

**TOWNSHIP OF ROCHELLE PARK ZONING BOARD OF
ADJUSTMENT**

**151 West Passaic Street
Minutes of the March 7, 2013 meeting**

Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:31 PM.

The following members were present: Chairman William Coleman, Nancy Croot, Patrick Sheehan, Scott Den Bleyker, Sergio Gonzalez, Diane Davidson and Board Attorney Anthony Gallina. Absent: Vice-Chairman Jason Quinn, Frank Madden and Nicholas LiBassi.

Moved by P. Sheehan seconded by S. Gonzalez that the minutes of the February 7, 2013 meeting be approved as presented.

Motion passed with all members present voting in the affirmative.

Moved by N. Croot seconded by P. Sheehan that the Rochelle Park Board of Adjustment pay the following bills:

Anthony Gallina for February meeting	\$175.00
<i>Our Town</i> Newspaper 2013 meeting dates	\$ 21.40
North Jersey Media Group 2013 meeting dates	\$ 49.57
Job & Job for Metro Network Services	\$398.66
Job & Job for McKay Brothers	\$221.00
Anthony Gallina for Allied Developers litigation	\$612.50

Motion passed with all members present voting in the affirmative.

Old business: Litigation to be discussed this evening.

New business: None

Meeting adjourned at 7:34 P.M. on motion by P. Sheehan seconded by S. Gonzalez. All present were in favor.

Attest March 7, 2013

Katherine Baccala

Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:35 PM.

The following members were present: Chairman William Coleman, Nancy Croot, Patrick Sheehan, Scott Den Bleyker, Sergio Gonzalez, Diane Davidson and Board Attorney Anthony Gallina. Absent: Vice-Chairman Jason Quinn, Frank Madden and Nicholas LiBassi.

- 1. Hearing to discuss proposed Settlement Agreement, on file with the board secretary, in the matter of Allied Developers v. The Twp. of Rochelle Park Zoning Board of Adjustment, et. al., pursuant to the case of Whispering Woods v. Middletown Township, 220 N.J. Super. 161 (Law Div. 18987).**

Mr. D'Arminio appeared for Allied Developers. Mr. Gallina marked A-1 in evidence proof of publication in *The Record* dated 2/22/13, A-2 certification of mailing regarding route 80 application dated 2/21/13, A-3 certified mail receipts to property owners within 200' (Route 80), A-4 proof of publication in *The Record* dated 2/22/13, A-5 certification of mailing of notices to property owners within 200' of route 17 dated 2/21/13, A-6 certified mail receipts of notices to property owners within 200', A-7 resolution from Township Committee #2013-50 approving the settlement, A-8 last draft of proposed settlement agreement that is being discussed. It was last revised today with paragraph 34 (if Allied sells billboards that this is binding to buyer). This variance will run with the land.

Board asked questions of Mr. D'Arminio regarding whether or not Allied did studies of which side of billboard is more advantageous. Town is flexible and can change which side we want on Rochelle Park side on Route 80 billboard. They will get study to us.

David Kingma, 92 Madison Ave. appeared from the public. He congratulated Board on reaching agreement. He had concerns which were addressed. The Town can have space on the billboards and the structure will be taxed.

Moved by W. Coleman seconded by P. Sheehan that the Rochelle Park Board of Adjustment approves the settlement of the agreement as presented:

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	Yes	No	Absent/Abstain
William Coleman, Chairman	X		
Jason Quinn, Vice Chairman			Absent
Patrick Sheehan, Member	X		
Nancy Croot, Member	X		
Scott Den Bleyker, Member	X		
Sergio Gonzalez, Member	X		
Diane Davidson, Member	X		

Mr. Coleman asked about time frame for the billboards to be erected. Answered 6-8 weeks from issuance of permits.

Meeting adjourned at 8:00 P.M. on motion by P. Sheehan seconded by S. Gonzalez. All present were in favor.

Attest March 7, 2013

Katherine Baccala