

## **BOROUGH OF MIDLAND PARK – ZONING BOARD OF ADJUSTMENT MINUTES**

**APRIL 14, 2021**

### PLEASE TAKE NOTE:

ON WEDNESDAY, APRIL 14, 2021 THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING VIA GO-TO-MEETING WHICH WAS ACCESSIBLE TO THE PUBLIC BY CALLING 1-877-309-2073. THE MEETING BEGAN AT 7:30 P.M.

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### FORMAL MEETING

READING OF THE OPEN PUBLIC MEETINGS ACT

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mr. Les Andersen-Chairperson	present	Mr. Nick Papapietro- Vice Chair	present
Mr. David Zuidema	present	Mr. Glen Biswurm	present
Mr. John Meeks - Secretary	present	Mr. Mark Braunius	present
Mr. Richard Formicola	present	Mr. Mark Divak, Alt #1	present
		Mr. William Placier, Alt #2	present

R. Landel, Esq., Board attorney, and R. Wostbrock, Board engineer, were present on behalf of the Board.

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### RESOLUTIONS:

Moyeno, Louis G. & Suarez-Moyeno, Evelyn – 95 College Rd. – BL 10.22 LT 4 – approved

Minutes of the 3/10/21 meeting - approved

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### PUBLIC HEARINGS:

**Garcia, Miguel & Amber – 38 Van Blarcom Ave. – BL 20 LT 5** – Notices are in order. Mrs. