

**BOROUGH OF FAIR LAWN
ZONING BOARD OF ADJUSTMENTS
REGULAR MEETING MINUTES
OF DECEMBER 19, 2022**

Following are the minutes of the Fair Lawn Zoning Board of Adjustment's Regular Meeting held on December 19, 2022

Chairman, Avi Naveh called the Meeting to order at 7:01pm and declared the Meeting was being held in accordance with the Open Public Meeting Law.

Roll Call: Ms. Goldstein, Mr. Seibel, Ms. Miller, Mr. Tratner,
Ms. DeLucca, Ms. Horta, Mr. Berow, Mr. Lowenstein, Mr. Zwillenberg
& Mr. Naveh- **Present** Mr. Estersohn- **Absent**

Also in attendance: Board Attorney; Marc Leibman
Court Stenographer, Patricia Pucciarello
Assistant Zoning Officer, Ann Peck
& Clerk to the Zoning Department; Cathy Bozza

Professionals in attendance: Paul Azzolina- Board Engineer-
Peter Van Den Kooy- Board Planner-

Board Member Richard Seibel leads the Pledge of Allegiance.

Mr. Naveh (Chairman) changes the hearing order of Applications. Will hear Application #22-036 first. Explains the reason for the change by stating; this application will need five (5) affirmative votes because of the C-1 variance and some Board members may have to leave early...

New Residential Business:

**1. Application #22-036, Tobon Giraldo Investments II, LLC.
24-09 Raphael Street, Block 3319, Lot 23, Zone R-1-3**

Expansion of a non-conforming structure. Ordinance 125-32.C (4) permits expansion without variance provided requirements are met-existing non-conforming side or front yard setbacks are not less than 50% of the required side or front yard setbacks, but in no case closer than 12 feet to the existing dwelling on the adjoining property.

Proposed addition. Expansion requires a C-1 variance as per Borough Ordinance section 125-57D(1)(c)(1). Would maintain the existing front yard setback of 7.9' where 25' is required as per Borough Ordinance section 125-32. C. (4). Would increase the impervious coverage from 32.4% to 42.1% where 35% is permitted as per Borough Ordinance section 125-12 Schedule of area yard and building requirements. FAR would increase from 25% to 47% where 40% is permitted requires a D-4 variance as per Borough ordinance 125-57D(1)(d)(1).

Other variances and waivers may be required for this application.

Ms. Sophy Sedarat, Attorney for the Applicant is here this evening from the Law Firm of McDonnell & Whittaker, 245 E. Main Street, Ramsey, N.J.

Fees have been paid and there is proof of service.

Ms. Sedarat begins her testimony. Speaks to her Applicant's request for an expansion relief. Notes the property is undersized and extremely narrow. Reviews the variances sought...Impervious & FAR increase. Ms. Sedarat states she believes with testimony from Professionals this evening they will show the benefits outweigh the detriments.

Ms. Sedarat calls her first witness. Professional Engineer, Mr. Tyler Vandervalk.

Mr. Leibman (Board Attorney) swears in: Mr. Tyler Vandervalk, of
Houser Engineering, LLC.,
1141 Greenwood Lake Turnpike,
Ringwood, N.J.

Mr. Leibman certifies him as an expert in the field of Engineering with no objections from the Board.

Mr. Leibman for the record would like the comment overheard on Zoom programming to be disregarded.

Mr. Vandervalk (Engineer) shares the site plan onscreen with Board Members...begins detailing the proposed expansion, including the addition of a storm water system proposal to collect the runoff.... reviews the Zoning chart numbers with the existing and proposed. Reviews again the variances sought and the non-conforming lot hardships.

Mr. Vandervalk explains the overages on the impervious and the FAR is because of the undersized lot. Speaks to the storm water mitigation proposed. Currently there is no storm water plan, so the water runs down the street. With the storm water management plan proposed, it will collect the runoff discharging it into the ground.

Discussion.... question on how large the system is?

Mr. Vandervalk replies he believes it is a 723 gallon which covers more excess than proposed.

Mr. Naveh (Chairman)clarifies the concrete pad is being removed...

