



BOROUGH OF EAST RUTHERFORD ZONING BOARD OF ADJUSTMENT MEETING MINUTES JULY 6, 2017

A meeting of the East Rutherford Zoning Board of Adjustment was held on **July 6, 2017** at 7:00pm at the Borough Hall, located at 1 Everett Place, East Rutherford. This meeting was held in compliance with the Open Public Meeting Act, N.J.S.A. 10:4-6.

ROLL CALL

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| <input checked="" type="checkbox"/> Philip Alberta, Chairman
<input checked="" type="checkbox"/> Carmen Polifronio, Vice-Chairman
<input type="checkbox"/> Al Levy
<input type="checkbox"/> John Martin
<input checked="" type="checkbox"/> Richard Krajunus
<input type="checkbox"/> Gary Viccaro
<input type="checkbox"/> Thomas Banca
<input checked="" type="checkbox"/> Derek Sands, Alternate Member | <input checked="" type="checkbox"/> John Giancaspro, Secretary
<input checked="" type="checkbox"/> Richard Cedzidlo, Attorney
<input type="checkbox"/> Mark Everett, Planner
<input type="checkbox"/> Arthur Senior, Engineer |
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Denotes in Attendance

The meeting was called to order by Chairman Alberta, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

APPROVAL OF MINUTES OF JUNE 1, 2017						
MEMBER	MOVED BY	SECOND	AYE	NO	ABSTAIN	NOT PRESENT
Alberta			X			
Polifronio					X	
Levy						X
Martin						X
Krajunus	X		X			
Viccaro						X
Banca						X
Sands		X	X			

RESOLUTIONS

APPLICATIONS

DOCKET #17-004

Application for Use and Bulk Variances

405 Railroad LLC

405 Railroad Avenue

Block 47, Lot 6.01

Chairman Alberta announced to the Public that the Applicant had requested an adjournment until the August 3, 2017 meeting, due to the Board not having full attendance. Members of the Public expressed concern over the delay of hearing the application. Mr. Cedzidlo explained that the Applicant has a right to have a full Board present at the time of hearing, and at that time all Public comment will also be heard.

NEW BUSINESS

Chairman Alberta asked Mr. Cedzidlo to explain correspondence received from Mr. Antranig Aslanian, Jr., representing the Government of the Republic of Egypt pertaining to the property at 4 Jersey Street. Mr. Cedzidlo explained that the matter of the Board denying the Republic of Egypt’s application in 2016 remains in court, however, the Republic has requested an opportunity to come to the Board to reach a settlement regarding the application. Mr. Cedzidlo advised the Board that it could approve the request and schedule the Republic for a hearing, or deny the request and continue the matter in court.

Mr. Krajunus moved to deny the request to have a hearing. Mr. Polifronio seconded the motion.

MOTION TO DENY HEARING REQUEST FROM THE GOVERNMENT OF THE REPUBLIC OF EGYPT, 4 JERSEY STREET						
MEMBER	MOVED BY	SECOND	AYE	NO	ABSTAIN	NOT PRESENT
Alberta			X			
Polifronio		X	X			
Levy						X
Martin						X
Krajunus	X		X			
Viccaro						X
Banca						X
Sands			X			

Chairman Alberta asked Mr. Cedzidlo to explain correspondence received from Mr. Thomas Bruinooge, representing HPVIII 33 Route 17, LLC pertaining to the property at 33 Route 17. Mr. Cedzidlo explained that the matter of the Board denying HPVIII’s application was being heard in

court, however, HPV VIII is seeking an opportunity to come to the Board with a revised site plan in an attempt to reach a settlement regarding the application. Mr. Cedzidlo advised the Board that it could approve the request and schedule a hearing, or deny the request and continue the matter in court.

Mr. Sergio Segalini of 39 Jane Street spoke from the audience during consideration of a motion. He expressed concern that the members in attendance at the meeting were the same members that voted affirmatively for the application, and the full Board should be present in consideration of the hearing. Mr. Cedzidlo explained that a full Board was not necessary for consideration and the law allows the Board to convene such a hearing and the public will be provided the same opportunities it had in the past to provide comment. He noted that the hearing was an opportunity to provide a new proposal and the public would be provided an opportunity to review the new proposal as soon as it is filed with the Board.

Mr. Krajunus moved to schedule a hearing for HPV VIII at the Board’s regular meeting of September 7, 2017. He further noted that HPV VIII be responsible for any costs should a special meeting be necessary, and transcripts of the application’s previous meetings be provided by the HPV VIII to allow for new members to review and participate in the scheduled hearing. Mr. Polifronio seconded the motion.

MOTION TO APPROVE & SCHEDULE HEARING FOR SEPTEMBER 7, 2017 FOR HPV VIII 33 ROUTE 17, LLC, 33 ROUTE 17 SOUTH						
MEMBER	MOVED BY	SECOND	AYE	NO	ABSTAIN	NOT PRESENT
Alberta			X			
Polifronio		X	X			
Levy						X
Martin						X
Krajunus	X		X			
Viccaro						X
Banca						X
Sands			X			

With no further business before the Board, a motion was made by Mr. Krajunus, seconded by Mr. Sands to adjourn the meeting. All were in favor.

Minutes By:

John Giancaspro
Secretary