

## ZONING BOARD OF ADJUSTMENT

### MINUTES OF THE MEETING

FEBRUARY 2, 2012

**CALL TO ORDER:** This is a regularly scheduled meeting of the Board of Adjustment of the Borough of Franklin Lakes. In compliance with the Open Public Meetings Law, Notification of this Meeting has been sent to our Official Newspapers and Notice has been posted on the bulletin board at the Borough Hall. I direct that this announcement be entered into the Minutes of the meeting.

#### **ROLL CALL:**

**Present:** Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Toronto,  
Mr. Badenhausen, Mr. Frankel, Ms. Schoenberg, Board Attorney Davies  
**Absent:** Mr. Khoury, Mr. Bavagnoli, Mr. Toronto

**FIRE SAFETY ANNOUNCEMENT - The fire exits are out the double doors, down the stairs and out the front door and the side exit door down the stairs and out the side door. If there is a fire do not use the elevator.**

#### **REVIEW AND APPROVE ROBERT DAVIES' PROPOSAL TO THE BOARD FOR PROFESSIONAL SERVICES AS BOARD ATTORNEY FOR 2012**

Mr. DiFlora indicated that there were no significant changes from last year's proposal. Mr. Badenhausen made a motion to accept the proposal as drafted, seconded by Ms. Schoenberg.

#### Roll Call Vote

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Frankel, Ms. Schoenberg  
Nays: None

#### **OLD BUSINESS**

Cal.#2011-16 Application For Sacco, 205 Stokes Farm Road, Block 3101.02, Lot 1.04, dimensional variances. CARRIED FROM 1-5-12 MEETING, HAVE REVISED PLAN GAVE EXTENSION TO 5-3-12

Peter Sacco stated that although the application had been extended and rescheduled to May 3<sup>rd</sup>, revisions to the plan were complete and he hoped the Board would hear the application this evening. Peter and Randi Sacco were sworn by Mr. Davies along with Douglas Doolittle, engineer, of McNally Engineering, 169 Ramapo Valley Road, Oakland, N.J.

Mr. Doolittle referred to his revised plan dated 1/17/2012 which was marked as Exhibit A-6. Mr. Doolittle reported that several nonconformities had been eliminated including removal of a portion of the patio and the pool and removal of the rock wall. The drainage plan remains the same and utilizes a series of seepage pits. Coverage has been reduced from 32.51% to 29.31%. After a brief discussion by the Board, Mr. Davies recommended that a C-1 variance be requested and the applicant agreed. Mr. DiFlora commented that the applicant had worked hard to come up with a plan that the Board would find acceptable.

Mrs. Gerber made a motion to open the meeting for public comment, seconded by Mr. Frankel, all ayes. No one from the public came forward and Mr. Badenhausen made a motion to close the public portion of the meeting, seconded by Mr. Frankel, all ayes.

Mr. Frankel made a motion to approve the variance application as presented, seconded by Ms. Schoenberg.

#### Roll Call Vote

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Frankel, Ms. Schoenberg  
Nays: None

**MINUTES**

The Minutes of January 5, 2012, were presented for approval. Mrs. Gerber made a motion to accept the minutes as presented, seconded by Mr. Badenhausen.

**Roll Call Vote**

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Frankel, Ms. Schoenberg  
Nays: None

**VOUCHER**

Robert Davies, Esq.            MEET. ATTEND. 1-5-12            \$300.00

Mr. Messaros made a motion to approve the voucher, seconded by Mrs. Schoenberg.

**Roll Call Vote**

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Frankel, Ms. Schoenberg  
Nays: None

The meeting was adjourned at 8:20 P.M. on a motion by Mr. DiFlora which was seconded by Mrs. Gerber, all ayes.