

**RAMSEY ZONING BOARD OF ADJUSTMENT**  
**Minutes of the Regular Meeting**  
**Held September 15, 2010**

The **Chairman, Howard Cantor** called the regular meeting of the Board of Adjustment of the Borough of Ramsey to order at 8:07 PM. Howard Cantor announced that notice of this meeting, stating its time and place, has been published in *The Record* and *The Ridgewood News* in accordance with the Sunshine Law and that notice was also posted on the bulletin board of the Municipal Building. The Chairman also pointed out the location of the fire exits.

**PLEDGE OF ALLEGIANCE**

**James Forbes** led the Pledge of Allegiance.

ATTENDANCE	PRESENT	ABSENT
Howard Cantor, Chairman	X	
Luke Chamberlin	X	
Richard Daul, Alternate No. 2	X	
James Forbes, Vice Chairman	X	
Gary Gyss	X	
Abbas Safai	X	
Thomas Scuderi, Alternate No. 1	X	
Angela Stollo		X
David Torchin	X	
Deirdre Dillon, Council Liaison	X	

Robert E. Landel, Board Attorney	X	
Richard Mammone, Zoning Officer	X	
Barbara McCausland, Board Secretary	X	

**PUBLIC COMMENTS**

**Alan Braggin** 25 Franklin Street. **Mr. Braggin** inquired about the status of the issue with the size of the telecommunication platforms. **Mr. Cantor** and **Mr. Landel** again told **Mr. Braggin** the issue is for the **Mayor and Council** and asked **Deirdre Dillon** (counsel liaison) to follow up on this matter.

**PUBLIC HEARINGS**

**Lisa Giannantonio, & Allen Machuga** 149 Momar Drive, Block 3204, Lot 17.  
 Variances for front yard, side yard, building coverage and impervious coverage.

**Lisa Giannantonio & Allen Machuga** were sworn in by **Mr. Landel**. They want to put a roof over the front entrance, it has no protection and a roof would enhance the front elevation. The deck is being removed to extend the kitchen. The kitchen will be the size

of the existing deck and no larger. Bedrooms will be added over the existing footprint of the house.

**Alan Braggin** 25 Franklin Street was sworn in by **Mr. Landel**. **Mr. Braggin** said he thinks these improvements are warranted, he doesn't think they impose any deleterious affect on the neighborhood.

**BOARD ACTION**

**A roll call vote to approve this application is as follows:**

Board Member	Ayes	Nays	Abstain	Absent
Howard Cantor	X			
Luke Chamberlin	X			
Richard Daul				
James Forbes	X			
Gary Gyss	X			
Abbas Safai	X			
Thomas Scuderi	X			
Angela Strollo				X
David Torchin	X			

**CARRIED**

**Lei Kuang**, 1 Gertzen Road, Block 4401, Lot 16.01. Variance for a 6' fence where 4' is allowed.

**Mr. & Mrs. Kuang** were sworn in by **Mr. Landel**. **Mr. Kuang** said they want to build a fence for two purposes, one is for privacy and the other is for safety. Airmount Avenue is a busy street. **Mr. Kuang** said they first tried to plant trees for a couple of years finally they gave up because the trees never survived. The only other option is a fence. **Mr. Kuang** said they can't have an outdoor party with their friends and children because the street is so busy. The property is on a slope so lots of people take a short cut; dogs as well as people. **Mr. Kuang** remarked it is very annoying people throw their garbage on their property. **Mr. Kuang** said they believe a 4' fence is not enough; 6' is not that high but it is much better.

**Mr. Cantor** encouraged **Mr. Kuang** to consider the alternative a 4' fence; remarking he felt it would answer 90% of his (**Mr. Kuan's**) problems and he wouldn't need a variance.

**Mr. Kuang** said a 4' picket fence would not deter children climbing over even though they might not do it but occasionally; it is our concern. **Mr. Kuang** said they did try to plant trees instead of a fence but it did not work out.

**Alan Braggin** 25 Franklin Street (remains under oath) said he believes the **Kuang's** have stated a hardship in regard to safety. **Mr. Braggin** said they told him they have children in their yard frequently and with Airmount Road being such a busy road it would be

important to have a 6' fence rather than a 4' that can be easily traversed.

**BOARD ACTION**

**A roll call vote to deny this application is as follows:**

Board Member	Ayes	Nays	Abstain	Absent
Howard Cantor		X		
Luke Chamberlin	X			
Richard Daul				
James Forbes	X			
Gary Gyss	X			
Abbas Safai	X			
Thomas Scuderi	X			
Angela Strollo				X
David Torchin	X			

**CARRIED**

**John & Caroline Myers**, 244 Davidson Avenue, Block 1502, Lot 8. Variance to allow a 6' fence where 4' is allowed.

**John Myers** was sworn in by **Mr. Landel**. **Mr. Myers** said this is a reinstallation of a 5' fence that was there when they bought the property. As the years went on the fence started to look shabby and they wanted to be good neighbors so they took the fence down. Since then they have realized that was a mistake and they would like to put it up in the form like it was before and get their privacy back cause that is really the issue they face. **Mr. Myers** said when they took the fence down they planted landscaping because they wanted to create a visual barrier unfortunately the deer made "short work" of a lot of the landscaping. **Mr. Myers** feels their privacy is compromised (by neighbors, landscapers, teenagers gathering in the back yard).

**Alan Braggin** 25 Franklin St. **Mr. Braggin** said in hearing **Mr. Myers** testimony he is led to believe without question the security issue whether it's a C variance or whatever but necessitates him to put up a fence to protect his property from the several points he has made. **Mr. Braggin** believes that the past history of the property and the violations that have occurred; the fact that there was a fence although its not grandfathered, he should have the right to put up a 5' or 6' fence to give him the personal security and privacy. **Mr. Braggin** thinks this should be unanimously approved.

**BOARD ACTION**

**A roll call vote to deny this application is as follows:**

Board Member	Ayes	Nays	Abstain	Absent
Howard Cantor		X		
Luke Chamberlin	X			
Richard Daul				
James Forbes	X			
Gary Gyss		X		
Abbas Safai	X			
Thomas Scuderi		X		
Angela Strollo				X
David Torchin	X			

**CARRIED**

**RESOLUTIONS MEMORIALIZED**

**John & Maura Barile**, 12 Colonial Heights Drive, Block 5302, Lot 29. Variance to allow building coverage of 16.2% where 15% is allowed and impervious coverage of 47.2% where 35% is permitted was denied.

**Tim Greaux**, 343 Maple Street, Block 3401, Lot 22. Side yard setback of 9.67' where 10' is required was approved.

**Clear Wireless, LLC**, 425 Route 15 South, Block 5101, Lot 12. Use variance and site plan approval to co-locate on an existing monopole an additional antenna and equipment cabinet at the base was approved.

**ESCROW RELEASE - Koreck LLC**

**MINUTES**

**Howard Cantor** asked for a motion to accept the minutes of the regular meeting of August 18, 2010 Board of Adjustment. All the members present at this meeting carried the motion unanimously.

**ADJOURNMENT**

The Board of Adjustment meeting was adjourned at 10:10 P.M.

Respectfully submitted,

**Barbara McCausland**  
Board of Adjustment Secretary