Mr. Vandervalk replies yes, also the Bilco doors and concrete walkway. Only the driveway and walkway to front door are to remain.

Mr. Naveh asks if there is any other access to the basement with the removal of the Bilco doors?

Mr. Vandervalk refers this question to the Architect...

Mr. Naveh questions existing fence.

Mr. Vandervalk states the fence will be kept as is.

Mr. Naveh (Chairman) opens to Board Members for questions.

Ms. Goldstein (Board Member) questions the driveway. This is a single driveway? It appears to be bigger...

Mr. Vandervalk (Engineer) explains the applicant's driveway is 9 feet, 9 inches in width but looks a lot larger because the neighbor's driveway on left side is conjoined so it appears as one.

Ms. Goldstein notes the water mitigation plan will need to be reviewed by the Borough Engineer and she still has issues with the FAR increase...

Mr. Vandervalk refers this questioning to the Planner for her concerns.

Ms. Goldstein questions a landscaping plan?

Mr. Vandervalk has no issue with proposing a plan for submittal...

Ms. Sophy Sedarat, (Applicant's Attorney) reiterates there is no objection for a landscaping plan and speaks to the driveway issue...

Ms. Goldstein (Board Member) states it looks like a parking lot.

Discussion.

Mr. Zwillenberg (Vice Chairman) asks if this is a merged lot?

Mr. Vandervalk explains on the Tax Map. Lots 23 & 24 is one lot...survey shows driveway of neighbor is Lot 25.

Mr. Berow (Board Member) asks the depth of driveway

Mr. Vandervalk replies 57 feet, 10 inches wide.

Discussion continues.

Mr. Naveh questions removal of trees?

Mr. Vandervalk testifies, depending on size, the oak tree may have to be removed.

Mr. Leibman (Board Attorney) requests a short recess.

Mr. Naveh (Chairman) calls a 5minute recess. 7:25pm
Mr. Naveh re-opens meeting: 7:33pm

Roll Call: Ms. Goldstein, Mr. Seibel, Ms. Miller, Mr. Tratner, Ms. DeLuca, Ms. Horta,
Mr. Berow, Mr. Lowenstein, Mr. Zwillenberg & Mr. Naveh- **Present**

Mr. Naveh (Chairman) asks if there are any more questions for the Engineer, Mr. Vandervalk.

No further questions from Board Members.

Mr. Naveh opens the Application to residents living within 200ft. of the Applicant for questions of this witness. Seeing none,

Mr. Naveh opens to the General Public for questions of this witness. Seeing none, Mr. Naveh closes this portion.

Ms. Sophy Sedarat, (Applicant's Attorney) calls her next witness, Jose Caballo, Professional Architect.

Mr. Leibman (Board Attorney) swears in Jose Caballo, of
Rockwood Architect & Design.
17-15 Maple Ave
Fair Lawn, N.J.

Mr. Leibman certifies Mr. Caballo as an expert in the field of Architecture with no objections from the Board.

Upon cross-examination by Ms. Sedarat, Mr. Caballo testifies he did not prepare the plans but knows the plans and proposal very well.

Mr. Caballo tries to share existing plans online with the Board Members but encounters technical difficulties so proceeds verbally with the current conditions existing. Explains it is a long and narrow home with the 2nd floor consisting of 3 bedrooms. One being a tiny bedroom, largest being 11x11 feet, another being 8x11 feet.

Mr. Caballo speaks to the proposed addition...

Mr. Leibman (Board Attorney) because of the technical issues sets up the proposed plans onscreen from the Borough website for Board Members for easy viewing.

Mr. Caballo reviews and details the proposal. States even with the addition, it will not crowd the house next door and sees no negative impact. Testifies it complies with the height and character of the neighborhood. Explains the narrowness of the existing home

being just 15 ½ ft., Railroad type style, and is in full conformity to both side yard setbacks.

Mr. Naveh (Chairman) re-questions Mr. Caballo on the Bilco doors being removed. There is no other entrance proposed, correct?

Mr. Caballo replies; correct.

Discussion...

Mr. Naveh (Chairman) swears in Ms. Ann Peck, Assistant Zoning Officer to the Borough of Fair Lawn.

