

BOARD OF ADJUSTMENT
DECEMBER 7, 2011

MINUTES

REGULAR MEETING

Salute to Flag: 8:08 p.m.

OPENING STATEMENT:

This is a Regular Meeting of the Wanaque Board of Adjustment and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends and Herald News on January 12, 2011 and a notice thereof has been posted on the bulletin board in the Municipal Building and a copy thereof is on file with the Borough Clerk.

ROLL CALL: Chairman Jack Dunning, Members Peter Hoffman, Donald Ludwig, Eric Willse, Michael Levine, Attorney Ronald Mondello, and Engineer Christopher Nash.

Member Joseph D'Alessio arrived at 8:20pm

ABSENT: Vice Chairman Grygus, Members Frank Covelli and Jaime Landis

APPLICATIONS: None

PUBLIC DISCUSSION: None

RESOLUTION: Application No. ZBA-2011-07, Michael W. Boccher, 109 Monroe Street, Haskell, Block 261/Lot 15 for bulk and/or dimensional variances to remove a small porch and steps in the center of the front of the house and construct a 17' x 5' covered front port from the center of the house to the driveway.

MOTION TO MEMORIALIZE THIS RESOLUTION AS PREPARED BY BOARD

ATTORNEY: made by Member Ludwig, seconded by Member Levine. Voting yes were Chairman Dunning, Members Hoffman, Ludwig, Willse and Levine. Motion Carried.

CORRESPONDENCE:

Exxon (1040 Ringwood Avenue) Application: County is withholding approval until certain conditions are met and our application approval is based on the County giving approval to the project. Any approved Resolution by the Borough of Wanaque is good for nine months. The Resolution on this project was memorialized at the March 2, 2011 Meeting and was published on March 6, 2011. The nine months' time frame is up.

Does the Permit Extension Act negate the time clock on this Resolution?

Chairman Dunning advised that this issue has come up on a few occasions in the past and we let the applicant come back with a new application and just approved what we already approved. However, in this matter, we still do not have an approved plan. Attorney Mondello advised any extensions would be up to the Board, or you can advise the applicant that the time has expired and needs to file a new application. Legally, the safest way to handle this matter is to advise the applicant they have to start the process all over again, with all experts, pay all application fees and escrow fees.

Member Willse commented that maybe we should probably not accept a new application until the County approves the project to avoid this situation again.

Chairman Dunning doesn't believe this to be an issue. There is not much that the County is looking for and with the Gulf Station, the County was behind us on that application. This is a similar situation. The change of the ingress/egress on Ringwood Avenue is the biggest question, and no draining into their storm drains.

The applicant did not start any construction, and has not taken out any permits for this project.

Attorney Mondello would like to research this application by preparing a timeline, reviewing the Permit Extension Act and advise the Board of all findings at the January meeting. The Board can then make a more informed decision at that time.

1019 Ringwood Avenue (4 Townhouses): In the Resolution, there were conditions regarding the 6x6 basement and the placement of the sewer line to avoid putting bedrooms in the basement. Please have the Construction Official check to make sure the builder followed the Resolution.

Reorganization Meeting: January 4, 2012 – Prepare Notice for Publication

VOUCHERS: submitted by Boswell Engineering for Review of Boccher Application in the amount of \$427.50.

MOTION TO APPROVE: made by Member Ludwig, seconded by Member Willse. Voting yes were Chairman Dunning, Members D'Alessio, Hoffman, Ludwig, Willse and Levine.

VOUCHERS: submitted by Ronald P. Mondello, Esq. for Review of File and Preparation of Boccher Resolution in the amount of \$300; and Attendance at December 9, 2011 Meeting in the amount of \$300.

MOTION TO APPROVE: made by Member Ludwig, seconded by Member D'Alessio. Voting yes were Chairman Dunning, Members D'Alessio, Hoffman, Ludwig, Willse and Levine.

MOTION TO APPROVE OCTOBER 5, 2011 MINUTES: made by Member Ludwig, seconded by Member Willse. Voting yes were Chairman Dunning, Members D'Alessio, Hoffman, Ludwig, Willse and Levine.

ENGINEER'S REPORT: Nothing new to report.

DISCUSSION: Ringwood Avenue Construction and problems with the water main.

Today is the 70th Anniversary of Pearl Harbor – VFW had about 50 people at a ceremony tonight.

MOTION TO ADJOURN AT 8:30P.M.: Motion carried by a voice vote of all members present.

Jennifer A. Fiorito
Board of Adjustment