

Testimony begins.....

Mr. Karas speaks to parking....

Mr. Remy states there are three different responses to the Fire House. Fire calls which generally net 10-14 people responding to a fire call. That is the reason behind the dedicated 13 spaces. Drill night brings 15-17 firefighters and then every 4 years there is the Board of Fire Commissioners Meeting one night a month for 12 months which bring 20 people to the Firehouse.

No more rentals in the Firehouse. They have eliminated them.
No more bar area, etc. It will be for members only.

Snow removal is taken care of by the Road Department. It is cleared in front of the bays first and they push the snow back to the property line between us and the commercial properties on River Road. This does not present a problem whatsoever.

Mr. Newman asks if there are any questions for Mr. Remy from the Board members or the Board Professionals. Seeing none.

Mr. Newman opens the witness to residents within 200ft. Seeing none.
Mr. Newman closes this portion.

Mr. Newman opens the witness to the general public. Seeing none.
Mr. Newman closes this portion.

Ms. Peck requests that the architect describe each sign and measurements upon submittal so if there are any variances, we will cover it there would be no need to come back at a later date.

Mr. Ives states when they get the details they will come back for an approval on signage if necessary.

Mr. Newman reminds Mr. Karas in his summation to please include Mr. Azzollina's request that any approval tonight is subject to full review by our Board Professionals.

Mr. Karas agrees and also agrees to the suggestion of the Traffic Engineer regarding the flow of traffic and creating a circular flow by putting the four spaces on the Northern part of the parking lot and it will be a pass through lane.

Mr. Karas summarizes his application.

Mr. Charipper makes 1st motion to approve the application & subdivision with amendments.

Mr. Frankel seconds the motion.

VOTE: Mr. Diner, Mr. Karas, Mr. Charipper, Ms. Spindel, Mr. Frankel, Mr. Sacchinelli, Mr. Blecher, Mr. Meer & Mr. Newman. **YES.**

Application Approved.

10 minute recess:

Mr. Newman reopens the meeting:

Roll Call: Mr. Diner, Mr. Karas, Mr. Charipper, Ms. Spindel, Mr. Frankel, Mr. Sacchinelli, Mr. Blecher Mr. Meer & Mr. Newman, present.

2. Application#2009-026, Broadway Medical Group, LLC
22-60 Broadway, Block 3226.01, Lot 27 & 28, Zone B-2
Removal of roof and replacement will exceed the permitted 26' height requirement. D-6 use variance required as per Section 125-57.D.(d)

Mr. Stuart Liebman of the firm, Wells, Jaworski & Liebman on behalf of the applicant, Broadway Medical Group.

Fees & Escrow have been paid and there is proof of service.

Mr. Liebman states that the correct address of the applicant is: 22-18 Broadway, Block 3226.01, Lots 27 & 28, the former Hi-Way Theatre.

Speaks to the approval given on December 8, 2008, by the Planning Board on a site plan and variance for this property to convert this building to a Medical Offices, general offices on the third floor and retail in the lobby of the former building. Complete renovation and construction is under way.

Mr. Liebman continues with the reason why they are here tonight, the zone permits 26' in height and there was no change to that in the prior approved application but now that construction is under way our architect and construction officials have determined that they need to make minor modifications to the structure. In order to properly construct the

upper level it would require an increase in height of 2ft. in one area and 3ft. in another, resulting in one portion being 37ft. and the other portion being 38ft.

We are also looking at the rear yard setback. The rear yard calculations is depended upon the height of the building.

Mr. Liebman continues.....

Mr. Karas questions where the zone permits 26' in height and there was an existing 35ft. height, where did the Planning Board have jurisdiction to hear the previous application to begin with?

Mr. Liebman states they made no change to that existing non-conformity.

Discussion continues.....

Mr. Karas questions whether it should be considered a new application? Parking variance was given from the Planning Board for more than 50% from 203 required spaces to 101. He has some concerns.....

Discussion continues....

Mr. Karas submits to the Board Counsel for his opinion....

Mr. Soukas speaks to this issue.

Discussion continues.....

Mr. Liebman again states the reason he is before this Board. The Planning Board had its jurisdiction, it reviewed the application, and we later discovered a condition that needs to be addressed. It is within this Board's jurisdiction and that is what brings us here tonight.

Mr. Newman going forward states that we cannot refuse to hear an application, or refuse to exercise our jurisdiction in this situation even if we have issue with what may had occurred previously. I don't think it erases their approval even if by some chance they did act outside of their jurisdiction.

Discussion continues.....

Mr. Liebman states there is no turning back, construction is under way....

After much debate, Mr. Newman and members agree to move forward with the application.