Mr. Seibel (Board Member) notes in this area of town, lot sizes tend to be small, the house was built around 1935...discusses the plan and clarifies with Mr. Caballo, the drawing has a room indicated as an office? Can you explain this?

Discussion....

Mr. Seibel comments in reality, this (3) three bedroom, (3) three bath is really a (4) four bedrooms, (3) three bath?

Discussion continues...

Ms. Goldstein (Board Member) has concerns with the small lot and the size of the house they are trying to put there.

Mr. Caballo (Architect) explains the house fits well within the property, it is not outside of the side yard setbacks and does not believe the house is too big for the lot.

Mr. Berow (Board Member) notes it may not be to him but it exceeds impervious. Would he consider a hip roof? Removal of some portion of the driveway? There really is no need for the driveway to go all the way to the back of the house.

Mr. Caballo explains regardless of a pitch roof/flat roof or changing the pitch of the roof does not change anything...

Mr. Caballo speaks to the driveway reduction recommendation. Would prefer to keep as is because of the "No Parking Ordinance" on street. They would like to keep it for space if visitors come over, etc...

Mr. Caballo speaks to the materials being used...

No further questions from Board Members.

Mr. Naveh opens the application to Residents living within 200ft. of the Applicant for questions of this witness. Seeing none,

Mr. Naveh opens to the General Public for questions of this witness. Seeing none, Mr. Naveh closes this portion and asks for a motion.

Ms. Sophy Sedarat, (Applicant's Attorney) calls her next witness, Ms. Kiersten Osterkorn, Professional Planner.

Mr. Leibman swears in Ms. Kiersten Osterkorn, PE, PLS, PP of
Omland and Osterkorn
42 Central Ave
Midland Park, N.J.

Mr. Leibman certifies her as a Professional Engineer with no objections from the Board.

Ms. Osterkorn begins her testimony regarding the planning side of it. Reiterates the variances being sought, FAR, front yard setback and impervious, noting the storm water system does not alleviate any issues. Speaks to the front yard setback and FAR noting the undersized lot is generating increase and is a hardship.

Ms. Osterkorn shares screen with Board Members. Displays an aerial version which was submitted in the packages in black & white.

Marked as Exhibit A-1. (Color version of aerial image of site)

Mr. Leibman requests a copy be sent via email to Ms. Peck.

Ms. Osterkorn notes the request and begins her detail of Exhibit A-1 testifying most of the lots are the same in surrounding area. 25 x 100-foot size lots, 25 x 92-foot size lots and 50 x 100-foot size lot. 5000 square feet size in general. 46-50% FAR size. They are building a home which fits into the character and size of most of the homes in the neighborhood.

Testimony continues...reviews the goals and objectives of the Master Plan. Speaks to the positive aspect of the plan. Finds no detriment to the Public good, etc...believes it is a positive aspect to the neighborhood. Proposal is in conformance with surrounding neighborhood homes. Discusses the hardship factor, etc...

Ms. Sedarat (Applicant's Attorney) reviews all of Ms. Osterkorn's testimony for Board Members.

Ms. Osterkorn in wrapping up her testimony believes it is a very nice home for the lot size.

No further questions from Board Members.

Mr. Naveh opens the application to Residents living within 200ft. of the Applicant for questions of this witness. Seeing none,

Mr. Naveh opens to the General Public for questions of this witness. Seeing none,

Mr. Naveh closes this portion.

Mr. Naveh reviews some negative points of the Application. Notes the FAR requirements in the Master Plan and the reasoning behind it.

Discussion on Master Plan ensues...

Mr. Naveh (Chairman) speaking on his concerns with the Application appreciates the storm water system being put in but impervious coverage is still over. Regarding the FAR asks; why a home this size?

Ms. Osterkorn (Planner) thinks the house would work and explains... in her opinion, she does not think it is too big for the lot.

Mr. Lowenstein (Board Member) would like to call to attention, the lack of maintenance on the property such as trash, propane tanks, 3 trash cans full, papers all about. This should be rectified immediately.

Discussion on the depth of driveway at 57ft. Can this not be shortened?

Ms. Osterkorn addresses the issue of off-street parking, etc...

