

**BOROUGH OF OLD TAPPAN  
PLANNING BOARD  
REGULAR MEETING  
WEDNESDAY, JANUARY 9, 2013- 7:30 p.m.  
MINUTES**

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In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the ([www.oldtappan.net](http://www.oldtappan.net)) web site. Please note the fire exits at the entrance to the Council Chambers and at the rear of the Council Chambers.

**MEETING CALLED TO ORDER:** Re-organization meeting- 7:30 p.m.

**ROLL CALL:**

Present:	William Weidmann	Chairperson
	Anna Haverilla	Mayor Rep.
	Victor Cioce	Council Liaison
	Nick Mamary	
	Charles Maggio	
	Gary Mascolo	
	David Keil	
	Police Chief Shine	
	Karen Nilsson	
	Michael Alessi	Alt. #2
	Thomas Gallagher	Alt. #3 (8:25)
Also Present:	Robert Regan, Esq.	Board Attorney
	Thomas Skrable	Board Engineer
	Sean Moronski	Board Planner
Absent:	Julie Katz	Alt. #1
	Dan Eller	Alt. #4

**PLEDGE OF ALLEGIANCE:**

**RE-ORGANIZATION MEETING:**

Mr. Regan swears in Police Chief Shine, Ms. Nilsson, Mr. Alessi and Mr. Mamary for reappointment and new appointment.

Nominations for Chairperson. Mr. Mamary nominates Mr. Weidmann seconded by Mr. Keil. All in favor.

Nominations for Vice Chairperson. Mr. Maggio nominates Mr. Mamary for Vice-Chairperson seconded by Mr. Keil. All in favor.

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Chief Shine nominates Ms. Nilsson for Financial Secretary, seconded by Mr. Weidmann. All in favor.

The following resolutions were read for the record and approved unanimously by the board:

- a. Appointment for Siobhain Auer as Recording Secretary for the Planning Board for 2013;
- b. Appointment for Robike Noll as Land Use Administrator/Secretary for 2013;
- c. Appointment for Robert Regan, Esq. as Attorney for the Planning Board for 2013;
- d. Appointment for Thomas Skrable as Engineer for the Planning Board of 2013;
- e. Appointment for Sean Moronski as Planner for the Planning Board for 2013; and

Re-organization meeting closed. Regular meeting begins.

**OPEN TO PUBLIC:** Mr. Maggio, seconded by Mr. Keil, makes a motion to open the meeting to the public. Nick Pappas discussed a home that has a Pod on their property. There is nothing that prevents anyone from leaving one up indefinitely. Mr. Regan stated that more and more towns are making ordinances with stringent time limits of 30-60 days with a possible renewal. Mr. Regan will send a copy of another town's ordinance to the board for their review. Councilwoman Haverilla, seconded by Mr. Alessi, make a motion to close the meeting to the public.

**APPLICATIONS: Albarran – Block 302, Lot 6**

Notice is in order. Mr. Richard Toniolo represents Juilo and Carmen Albarran. The property address is 254 Orangeburg Road. The property conforms with all the bulk requirements. The application is for a cabana and a 6ft high fence to surround the entire property. Cabana requires a FAR variance. This is over 789 sq. ft. The cabana is to support an existing inground pool. Cabana would be located behind the pool. The property meets the 15% building coverage and 30% impervious coverage with the cabana. The landscape plan is an existing condition not proposed. Dr. Juilo Albarran, 254 Orangeburg Road, is sworn by Mr. Regan. There is a 5ft fence in the rear of the property from the garage to the back. The application is requesting a 6ft fence in the front. Mr. Maggio asked if the fence in the front could be reduced. Mr. Keil, seconded by Mr. Weidmann, makes a motion to open the meeting to the public. Ms. Nilsson, seconded by Mr. Alessi, makes a motion to close the meeting to the public. Mr. Richard A. Burns, is sworn by Mr. Regan and deemed qualified by the board as an engineer. A-1 is marked as the site plan revised to 11/30/12. Mr. Skrable and Mr. Moronski are sworn by Mr. Regan. Mr. Burns describes the property and explains that it meets the bulk requirements. Mr. Burns prepared the drainage plans for the constructed pool with the intention of eventually building a cabana. Mr. Burns describes the drainage systems. The building coverage will be 9.5% and 29.96% impervious coverage. Mr. Skrable stated that the drainage was reviewed and approved previously when the pool was installed. Mr. Maggio, seconded by Mr. Keil, makes a motion to open the meeting to the public. Mr. Maggio, seconded by Ms. Nilsson, makes a motion to close the meeting to the public. Mr. John Giammarino is sworn by Mr. Regan and deemed qualified by the board as an architect. A-2 is marked as the architectural plans revised to 7/18/12. This is a one story cabana designed to match the existing house. The majority is open to the exterior. The height is 14ft. width is 32ft 4.5inches. Only 13ft X 12ft of the cabana is enclosed. The rear of the property is sufficient to accept this cabana. The cabana will not be heated. Water and sewer will lead back to the house.

