

BOROUGH OF RIVER EDGE
RIVER EDGE ZONING BOARD OF ADJUSTMENT
COUNCIL CHAMBERS
WEDNESDAY, APRIL 13, 2016

MEMBERS PRESENT:

Eileen D. Chusid, Chair
Avo Derbalian
Ronald Black, Alt. #2-Acting Secretary
Mark Gioffre, Alt. #3

MEMBERS ABSENT:

Valerie Costa, Vice Chair
Gary Esposito, Secretary
Al Ruhlmann
Karen Glass
Robert Nyman, Alt. 1
Mark Skerbetz, Zoning Officer

ALSO PRESENT:

Victoria Pekerman-Absent
Shapiro Croland
David Marcus, Esq.

Minutes Prepared by
Dorothy Bernice

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CALL TO ORDER – 8:03 p.m.
SALUTE TO THE FLAG
SUNSHINE LAW STATEMENT
ROLL CALL-See page 1

The Chairman advised that the Board did have a quorum so that a legal meeting could take place. Mr. Marcus noted that there was a typographical error on the agenda and that the number of the Arabian Application should be 2016-05. The Chairman continued that the two new applications were use or D variances which require 5 affirmative votes. She then asked the applicants' attorneys to come forward one at a time and request an adjournment until the May meeting. By making that request, no new notices or republication would be necessary.

Joseph Colella represented
Arabian Application 2016-05
700 Kinderkamack Road
409/34- Use Variance to permit a two family dwelling
Mr. Colella asked that the board continue his client's application to the May meeting. A motion for the continuance was made by Mark Gioffre and seconded by Avo Derbalian. Approval for the continuance was unanimous.

G. Sandy Moscaritolo represented
Moscoso Application 2016-02
34 River Edge Road
404/3 – Variance for expansion of non-conforming use (second and third floor)
bulk variance approval required for the third floor.
Mr. Moscaritolo asked that his client's application be continued as it was time consuming and expensive to re notice and re publish the required notices. He also asked for a few minutes to summarize the application. The chair called for a motion and once again Mark Gioffre moved the motion and Avo Derbalian seconded the motion. Again approval was unanimous.

At that point Mr. Colella asked the board if he could also summarize the application of the Arabians. The chair said that he could but since Mr. Moscaritolo currently had the floor, he would continue and then the Board would hear him.

Mr. Moscaritolo noted that the home was currently a non-conforming two family home. It is located next to the borough parking lot. He stated that he had reviewed the history of the house and had spoken to the previous owner which confirmed that it had been a two family home. It has two electric meters and it had been a non-conforming use for quite some time. He said the applicant wanted to change the home to a one family home and would remove one kitchen and completely remodel the home and change the type of roof to a mansard roof. This would allow more living space. They would also be adding a second floor bedroom on top of a rear one story kitchen area. He said that by changing the home from a two family home to a one family home it would be a less intensive use.

Mr. Colella commented that the home at 700 Kinderkamack Road had been a non-conforming two family home for a long time and his clients just wanted to legalize the use. He noted that there are other two family homes in the area and it is adjacent to a condo unit. He continued that the lot is 100 x 100 so there is enough parking for the residents.

The chairman thanked both attorneys and said the board would hear all testimony next month.

The next order of business was the memorialization of the DJR Resolution. David Marcus had circulated copies of the resolution and the board took several minutes to review the points of the resolution and after some clarification, Avo Derbalian moved the adoption, Mark Gioffre seconded the adoption and Eileen Chusid and Ronald Black both voted affirmatively with Chusid noting that she had originally voted against the adoption.

The meeting was open to the public and there was quite a long discussion about a board member who had a two year appointment but received a letter thanking him for his service. Councilwoman Murphy was identified as a liaison to the board. Chusid commented that she believed that she could not serve in that capacity for legal reasons. She was allowed to speak to the board as a citizen of the town and the discussion about appointments ensued. Marcus said that no decision could be made by the board and the Mayor and Council would have to determine who was on the board. Marcus also told Mr. Herbst that he should write a letter directly to the Mayor requesting to remain on the board if he desired. The letter he received might have been a mistake. Communication is important to get things straightened out. Chusid said that seemed to be the most logical approach to settling the

situation. She asked if there was any further business and Mark Gioffre moved to adjourn. The motion was unanimously approved at 8:43 p.m.