Discussion continues...

Mr. Caballo (Architect for the Applicant) interjects to state if this is critical to the application, they could reduce the driveway...

Discussion on the Storm Water runoff... (10 yr.) (25 yr.) (100 yr.) Modifications can be made. 723-gallon capacity (Exact number needed)

Discussion continues...

Ms. Sedarat (Applicant's Attorney) states they have no objection to condition of approval for modification to (25 yr.) Storm Water plan.

Mr. Leibman swears in Board Professional Engineer, Mr. Paul Azzolina.

Discusses the 10year vs 25-year Storm Water Management Plan with Board Members. Notes seepage pit is an improvement & Mr. Vandervalk (Engineer for the Applicant) has made accurate testimony.

Ms. Sedarat notes the Applicant will comply with professional recommendations.

Mr. Lowenstein (Board Member) questions if the calculations were actually done regarding the FAR for the homes in the area?

Ms. Osterkorn (Planner for the Applicant) states she went through tax records and did an average...

Discussion continues...

Green space is reviewed and discussed.

Ms. Sedarat points out the green space on lot and landscaping agreed to by the Applicant.

Mr. Seibel (Board Member) points out newer homes built in 2006. Asks what their thoughts are regarding building a new home rather than existing?

Discussion on the pros and cons of knocking down versus rebuilding...

Mr. Seibel speaks to the hardship. Has an issue. In 1935 someone purchased two (2) lots, 20-25 years later, town created 65 x 100 sf lots. Where did the hardship come from?

Discussion.

Ms. Osterkorn speaks to the history of the R-1-3 zone.

Discussion continues...

Mr. Seibel questions Tobon Giraldo Investments. Will they own the house themselves?

Ms. Sedarat (Attorney) speaks to owners and states they are here this evening for any questions...reviews the hardship issue.

Mr. Zwillenberg (Vice Chairman) questions the calculation of the FAR of 24-19 Raphael.

Ms. Osterkorn states calculation was done at 50%.

Mr. Leibman (Board Attorney) asks for an onscreen view and shares the website with Board Members and explains the website to them.

Mr. Zwillenberg states he is familiar with the neighborhood and homes are all Cape Cod style.... he looked up tax records and maybe he is incorrect but the FAR seems to be off on the one lot.

Discussion...

Ms. Osterkorn (Planner for the Applicant) apologizes. Speaks to FAR calculations on the one lot. It is incorrect.

Ms. Sedarat (Attorney for the Applicant) amends the testimony of Ms. Osterkorn for the subject lot (1 lot) all other testimony is correct.

No further questions from Board Members.

Mr. Naveh opens the application to Residents living within 200 ft. of the Applicant for questions. Seeing none,

Mr. Naveh opens to the General Public for questions or comments. Seeing none, Mr. Naveh closes this portion.

Ms. Sedarat summarizes the Application. Reviews the FAR, the proposal, extensive mitigation, etc. They are not here to build a McMansion, etc...

Mr. Naveh (Chairman) asks if there are any comments from Board Members before a motion is called.

Mr. Zwillenberg (Vice Chairman) would like to put into record the FAR calculations of neighboring homes, etc...

Mr. Leibman (Board Attorney) offers recommendations regarding this request.

Discussion.

Mr. Leibman states the Board Planner, Peter Van Den Kooy is here this evening if you would like to hear his opinion...

Ms. Horta (Board Member) would.

Mr. Leibman swears in Mr. Peter Van Den Kooy (Professional Board Planner)

Mr. Van Den Kooy discusses the lot sizes- review of testimony given is reviewed and discussed. Notes the expansion to rear does help. States the Application is tough, weighing the pros and cons...

Discussion continues.

Ms. Sedarat (Attorney for the Applicant) speaks with Mr. Van Den Kooy regarding the Application, the positive & negative criteria...

No further questions from Board Members.

Mr. Naveh opens the application to Residents living within 200 ft. of the Applicant for questions. Seeing none,

Mr. Naveh opens to the General Public for questions or comments. Seeing none, Mr. Naveh closes this portion and asks for a motion.

Mr. Tratner makes a motion to approve the application.

