

**BOROUGH OF OLD TAPPAN
PLANNING BOARD
REGULAR MEETING
WEDNESDAY, September 15, 2010- 7:30 p.m.
MINUTES**

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the (www.oldtappan.net) web site. Please note the fire exits at the entrance to the Council Chambers and at the rear of the Council Chambers.

MEETING CALLED TO ORDER: 7:30pm

ROLL CALL:

Present:	William Weidmann	Acting Chairperson
	Anna Haverilla	Mayor Rep.
	Richard Sunden	
	Gary Mascolo	
	Julie Katz	Alt. #3
	Michael Alessi	Alt. #4

Also Present: Robert Regan, Esq. Board Attorney

Absent:	Matthew Nalbandian	Council Liaison
	Peter Abballe	
	Nick Mamary	
	Charles Maggio	
	John Rinaldi	Alt. #1
	Karen Nilsson	Alt. #2
	Thomas Skrable	Board Engineer
	Sean Moronski	Board Planner

PLEDGE OF ALLEGIANCE:

PLANNING BOARD MEMBERSHIP: Mr. Weidmann stated that as long as there is no objection, he will take over for the chair until the end of the year. In January a chairperson will be nominated. The board agrees. Mr. Weidmann will be designated as acting chair on all resolutions.

OPEN TO PUBLIC: No public.

COMMUNICATIONS: Ms. Noll stated that she received a letter regarding the Sokolich application requesting that it be heard on 10/20/10. Mr. Weidmann suggests that it be the only application on for that evening.

APPLICATIONS:

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Morro – Block 1809 Lot 6

Daniel and Carol Morro are sworn by Mr. Regan. Ms. Noll stated that the notice documents are in order. Letter from Dennis Rossi is marked as A-1 and A-2 is marked as another letter. A-3 is marked as 5 photos. A-4 is the survey provided with the application. Mrs. Morro explained that the builder that they hired proceeded without permits. Mr. Abballe advised the applicants that they were in violation and the deck needed a variance. Mrs. Morro also stated that when they found out that the builder had proceeded without the proper approvals they fired the builder and proceeded with the variance process. The school woods is behind their home. The variance is for 4ft 6in. Mr. Abballe called Mr. Weidmann and explained that the borough has a bench warrant out for this contractor. The applicant was unaware of this. The chain link fence belongs to the school and the applicant maintains the property up to the fence (approx 10 feet) which belongs to the school. The applicant has a builder ready to continue the work once the variance is approved. This is a covered deck. Councilwoman Haverilla, seconded by Mr. Mascolo, made a motion to open the meeting to the public. Paula and Anthony Borzone, are sworn by Mr. Regan, live the closest to the deck and they have no problem with the deck and are supporting the application. Roberta Anthes, speaking on behalf of her mother, who also approves of the deck. Councilwoman Haverilla, seconded by Ms. Katz, makes a motion to close the meeting to the public. Ms. Katz, seconded by Mr. Sunden, made a motion to approve the application. On roll call vote, the vote was as follows:

Roll call:

Ayes:	Mr. Sunden, Mr. Mascolo, Councilwoman Haverilla, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays:	None
Abstain:	None

APPEALS:

Donaghy – Block 103, Lot 10.10

Robert Knoebel, Esq., 135 Main Street, Nyack NY 10960. 845-358-1322. Member of the NJ bar. James K. Donaghy and Peter Spagnuolo are sworn by Mr. Regan. Mr. Knoebel represents Mr. and Mrs. Donaghy. The property is located at 10 Lone Cedar Way. The applicant purchased the home in 2003. The original plans to the house shows a covered porch in the rear of the home which was never put on. The applicant is looking to put the roof on at this time in order to prevent water runoff and further damage to his property, deck and home. The applicant is before the board because he received a letter of denial from the zoning officer and is appealing the denial. The original plans were approval prior to the FAR ordinance. The FAR allows 13% while 14.3% is proposed. The deck is approximately 700 sq.ft. A-1 is marked as the 8/9/10 letter of denial from the zoning office. The home is approx. 8,000 sq. ft. Mr. Regan reviews the definition of FAR. Mr. Regan questioned if a deck with a roof but not enclosed walls (not habitable) should be included in the FAR calculations. Mr. Nick Pappas, Zoning Official, is sworn by Mr. Regan. Mr. Pappas stated that the concrete footings and the roof is what makes it included in the calculations. If it is connected to the house anything with footings becomes part of the FAR. The applicant plans on building the roof exactly as originally planned. Mr. Spagnuolo is Mr. Donaghy's contractor. The aerial photo is marked A-2. Building plans is marked as A-3. Basement Plan is A-4. Mr. Alessi, seconded by Councilwoman Haverilla, made a motion to reverse the decision of the Zoning Official. On roll call vote, the vote was as

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follows:

Roll call:

Ayes: Mr. Sunden, Mr. Mascolo, Councilwoman Haverilla, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays: None
Abstain: None

CONSTRUCTION OFFICIAL’S REPORT: None

BOARD ENGINEER REPORT: None

COUNCIL LIAISON’S REPORT: Councilwoman Haverilla stated that the Mayor and Council intend on appointing a new Chief of Police at the 10/4/10 meeting. Town day was great. The Mayor and Council decided to change it to Sunday out of respect for the people who lost someone on 9/11. Councilwoman Haverilla also stated that the solar project was delayed because they had to repair roof on the borough hall, phase 1 will begin shortly.

ENVIRONMENTAL COMMISSION REPORT: No report.

FINANCIAL SECRETARY’S REPORT: The bills are as follows: \$300.00 from the budget and \$3,998.25 from escrow for a total of \$4,298.25. A motion was made by Ms. Katz and seconded by Councilwoman Haverilla, to approve the bills as stated. On roll call vote, all in favor, none opposed. Motion carried.

MINUTES TO BE APPROVED: A motion to approve the minutes of June 2, 2010, was made by Mr. Alessi and seconded by Ms. Katz. On roll call vote, the vote was as follows:

Roll call:

Ayes: Mr. Mascolo, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays: None
Abstain: None

Motion carried.

A motion to approve the minutes of July 21, 2010, opened and closed session, was made by Councilwoman Haverilla and seconded by Mr. Mascolo. On roll call vote, the vote was as follows:

Roll call:

Ayes: Mr. Mascolo, Councilwoman Haverilla, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays: None
Abstain: None
Motion carried.

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RESOLUTIONS: Brennan - Mr. Regan reads and reviews the resolution for the board. A motion was made by Mr. Mascolo and seconded by Ms. Katz. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Mascolo, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays: None
Abstain: None

Maccaro - Mr. Regan reads and reviews the resolution for the board. A motion was made by Councilwoman Haverilla and seconded by Mr. Mascolo. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Mascolo, Councilwoman Haverilla, Ms. Katz, Mr. Alessi and Mr. Weidmann
Nays: None
Abstain: None

OLD BUSINESS: Ms. Katz will help Ms. Noll in reviewing the application and changing where needed.

OPEN TO PUBLIC:

NEW BUSINESS: Ms. Noll stated that the Planning Board office hours on Wednesday have changed to 9:30 – 3:30.

The 10/6/10 is cancelled and the next meeting is scheduled for 10/20/10.

ADJOURNMENT:

Upon motion of Councilwoman Haverilla, seconded by Ms. Katz all in favor, the meeting was adjourned at 8:33 pm.

Respectfully submitted,

By: _____

Siobhain Auer
Recording Secretary

/sa

Date Approved _____

cc: Mayor and Council
Robert Regan, Esq.
Thomas W. Skrable, P.E.
Construction Official
Fire Official
Board of Health
Burgis Associates