Mr. Liebman calls his first witness, Mr. Peter Wells. (Architect)

Mr. Newman swears in Mr. Peter Raymond Wells, 251 Park Ave, Park Ridge, N.J. Mr. Wells is a licensed architect in several states; N.J., N.Y., PA., also holds a Professional Planner's license and a Construction Code Official and Building Inspector's license.

Mr. Wells is accepted as an expert witness by the Board.

Mr. Wells begins his testimony explaining what is involved with this project. He was hired by the owner as the architect and assist with construction. Mr. Wells describes in detail the history of the pre existing building and its layout.

Mr. Wells states when they first started the project they discovered the barrel vault wasn't as tall as the architect had hoped. Where he had planned to have the 3rd floor in the barrel vault area with skylight, the clearance is only 7ft. so we couldn't put a third floor.

Mr. Wells continues.....

Cross bracing from trust to trust became even more difficult to use the barrel vault for even mechanical.

Testimony continues.....

Mr. Wells discussed with the owner the possibility of the removal of the barrel vault and reconstructing a new third floor but staying as close as they could to the dimensions that are inside the existing building. The only variable in order to work out the extra height is to go up an additional 2ft.

Drawings dated April 23, 2009 prepared by Mr. Wells is marked as A-1
Second sheet described as A-2 also dated the same as prepared by Mr. Wells.

Mr. Wells refers to these sheets and discusses the original and proposed with the Board Members.

Mr. Liebman continues with his questions regarding the drawings as to clarify the reasoning for the changes.

Stairwells are discussed along with height.
Elevator height is discussed. Minimum height is required.

Testimony continues.....

Not a massive big box structure.....it will have different heights making for a very pleasing attractive Broadway structure.

Mr. Liebman refers to the Broadway Improvement Corp. whose goal is to stimulate and redevelop the area and renew interest. Can you tell us whether or not this would be beneficial and would help advance the goal?

Mr. Wells begins with explaining that every component that is proposed here and every use is part of the vocabulary that you see on Broadway. It has character, scale....

He believes it is an attractive building.

Uses are consistent with the Master Plan and the Vision plan of Broadway.

Third floor is going to be less of a volume than what you see there now.

Rear yard setback is discussed.

Testimony continues.....

Mr. Wells sees no substantial detriments to the Public good and no impairment to the intent & plan of the Zoning Plan & Zoning Laws of the Borough.

Mr. Liebman has no further questions.

Mr. Sacchinelli has concerns with the third floor.

Mr. Wells addresses his concern.

Air conditioning placement is discussed. Existing & Proposed...

Package Unit will be used with less impact and will be difficult to see.

Parking is discussed.

Square footage will be less.

The placements of the dumpsters are discussed.

Discussion continues....

Mr. Frankel questions the drainage issues.

Mr. Wells explains....

Mr. Charipper questions traffic issues and if there will be issues. Shows concerns....

Mr. Liebman explains that in peak demand, the traffic pattern is more dispersed throughout the day and the parking scenario is a better able use to accommodate the parking with this type of use than the previous use.

Mr. Karas questions Mr. Wells on Plan A-1 & Bulk requirements?

Mr. Wells replies to the questions and concerns.

Previous approval by the Planning Board is again discussed.

Mr. Newman asks if any of the Board Professionals have questions.

Mr. Peter Van Den Kooy, Board Planner speaks of enhancement to the landscaping & what plans there are regarding the building & Lot 26.

Mr. Liebman discusses the plans and the comments of Mr. Van Den Kooy and will take into account the suggestions from him.

Mr. Newman asks if there are any questions for the witness from residents within 200ft. Seeing none,
Mr. Newman closes this portion.

Mr. Newman asks if there are any questions from the general public. Seeing none.
Mr. Newman closes this portion.

Mr. Liebman summarizes.....

Mr. Meer makes a motion to approve the application with amendments. A height of 38' and a rear yard setback of 55.5ft. and to include an enhancement to the buffer in different heights in the rear of the building contiguous to Lot 26.

Mr. Diner seconds the motion.

VOTE: Mr. Diner, Mr. Charipper, Ms. Spindel, Mr. Frankel, Mr. Meer & Mr. Newman
YES.
Mr. Karas, **NO**

Application Approved.

3. Application#2009-025, David Neidani,
7-02 Harrison Drive, Block 5522, Lot 17, Zone R-1-3
Change of use to an existing one family dwelling. Proposed change to Commercial use on the first floor with resident on the second floor.
Requires a D-1 variance as per Section 125-57.D.(d)(1)

Fees have been paid and there is proof of service.