Mr. Lowenstein seconds the motion with (3) conditions:

1. Driveway be shortened to 40'
2. Any Tree being removed must be replaced according to the Borough requirement.
3. Storm Water System will meet the 25 year standard.

Discussion on driveway amendment...Ms. Peck (Assistant Zoning Officer) does not recommend the reduction of driveway. States over the years she has seen Applicant's come back because the children grow up and get cars and need the room, so they come back looking to expand the driveway...

Ms. Miller amends the motion to remove driveway reduction condition. Seconds the motion with the two conditions as stated.

1. Trees being removed must be replaced according to Borough requirements.
2. Storm Water System meet the 25 yr. standard.

Mr. Naveh clarifies for the Board: A “**Yes**” vote would be to **deny** the Application.
A “**No**” vote would be to **approve** the Application

VOTE: Ms. Goldstein, Mr. Seibel, Ms. Miller, Mr. Tratner –**YES TO DENY.**

Mr. Lowenstein, Mr. Zwillenberg & Mr. Naveh – **NO TO APPROVE.**

Motion Carries: 4-3 to deny.

APPLICATION DENIED. (Failure to obtain five affirmative votes)

Mr. Naveh (Chairman) calls a Recess. 9:15pm

Mr. Naveh re-opens meeting. 9:21pm.

Roll Call: Ms. Goldstein, Mr. Seibel, Ms. Miller, Mr. Tratner,
Ms. DeLucca, Ms. Horta, Mr. Berow, Mr. Lowenstein, Mr. Zwillenberg
& Mr. Naveh- **Present**

Mr. Naveh asks because of the late hour, he would like to give the Commercial Application #22-035, Burgagni Realty, LLC the option to carry to the next meeting to be heard or standby while the Residential #22-034 is being heard?

Mr. Josh Levine (Attorney for the Applicant) states they would like the option to be heard.

Mr. Naveh opens the next Application.

1. **Application #22-034, Alex & Irina Yemets, 13-08 Lyle Terrace, Block 2609, Lot 23, Zone R-1-2**
Proposed rear addition requires a C-1 variance as per Borough Ordinance 125-57D(1)(d)(1) Proposed new front unenclosed porch and unenclosed portico would reduce the existing front yard setback of 33' to 26.5' where 30' is required

as per Borough Ordinance 125-12 Schedule of area yard and building requirements. Other variances and waivers may be required for this application.

Fees have been paid and there is Proof of Service.

Ms. Irina Yemets (Applicant) will testify this evening and answer any questions but has brought her Architect also for any questions from the Board.

Mr. Leibman (Borough Attorney) swears in Ms. Irina Yemets (Applicant/Homeowner)
13-08 Lyle Terrace
Fair Lawn, N.J.

Ms. Yemets states she has lived in Fair Lawn for 20 years and would like to build a front yard unenclosed porch where she could sit with her mother and neighbors and enjoy the summer on this porch but the front yard setback does not conform.

Mr. Leibman would like to swear in her Architect at this time for questions.

Mr. Leibman swears in Matthew Martinique (Professional Architect) of
Appel Design Group
23 Vreeland Road,
Florham Park, N.J.

Mr. Leibman certifies Mr. Martinique as an Expert in the Field of Architecture with no objections from the Board.

Mr. Martinique shares the screen with the proposed plan with Board Members.
Speaks to the porch proposed.

Mr. Naveh (Chairman) notes the oversized lot for this area. Clarifies no other variance is being sought except for the front yard setback. Questions the sloping issue at the site.
How will this be rectified?

Mr. Martinique addresses this issue....

Mr. Lowenstein (Board Member) comments it is a lovely home. Very nice landscaping.
Will the construction effect this?

Mr. Martinique replies he believes one tree will have to be removed but will be put back and bushes will be relocated.

Discussion.... Ms. Yemets plans to put flowers, etc. in front of porch.

Ms. Goldstein (Board Member) clarifies landscaping plans...more trees, not less?

Ms. Yemets (Applicant) replies she will try to save the tree but if not, she will replace it.

No further questions from Board Members.

