

**BOROUGH OF FAIR LAWN  
ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Of December 20, 2010**

Following are the minutes of the Fair Lawn Zoning Board of Adjustment's Regular meeting held on December 20th, **2010**.

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. Lowenstein, Mr. Puzio, Ms. Spindel  
Mr. Sacchinelli, Mr. Blecher,  
Mr. Meer & Mr. Newman

Absent: Ms. Donna Taylor Mr. Frankel (arrived 7:15)

Also in attendance were William Soukas, Board Attorney & Cathy Bozza, Zoning Board Secretary.

Mr. Newman announces Agenda.

**Residential Carried:**

1. Application#10-034, Edward Guy,  
28-10 Southern Drive, Block 3416, Lot 35, Zone R-1-3  
Patio is 40.4% where 34.5% is permitted. Side yard setbacks of 0' where 4' is required as per Section 125-12 of area yard and building requirements. Section 125-34 Exceptions & supplemental requirements to build & area regulations.

**CARRIED TO THE MEETING OF JANUARY 25, 2011  
NO TESTIMONY TO BE HEARD**

1. Application#10-052, Sean Tierney,  
1 Fulton Place, Block 3819, Lot 1, Zone R-1-1.  
Proposed 6ft. fence in the front yard setback where only 3ft. is permitted as per Section 125-38 Fences & Wall.

**CARRIED TO THE MEETING OF JANUARY 25, 2011  
NO TESTIMONY TO BE HEARD.**

**Commercial Application Carried:**

1. Application#10-022, T-Mobile Northeast, LLC.  
12-34 George Street, Block 5611, Lot 19, Zone R-1-3  
Proposed 120' flagpole style monopole & equipment cabinets would require a use variance as Cellular Antennas are not permitted in R-1-3 zone. Height variance required for 120' monopole which exceeds the permitted height of 30'. Rear yard setback of 2.4', 7.8' where 20' is required. Maintain existing impervious coverage of 96% where 35% is permitted. Requires site plan approval. Section 125-57(1)(d)(1). Use variance, D-1Use, D-6 Height 125-65 Site plan, 125-12 Schedule of area yard & building requirements.

**CARRIED TO THE MEETING OF JANUARY 25, 2011  
NO TESTIMONY TO BE HEARD**

Mr. Newman opens the meeting to the General Public for questions or comments.  
Seeing none.

Mr. Newman closes this portion.  
Mr. Newman opens Business portion.

**Resolutions:**

1. Application #2008-063, 18-35 River Road, LLC. 18-35 River Road, Block 5834, Lots 1,3 & 4, Zone I-2– 190 Day Extension- Approved.
2. Application #2010-048, Joel & Joann Berlin, 26-02 Berdan Ave, Block 3507, Lot 22, Zone R-1-2– Proposed 2Car Garage- Denied.
3. Application #2010-051, Eli Zezon(O.D.A.R. LLC), 12-24 Jerome Place, Block 2617, Lot 12, Zone R-1-2– Addition- Approved.
4. Application #2010-053, Leonid & Elina Bor, 23-30 Dorchester Road, Block 3221.01, Lot 22, Zone R-1-3– Addition- Approved.
5. Application #2010-054, Richard Walsh, 3-17 Grunauer Place, Block 3319, Lot 33, Zone R-1-3

Mr. Lowenstein made a motion to accept these resolutions and Mr. Diner seconded the motion.

VOTE: All Present – AYE. (Ms. Spindel Abstains)

**Minutes:**

Mr. Meer made a motion to approve the minutes for the **August 16, 2010** meeting and the minutes of **August 26, 2010** and Mr. Diner seconded the motion.

VOTE: All Present – AYE

**Vouchers:**

1. Nowell Amoroso Klein Bierman for legal services in the amount of \$833.00 professional fee for December, 2010

Mr. Meer made a motion to approve the voucher and Mr. Puzio seconded the motion.

VOTE: All Present – AYE.

Mr. Newman discusses with the Members of the Board the Annual Report that is supplied to the Borough of Council yearly. It references how many applications have been approved and how many have been denied, etc...

Mr. Newman continues..." There are a number of pages where we put a number of commentaries & suggestions." Suggests to the newest members to look on the Borough Website online and it will give you ideas on the kind of feedback we gave the Council last year.

If any of you have any suggestions or comments that you would like to see included in the Annual Report, you can e-mail them to me and Mr. Soukas & I will try & put it together for the Council.

Discussion on how to make the Annual Report more detailed....

The Board discusses all the Applications that have been modified during the meeting to bring down the FAR, Impervious coverage & the Height and this is not recognized under the Approvals for the Report. (discussion on adding this)

Mr. Newman mentions the fact this Board does a good job & that 70% of the applications the Board hears & approves are modified during the meetings and 30% are approved as presented.

Points of Discussion were prior applications, denials.

Discussion on amount of Variance Extensions that are allowable per application.

The Board Members discuss the situation regarding Zap Lube....

Mr. Newman notes to the Board members, going forward, “Lesson learned, if we ever have a big application in front of us where there were important things that we thought needed to be done first before other things were begun, we could put all that in the Resolution”....

Mr. Newman asks the Board members if there are any other questions or comments, Seeing none.

**Adjourn**

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

TIME: 7:40 P.M.

VOTE: All Present - AYE.

Respectfully submitted,

Cathy Bozza  
Zoning Board Clerk