

Minutes for the Zoning Board of Adjustment

June 26, 2013 8:00 pm

Mr. McLaughlin opened the meeting at 8:01 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	Stephen Martinez-absent
Michael Roth-present	Mark Antonucci-absent
Marilyn Simpson-present	Reverend Marilyn Peoples-present
Jin Cho-present	John Powers-present
Karen Brady-present	

Also Present: Marti Francis, Board Clerk
John Schettino, Board Attorney

Minutes Approval: May 22, 2013: Ms. Brady moved to approve, second Reverend Peoples.

ROLL CALL VOTE

Richard McLaughlin-yes	Karen Brady-yes
Michael Roth-yes	Reverend Peoples-yes
Marilyn Simpson-unable to vote	Jin Cho-yes
John Powers-yes	

Invoices To Be Paid: Ms. Simpson moved to approve invoices from John Schettino in the amounts of \$250.00 and \$150.00 be paid, second Reverend Peoples.

ROLL CALL VOTE

Richard McLaughlin-yes	Karen Brady-yes
Michael Roth-yes	Reverend Peoples-yes

Marilyn Simpson-yes
John Powers-yes

Jin Cho-yes

Old Business

Mr. McLaughlin recused himself. Chris Rago seeks a change of use for 111 Old Hook Road, Harrington Park, NJ, Block 1406, Lots 25 and 26, which is prohibited per HP Code 350-9.A.(2). Also the fence proposed exceeds the allowed height per HP Code 350-42.B. **THE APPLICANT HAS EXPRESSED THE WISH TO DISCONTINUE THE APPLICATION WITHOUT PREJUDICE AT THIS TIME.** Mr. Schettino spoke about the process of applications and that the public did themselves a disservice by speaking last meeting. Mr. Roth reminded the Board not to speak about the merits of an application when visiting sites. He also reminded the Board that it is here to give relief. Mr. Schettino reminded that the criteria are hardship, negative criteria, and a unique property. Reverend Peoples moved to allow the applicant to discontinue the application without prejudice, second Ms. Brady.

ROLL CALL VOTE

Richard McLaughlin-no vote
Michael Roth-yes
Marilyn Simpson-yes
John Powers-yes

Karen Brady-yes
Reverend Peoples-yes
Jin Cho-yes

Mr. McLaughlin returned to the meeting

New Business

Glenn and Lynn Baker, 16 Oak Street, Harrington Park, NJ, Block 404, lot 9, seek a variance for a fence that violates HP Code 350-42 due to its height. Ms. Brady recused herself. Mr. and Mrs. Baker approached the bench and were sworn in. The applicants explained that they recently installed a fence for which they requested a permit. They did not realize that it only came in 3 feet and 6 feet heights. When it was installed they asked the contractor what to do. At this time the gates are not in and the posts are not down. The contractor suggested they seek a variance. They have 2 big dogs (3 feet would not contain them), and deer are a problem in their yard. A board of pictures was marked A-1. Neighbors (390

Lynn and 26 Oak) have fences that now connect to the applicants'. The fence at 26 Oak is even higher. The applicants are closing in their own back yard. If they cut off the top the aesthetics would be lost. Mr. Roth asked if the contractor had asked about the height restriction and was told he did not. Mrs. Baker stated that no neighbors have objected to the fence and that the neighbor at 31 Beechwood wrote that there was no problem. Mr. McLaughlin opened the meeting to the public. Michael Ryan, 15 Oak, stated that he felt a 5 foot fence would be inadequate to keep deer out and that perhaps the 5 foot limitation was no longer appropriate. He suggested that perhaps an adjustment could be made in this case. Michelle Ryan stated that the fence was aesthetically pleasing and did not block one's view. Marianne Ryan stated that she was also here in support of the application. The meeting was closed to the public, and the applicants were told that the Board would visit the property separately before the July 24th meeting.

Ms. Brady returned to the meeting.

Resolution for Approval

David Musante, 71 Highland Avenue, Harrington Park, NJ, Block 1014, Lot 1, seeks a variance for a generator that has been installed and violates HP Codes 350-39.C and 350-10 by encroaching upon the side yard setback. Ms. Brady moved to adopt the resolution, second Mr. Powers.

ROLL CALL VOTE

Richard McLaughlin-yes	Karen Brady-yes
Michael Roth-yes	Reverend Peoples-yes
Marilyn Simpson-unable to vote	Jin Cho-yes
John Powers-yes	

Adjournment: Ms. Simpson moved to adjourn, second Mr. Roth. Meeting adjourned at 8:35.

The next Board of Adjustment meeting is scheduled for July 24, 2013.