Mr. Naveh opens the application to Residents living within 200ft. of the Applicant for questions. Seeing none,

Mr. Naveh opens to the General Public for questions or comments. Seeing none, Mr. Naveh closes this portion and asks for a motion.

Ms. Miller makes a motion to approve the application.
Ms. Goldstein seconds the motion.

VOTE: Ms. Goldstein, Mr. Seibel, Ms. Miller, Mr. Tratner,
Mr. Lowenstein, Mr. Zwillenberg & Mr. Naveh – **YES.**

Motion carries.
APPLICATION APPROVED.

1. New Commercial Application:

1. Application #22-035, Burgagni Realty, LLC.
20-15 Maple Ave, Block 5828, Lot 1, Zone OBS-1
This is a bifurcated application for the use only.
Proposed use as a storage of construction tools, equipment and materials.
Parking overnight for two vehicles (a van and dump truck) and use as
Administrative offices. Other variances and waivers may be required for this
application.

Josh Levine from the Levine Law Firm, Fair Lawn, N.J. will be speaking this evening for the Applicant who is also in attendance for testimony if needed.

Fees have been paid and there is proof of service.

Mr. Levine opens with a description of the site being an OBS-1 Zone. Office and Business zone. Explains this was the former location of Acorn Tire Center and is presently under contract to repurpose the use which is to run administrative offices and store vehicles, a van & dump truck which are to be stored onsite and only to go offsite to pick up refuse and debris, dump and return to site with clean truck. They are only seeking a use approval.

Mr. Naveh (Chairman) asks Mr. Levine if they brought a Planner this evening?

Mr. Levine states yes but would advise to hear the Applicant first.

Mr. Leibman swears in Nicholas Burgagni (Applicant/Owner/Chief, LLC.)

Mr. Burgagni testifies he is presently under Contract to purchase the site. Condition is contingent upon approval for intended use which is to use as a headquarters for administrative purposes and storage of tools, equipment and a few vehicles. A Dodge Caravan and a masonry dump truck.

Mr. Levine (Attorney) shares photos of truck with Board Members.
Marked as Exhibit A-1. Picture of Ford F350 Mason Dump Truck.

Mr. Burgagni reiterates this will be stored inside building with the van along with storage equipment and tools. He explains the business is currently in North Arlington and is keeping equipment at home. He would like to consolidate everything to one location.

Mr. Naveh asks what is the intent for site? Are you planning to maintain driveway or plan changes to building?

Mr. Burgagni (Applicant) testifies his intent is to comply to requirements. Has no plans to change exterior of the building. The layout is good. Administrative building could use upgrading, maybe future plans to 2nd floor.

Mr. Naveh asks if there will be any hazardous materials kept?

Mr. Burgagni testifies no. Continues to give overall idea on the business operation.

Discussion on the 2 Bedroom & 3 Bedroom Apartments onsite...

Mr. Burgagni testifies he would like to eventually convert the right hand space into a parking lot.

Mr. Levine (Attorney for the Applicant) clarifies any future plans regarding the parking would have to go before the Board.

Ms. Ann Peck (Assistant Zoning Officer) clarifies no commercial vehicles will be parked outside at any time, correct?

Mr. Burgagni replies yes. Vehicles will be inside.

Ms. Peck clarifies that two parking spaces per apartment also will be kept?

Mr. Naveh clarifies Apartment rentals? Are they legal apartments?

Ms. Peck replies they are an existing condition...

Ms. Goldstein (Board Member) asks Mr. Burgagni if the apartments will change?

Mr. Burgagni testifies the building will not change.

Mr. Zwillenberg (Vice Chairman) questions the current zoning...

Ms. Peck replies; OBS-1-Office & Business District.

Discussion...

Mr. Leibman (Board Attorney) states; to grant a use variance with no site plan, etc...no information on the square footage of building & parking spaces is going to be hard. There is a lot of information needed...

Mr. Zwillenberg (Vice Chairman) asks if the Applicant is seeking a variance for the apartments as well?

Discussion...

Mr. Levine (Attorney for the Applicant) states the apartments are already existing and whatever is permissible, they will abide by.

Discussion continues...

