

REGULAR MEETING of the Moonachie Planning Board called to order, J. Molinari in the chair, at the Kathryn E. Flynn Civic Center on Thursday, May 19, 2016 at 7:12 P.M. Chairperson called for Pledge of Allegiance to the Flag.

ROLL CALL: Mayor Vaccaro –not present, C/ Surak, J. Molinari, N. Derevyaniuk – present  
M. Sartori- not present, J. Campbell-present, D. Dressel, V. Drozd- not present  
J. Telesmanic - present  
Alternates – M. Meehan, R. Petrella, C. Pallas -present  
Attorney- J. Novello-present, Engineer- not present

Secretary stated that notice of the meeting was announced in accordance with the Open Public Meeting Act.

Motion by J. Telesmanic and second by N. Derevyaniuk to adopt the minutes of the Regular Meeting of January 7, 2016(no meeting February thru April).

ROLL CALL: C/Surak, Molinari, Derevyaniuk, Campbell, Telesmanic-ayes,  
Petrella, Pallas- aye, Meehan- abstain  
8 ayes, 1 abstain. Motion carried.

M. Sartori entered at 7:14 P.M.

#### COMMUNICATIONS:

County of Bergen Department of Planning and Engineering- notice of conditional approval of application for Alfaro Property Management LLC, 106 Moonachie Avenue, Block 62 Lots 4, 4.04, 5.02, 5.03, 5.04, 6.01, 6.03 in the Borough of Moonachie.

Alaimo Group- notice of submission of an application by the Bergen County Board of Chosen Freeholders to NJDEP for a Flood Hazard Area Individual Permit for roadway construction and safety improvements for Washington Avenue in the Borough of Carlstadt.

Bohler Engineering-notice of submission of an application by Signature Flight Support to NJDEP for a Flood Hazard Area Individual Permit for Fred Wehran Drive, Block 203, Lot 1 Borough of Teterboro.

Boswell Engineering- notice of submission of an application by Bergen County to NJDEP for a Freshwater Wetlands General Permit and Flood Hazard Area General Permit for Liberty Street over Losen Slote Creek Project in the Borough of Little Ferry.

Neglia Engineering Associates- notice of submission of an application by County of Bergen Department of Public Works to NJDEP Land Use Regulation Program for South Bergen County Stream Cleaning Project in the Borough of Carlstadt, Moonachie and Little Ferry.

Motion by C. Pallas and second by N. Derevyaniuk to file communications.

ROLL CALL: C/Surak, Molinari, Derevyaniuk, Campbell, Telesmanic, Meehan, Petrella, Pallas.

All ayes. So ordered.

#### REPORTS:

None

#### OLD BUSINESS:

None

#### NEW BUSINESS:

#### DOCKET #16-V1:

Application of Louis Rossi, Block 15, Lot 9, 35 West Park Street for variance to erect a six feet high fence.

Louis Rossi was sworn in by Attorney Novello. He stated that he wanted to put a 6' PVC fence in the place of the original fence, which is 4 feet and there are bushes there that are higher than 6' that he would cut down in order to put the fence.

Mr. Derevyaniuk- asked what purpose of the higher fence would have.

Mr. Rossi- said that the fence would be for privacy, which he has already with the bushes, but it would be less to maintain.

Mr. Telesmanic- asked about the location of the fence.

Mr. Rossi- explained from the pictures that the fence would be along the side of the house and the back.

Mr. Derevyaniuk- stated that the survey provided in the application is old, and it does not accurately show what is on the property. We would need to request a certified survey with seal.

Mrs. Molinari- asked if Mr. Sartori could speak about why the fence was denied.

The members of the Board reviewed pictures of the property that were submitted with the application.

Mr. Sartori- answered that it is a corner property, and the front yard requirement is 4' fence, it is by ordinance.

Attorney Novello- asked Mr. Sartori that whether the side of the front steps and the side of the house are both considered front yards.

Mr. Sartori- answered that a corner property has two front yards.

Mrs. Molinari- spoke about the fence that is currently on the property.

Mr. Rossi- spoke about the fence, how it is an extension of the original fence.

