

**BOROUGH OF NORTH HALEDON
ZONING BOARD OF ADJUSTMENT
MINUTES**

April 5, 2017

Chairman Van Dyk called the Regular Meeting to Order and read the Open Public Meetings Act Statement

STATEMENT: This regular meeting is called pursuant to the provisions of the open public meetings law. This regular meeting April 5, 2017, was included in a list of meeting notices advertised in the North Jersey Herald & News and the Hawthorne Press on January 26, 2017, and was posted on the bulletin board on the same date and will remain posted as the required notice under the Statute.

In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk for inspection.

Proper notice having been given, this regular April 2017, meeting of North Haledon Board of Adjustments is hereby called to order and the secretary is directed to include this statement in the minutes of the meeting.

ROLL CALL: **Chairman George Van Dyk** yes
 William De Block yes
 Ron Tattersall yes
 Anthony Vaccaro yes
 Ralph Vuoncino yes
 Richard Scrofani yes
 Domenico Fusco yes
Alternates: Paul Gorga yes
 Valdo Panzera yes
 Attorney: Ralph Faasse yes
 Council: Donna Pugliese no
 Zoning Review Officer: James Booth no
 Zoning Board Secretary: Jeanne Fondacaro yes

**APPROVAL OF PRIOR MINUTES:
March 2, 2017**

A motion was made by: Anthony Vaccaro to approve minutes with a line deleted.

Seconded by: Ron Tattersall **Roll call to approve:** all

NEW BUSINESS

Application# 1025

RE: 5' front setback for garage

Judith Kammerer

56 Walray Avenue

North Haledon, New Jersey 07508

Block: 24.02 **Lot:** 8.03 **Zone:** RA-3

Tax office has different names on deed than application. Applicant must fix. Larry Dykhouse of Dykhouse Construction Company, 47 Orchard Street, Midland Park, NJ 07432 (201) 444-5544 is sworn in.

-Notice to Newspaper was published 4/1/17, so it was not printed 10 days prior to the meeting, so by law, it cannot be heard.

-They need an affidavit of service.

-The notice to the neighbors does not have the meeting date printed on it so they need to be resent.

-Elliot Case, Ms. Kammerer's partner, needs to be added to the application.

-The deed needs to be signed and certified to be a true copy.

A motion was made by Ron Tattersall to hold Application# 1025 to the May 4, 2017 meeting.

Seconded by: Valdo Panzera

Roll call to approve: AV, WDB, RV, RT, DF, Chairman GVD

Application# 1026

RE: proposed monopole

New Cingular Wireless PCS, LLC (Applicant)

15 East Midland Avenue, Paramus, NJ 07652

High Mountain Road Reality Group, LLP (Owner)

5 Sicomac Road (a/k/a 15 Sicomac Road)

North Haledon, New Jersey 07508

Block: 70 **Lot:** 1 **Zone:** B-1

Anthony Vaccaro recused himself due to a conflict of interest.

Judy Fairweather Phinnis & Halpern New Cingular Wireless PSC, LLC (AT&T).

Ms. Fairweather will present 5 experts, she can go as high as 7. She will present 3 tonight.

Chairman Van Dyk asks the Board to hold all questions until the end of the experts' testimony. He tells the public they will have the opportunity to ask questions at the conclusion of the presentation.

Proposing 135' tree pole where AT&T 12 antennas will be. It will be 143' tree with branches (including lightning rod)

3 or more carriers that encourages co-location

Conditionally permitted use in a B-1 but do not meet all of the conditions.

Separation from residential structure -250' where 429' is required.

C variances

Use variance

10' required- 10.42' height of the shelter

50' rear yard setback- at 34.29'

20' required-13.33' compound setback

50' required- 9.68' rear yard setback

Parking permit 122 spaces to 125 spaces. 10' to 9' spaces

The **first expert witness** is Radio Frequency Engineer *Ronald Petersen* of 170 Fairview Drive Bedminster, NJ is sworn in. *He states his qualifications. He is recognized by the Board.*

Chairman George Van Dyk asks what the power output can be compared to.

Mr. Peterson replies a 200W lamp.

William De Block asks where the wattage comes from, Mr. Peterson replies that it comes from the top of the tower.

The public questions Mr. Peterson:

- 1) Charles Torrisi -1109 High Mountain Road
- 2) Brian Fleisig -Fleisig Law Firm on behalf of residents
- 3) Joanne Angelucci -39 Sackerman Avenue

The **second expert witness** is Daniel Penessco 640 From Road, Paramus, NJ, a Radio Frequency Engineer is sworn in and gives his qualifications. The Board recognizes him as an expert witness.

The public questions Mr. Penessco:

- 1) Merryl Schmidt -27 Mountainview Drive
- 2) Joanne Angelucci -39 Sackerman Ave
- 3) Joshua Reid- 31 Mountainview Drive
- 4) Brian Fleisig -Fleisig Law Firm
- 5) Robert Scialla- 1145 High Mountain Road

A break was taken at 9:25.

ROLL CALL: **Chairman George Van Dyk yes**
 William De Block yes
 Ron Tattersall yes
 Anthony Vaccaro no
 Ralph Vuoncino yes
 Richard Scrofani yes
 Domenico Fusco yes
Alternates: Paul Gorga yes
 Valdo Panzera yes
 Attorney: Ralph Faasse yes
 Council: Donna Pugliese no
 Zoning Review Officer: James Booth no
 Zoning Board Secretary: Jeanne Fondacaro yes

The ***third expert witness*** is licensed Civil Engineer *Nick Barile* of 115 Route 46, Suite E39, Mountain Lakes, NJ . He is sworn in. BS Civil Engineering from NJIT. License is current. Board recognizes his qualifications.

Public asks questions:

- 1) Brian Fleisig- Fleisig Law Firm
- 2) Joanne Angelucci- 39 Sackerman Ave

A motion was made by William De Block to hold the Application to the May 4, 2017 meeting.

Seconded by: Domenico Fusco

Roll call to approve: All

OLD BUSINESS **NONE**

RESOLUTIONS

RESOLUTION# 3-2017

Application # 1024
Brian Sayler and Virginia De Mauro
48 Bensam Place
North Haledon, New Jersey 07508
Block: 66.03 **Lot:** 6 **Zone:** RA-2

RE: rear setback of 12.09'

A motion was made by William De Block to accept Resolution # 3-2017 as read.

Seconded by: Valdo Panzera

Roll call to approve: William De Block, Ron Tattersall, Ralph Vuoncino, Domenico Fusco,
Alternate: Valdo Panzera, Chairman George Van Dyk

PRIVILEGE OF THE FLOOR

Chairman Van Dyk asks if anyone would like to speak. Seeing no one, the Privilege of the Floor is closed.

COMMUNICATION NONE

BILLS

An invoice was presented by Ralph Faasse for the writing of Resolution # 3-2017 in the amount of \$250.00.

A motion was made by: William De Block

Seconded by: Ron Tattersall

Roll call to approve: all

Discussion

NONE

ADJOURNMENT:

Motion to adjourn meeting was made by: Valdo Panzera

Seconded by: William DeBlock

Roll call to approve: all

Chairman declares this meeting duly adjourned at: 10:20

Secretary, Jeanne Fondacaro

George Van Dyk, **Chairman**