Ms. Peck (Assistant Zoning Officer) clarifies the OBS-1 Zone. Explains professional offices are allowed. States with the elimination of outdoor storage, they may not need a use variance. Testimony tonight was there was no outside storage...

Discussion continues on the elimination of the use variance.

Mr. Van Den Kooy (Board Planner) speaks to the apartment use. This is a non-permitted use in the zone...? Speaks to outdoor storage and equipment...

Discussion on lack of information to vote correctly.

Ms. Peck (Assistant Zoning Officer) asks the Chairman if the Application can be carried to the next meeting to review the Application again and advise the Applicant as to what is needed.

Mr. Zwillenberg (Vice-Chairman) would agree and wants more information on the storage equipment...

Mr. Leibman (Board Attorney) also agrees and notes the Application needs further investigation. The proposed use needs more information & clarification. It may be decided it only an approval for a site plan from the Planning Board...

Mr. Lowenstein (Board Member) would like clarification. Are they talking residential or commercial apartments?

Ms. Peck states legal residential apartments.

Discussion on carrying the Application to January which is the Re-Organization Meeting or February?

Mr. Seibel (Board Member) questions what is the plan also with the Billboard on the roof?

Mr. Levine would prefer the January meeting if possible.

Mr. Leibman (Board Attorney) announces the carrying of the Application to the January 23, 2023 Re-Organization meeting. No further notice.

Application carried to January 23, 2023. No further notice required.

Mr. Naveh opens to the General Public for comments.

Michael & Linda Carabana
7-21 Henderson Blvd.
Fair Lawn, N.J.

Strongly agree with the project being proposed. Speaks to the previous Acorn Tire owners and what a nightmare it was...

Mr. Leibman (Board Attorney) interjects to tell the residents to please come back on January 23rd. The Board Members are very much interested in what you have to say.

Mr. Naveh re-opens to the General Public for comments. Seeing none.
Mr. Naveh closes this portion.

Mr. Naveh moves to Order of Business.

Memorialized Resolutions:

1. Application #22-028, Gabriel & Alexia Geraldo, 0-31 East Amsterdam Ave, Block 2212, Lot 5, Zone R-1-3-Proposed addition- **Approved.**

Mr. Lowenstein makes a motion to approve the Resolution and Ms. Goldstein seconds the motion.

All in Favor: **AYE**

2. Application #22-030, Adam Komet & Kerry Culbert, 21 Albert Ave, Block 6904, Lot 26, Zone, R-1-3-Proposed addition, - **Approved.**

Ms. Goldstein makes a motion to approve the Resolution and Ms. DeLucca seconds the motion.

All in Favor: **AYE**

3. Application #22-031, Alex & Farida Mercedes, 21 Franciscan Way, Block 3818, Lot 11, Zone R-1-1, Proposed paved area with 0'setback. – **Denial Approved.**

Mr. Berow makes a motion to approve the Resolution and Mr. Zwillenberg seconds the motion.

All in Favor: **AYE**

4. Application #22-032, Daniel & Illanna Shapiro, 20 Godwin Ave, Block 2810, Lot 17, Zone R-1-2- Proposed Addition-**Approved.**

Mr. Zwillenberg makes a motion to approve the Resolution and Ms. Delucca seconds the motion.

All in Favor: **AYE**

5. Application #22-033, Vadym Yukhno, 17-14 Berdan Ave, Block 4508, Lot 39, Zone R-1-1.- Proposed Driveway Expansion- **Approved.**

Ms. Horta makes a motion to approve the Resolution and Mr. Berow seconds the motion.

All in Favor: **AYE**

Minutes: *November 21, 2022*

Ms. Horta makes a motion to approve the minutes of **November 21, 2022** as amended and Mr. Zwillenberg seconds the motion.

All in Favor: **AYE**

Fair Lawn Zoning By-Laws - Discussion...

Ms. Miller makes a motion to adopt as amended and Mr. Lowenstein seconds the motion.

All in Favor: **AYE**

Adjourn:

Ms. Berow makes a motion to adjourn and Ms. Miller seconds the motion.

VOTE: All Present: **AYE**

Time: **10:35pm**

Respectfully submitted,

Cathy Bozza
Zoning Clerk