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The plans say that the pool equipment will be inside the cabana but it is not. Mr. Maggio, seconded by Mr. Keil, makes a motion to open the meeting to the public. Dr. Alberran stated that the pool equipment is directly behind the cabana. It will remain open. Dr. Alberran may put shrubs. It cannot be covered. The concrete slab is not shown on the plan and must be calculated in the coverage calculations. Mr. Maggio, seconded by Ms. Nilsson, makes a motion to close the meeting to the public. Mr. Christopher Karach is sworn by Mr. Regan and deemed qualified by the board as a landscape architect. A-3 is marked 9/2/10 Layout plan. All the plants have been planted except for the ones in the front. Mr. Karach explains the current plantings on the property. Mr. Karach believes the 6ft height is appropriate for the size and height of the house and will help with the deer. A-4 is marked as a photo of sample of fence design. The brick piers will be the same color and style as the house. Mr. Toniolo references pg. 3 of A-3 which shows proposed plantings in front of the fence and behind. The plantings in the front would encroach the right of way and will be removed from the plans. Mr. Skrable stated that reducing the height to 5 ft. would still be aesthetically pleasing. Mr. Moronski asks if the fence can be moved back so that the plantings can be put back. Mr. Maggio agrees. Ms. Nilsson agrees. The driveway will be gated. Mr. Alessi, seconded by Mr. Keil, makes a motion to open the meeting to the public. Mr. Keil, seconded by Mr. Alessi, makes a motion to close the meeting to the public. The concrete slab is 10ft by 4ft. which changes the impervious coverage from 29.96% to 30.04%. The applicant requests that the application be amended. Mr. Paul Phillips is sworn by Mr. Regan and deemed qualified as a planner. The application is for a 695sq.ft. cabana which makes it 14.4% for FAR where 13% is allowed. This is an oversized lot. Any additional FAR will trigger a FAR variance. The structure was built prior to this FAR ordinance. A-5 is marked as a series of photos (12) taken by Mr. Phillips. The photos show how the property looks now. Mr. Maggio explained that the first 150 sq. ft. of an accessory dwelling is not included in the FAR calculation. This reduces it to 14.1%. Mr. Keil, seconded by Mr. Alessi, makes a motion to open the meeting to the public. Mr. Maggio, seconded by Ms. Nilsson, makes a motion to close the meeting to the public. Mr. Toniolo said that the applicant agrees to move the fence back as far back as the oak tree would permit but still requests the fence at 6ft. There are a number of corrections that need to be made to the plans. Mr. Karach and Mr. Burns drawings do not match. Mr. Maggio suggests accurately drawn plans. Carried to the next meeting which is February 13, 2013.

**COMMUNICATIONS:** None

**CONSTRUCTION OFFICIAL'S REPORT:** The construction official provided a year end report.

**BOARD ENGINEER REPORT:** None

**COUNCIL LIAISON'S REPORT:** Councilman Cioce stated that the Mayor and Council had the reorganization meeting on 1/7/13. 1/17/13 begins the budget process.

**ENVIRONMENTAL COMMISSION REPORT:** Mr. Keil stated that there has been no meeting since November. The next meeting is scheduled for next week.

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**FINANCIAL SECRETARY'S REPORT:** Ms. Nilsson stated that the bills are as follows: \$975.00 from the budget and \$2,839.25 from escrow for a total of \$3,814.25. A motion was made by Mr. Maggio and seconded by Mr. Keil, to approve the bills as stated. On roll call vote, all in favor, none opposed. Motion carried.

**MINUTES TO BE APPROVED:** A motion to approve the minutes of October 10, 2012, was made by Ms. Nilsson, seconded by Mr. Keil. On roll call vote, all in favor, none opposed. Motion carried.

A motion to approve the minutes of November 21, 2012, was made by Chief Shine, seconded by Ms. Nilsson. On roll call vote, all in favor, none opposed.

**RESOLUTIONS:** Pearson Education - Mr. Regan reads and reviews the resolution for the board. A motion was made by Mr. Maggio and seconded by Ms. Nilsson. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Mr. Alessi, Mr. Mamary and Mr. Weidmann  
Nays: None  
Abstain: None

Crasto - Mr. Regan reads and reviews the resolution for the board. A motion was made by Councilwoman Haverilla and seconded by Mr. Keil. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Mr. Alessi, Mr. Mamary and Mr. Weidmann  
Nays: None  
Abstain: None

Sokolich - Mr. Regan reads and reviews the resolution for the board. A motion was made by Mr. Mascolo and seconded by Mr. Mamary. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Mr. Alessi, Mr. Mamary and Mr. Weidmann  
Nays: None  
Abstain: None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**OPEN TO PUBLIC:** None.

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**ADJOURNMENT:**

Upon motion of Mr. Maggio, seconded by Mr. Alessi, all in favor, the meeting was adjourned at 9:44 pm.

Respectfully submitted,

By: \_\_\_\_\_

Siobhain Auer  
Recording Secretary

/sa

Date Approved \_\_\_\_\_

cc: Mayor and Council  
Robert Regan, Esq.  
Thomas W. Skrable, P.E.  
Construction Official  
Fire Official  
Board of Health  
Burgis Associates