Mr. Molinari- stated that the fence is extending past the bushes, and the fence is very close to the sidewalk, there is no setback. She questioned where the fence was going to be placed, would it be even with the house, because some of the bushes are out further. She expressed her concern about sight if the fence is extended.

Mr. Rossi- stated that the fence will go to the end of the house.

The members of the Board reviewed pictures of the property.

C/Surak- asked about the chain link fence at the side.

Mr. Rossi mentioned that the chain link fence is there so the kids do not go through the yard.

Mrs. Molinari- mentioned whether this PVC fence will create any blind spot for cars.

Mr. Derevyaniuk- felt that it would be better if there was a more updated survey because the old survey does not show what is in the property now.

Mr. Sartori- mentioned that the survey can be expensive. Mentioned that the fence is not at Mr. Rossi's property line, if it is at the sidewalk, it is not in the right place and the Bergen fence company is proposing 34' from the house, the survey states that there is 25'.

C/Surak- asked about the setback from the property line.

Mr. Sartori-mentioned that the setback from the house is 25' and Bergen Fence proposed 34' feet of fence so the fence will be on the town property. He spoke about the right of way, which is 10' from the curb. He mentioned that Mr. Rossi has to measure 25 feet from the house for the fence.

Attorney Novello- mentioned that the application before the board recently was for a fence as well with the previous property, it was not a corner property, and there was a berm that made the height of the fence an issue. He mentioned that this application is a corner property, which has two fronts. Spoke about the different heights a fence can have depending on where it is, with the front usually needing the lowest height. Stated that it would be for the benefit of the applicant to acquire a survey or to have the Board require a survey due to it being pointed out that Bergen Fence's proposal possibly includes the taking of town's property. He mentioned that the new survey would show where the fence was going to go in order to avoid any future problems.

Mr. Sartori- recommends that the application can adjourn or postpone to the next the meeting so that a small committee can meet with the applicant at the property to show where the proposed fence would be.

Attorney Novello- stated that the Board can carry the application and make a recommendation for a committee to have a site visit.

Mr. Sartori- stated that he can also get the tax map information for the property to find the property line.

Mr. Campbell- asked about what would happen if we do not approve the fence and have the applicant go through the process of tabling the application.

Mr. Sartori- stated that the Board can only approve for the fence to be put on the applicant's property.

Mr. Rossi- spoke about a problem with a tree on the sidewalk and how he did not get help from the Borough. He spent money in order to get rid of it.

Mr. Sartori- stated that we should have a small committee.

Attorney Novello mentioned that the Committee cannot have a quorum, and it can only be 3.

Mr. Sartori- asked if the Committee will be able to meet on Tuesday around 7P.M.

The Board members agreed that the Committee members will be C/Surak, N. Derevyaniuk, J. Telesmanic.

Mr. Derevyaniuk- asked if the fence company would have to submit another drawing.

Mr. Sartori- stated that if the applicant pursued the fence, the fence company would have to go to the office and file a permit, and he would need to affirm that the permit meets the Board's requirements.

Mr. Telesmanic- mentioned that the Board is trying to eliminate any future problem.

Mr. Derevyanik- asked if anybody has a problem with the height of the fence.

Mr. Sartori- spoke about sight triangle for corner properties, which is not an issue with this fence. He explained about the sight triangle measurement.

Motion by C/Surak and second by R. Petrella to table the application of Docket #16V-1.

ROLL CALL: C/Surak, Molinari, Derevyanik, Sartori, Campbell, Telesmanic, Meehan, Petrella, Pallas, .

All ayes. So ordered.

PUBLIC HEARING FOR DOCKET #16V-1:

Motion by J. Telesmanic and second by N. Derevyanik to close public hearing.

ROLL CALL: C/Surak, Molinari, Derevyanik, Campbell, Telesmanic, Meehan, Petrella, Sartori, Pallas.

All ayes. So ordered.

C/Surak- stated that Mr. Campbell will go Tuesday instead of Mr. Derevyanik.

Motion by N. Derevyanik and second by J. Molinari to adjourn the meeting at 7:55P.M.

ROLL CALL: C/Surak, Molinari, Derevyanik, Sartori, Campbell, Telesmanic, Meehan, Petrella, Pallas.

All ayes. So ordered.

ATTEST:

Supriya Sanyal

Administrative Secretary