Mr. Kantowitz, Attorney for the applicant speaks to the Board Members in recognition of the late hour and asks for the time to open the application just to clarify the description of the application and to answer any concerns or questions that arise and then we will probably carry the application to the following month.....

Mr. Kantowitz begins with his opening....

He will go through an analysis to show the following, that on the Zone map that governs Fair Lawn, the B5 zone ends at the Reiner property so that the North East corner of Harrison Drive & River Road and our property on the South East corner represent the first two properties outside of the B5 Zone. We will have testimony to explain to you the Symmetry and the particularly suited location of this property in support of the use variance.

Mr. Kantowitz continues.....

Straight Commercial Use, No food.

Proposed site is two lots away from B5 zone

Use variance is sought and if approved, they will be back for a site plan approval.

Law allows a 2 step process.

Planning criteria will be discussed.

Off-street parking spill off not anticipated.

Use variance incorporates the bulk variance.

Bifurcated application/D-1 variance.

Straightforward application

Mr. Newman speaks to a general concern that with the bifurcation, any granting of a use variance would run with the land and when coming back for a site plan could end of being something substantially different from what this Board foresees.

Mr. Kantowitz speaks to his concerns....

Discussion continues...

Mr. Kantowitz speaks to Mr. Newman and states the Board could make stipulations and conditions that have to be followed if there is an approval.

Mr. Newman speaks of his concerns in being very careful regarding the re-zoning of the B-5 zone with this approval, if there is an approval.

Discussion continues....

Mr. Kantowitz summarizes.

Mr. Kantowitz grants the Board an extension to carry the application to September 21, 2009.

Application carried to September 21, 2009

Minutes

Mr. Charipper made a motion to approve the minutes with amendments for the May 18, 2009 meeting and Ms. Spindel seconded the motion.

VOTE: All Present – AYE

Estimates:

1. Estimate submitted by Birdsall Engineering in the amount of \$3,000. regarding application of Broadway Medical Group, LLC
2. Estimate submitted by Birdsall Engineering in the amount of \$3,000. regarding application of David Nedani(Mr. Sy Karas abstains)
3. Estimate submitted by Birdsall Engineering in the amount of \$1,000 for services rendered for the application of Fair Lawn Fire Company#1
4. Nowell, Amoroso, Klein, Bierman in the amounts of \$833.33, \$962.50 & 907.50

Mr. Charipper made a motion to approve these estimates and Mr. Frankel seconded the motion.

VOTE: All Present – AYE.

Resolutions:

1. Application #2009-018, Jignesh & Kanan Shan,12-03 Fair Lawn Ave, Block 4709, Lot 8, Zone R-1-3– 6ft. fence- Approved.
2. Application #2009-019, Pedro & Christina DaCosta, 1-43 27 Street, Block 3312, Lot 43, Zone R-1-3– 6ft. fence- Approved.
3. Application #2009-020, Eduard & Isabella Polyak, 5-11 Eugene Street, Block 2406, Lot 29, Zone R-1-2– Deck- Approved.
4. Application #2009-021, Eileen Griparich, 37-10 Victoria Road, Block 2518, Lot 25, Zone R-1-2– Front Platform- Approved.
5. Application #2009-078, European Learning Center, 41-21 Dunkerhook Road, Block 1702, Lot 7, Zone R-1-2– Operation of Commercial School- Approved.
6. Application #2009-088, Eurocars, 18-02 River Road, Block 5729, Lot 4, Zone I-1– Operation of auto service repair- Approved.
7. Application #2008-050, Jin Chiu Lu, 28-15 Rutgers Terrace, Block 3621, Lot 27, Zone R-1-2– Variance Extension- Approved.

8. Application #2008-017, Igor Yeliseyev & Alexander Mirtchouck, 12-23
Fairclough Place, Block 4613, Lot 4, Zone R-1-3– Variance extension- Approved.

Mr. Charipper made a motion to accept these resolutions and Ms. Spindel seconded the motion. (Mr. Karas abstains, not present)

VOTE: All Present – AYE.

By Laws:

Mr. Charipper made a motion to approve the by-laws as so amended and prepared by the Board Attorney and Ms. Spindel seconded the motion.

Close Public Session:

Mr. Charipper made a motion to close public session.
Mr. Frankel seconded the motion.

VOTE: All Present – AYE

Meeting went into closed session not to be reopened to the public.
(Minutes not to be released until after litigation)

Motion made by Mr. Charipper
Seconded by Mr. Frankel

Adjourn

Mr. Charipper made a motion to adjourn this meeting and Mr. Sacchinelli seconded the motion.

TIME: 11:30P.M.

VOTE: All Present - AYE.

Respectfully submitted,

Cathy Bozza
Zoning Board Clerk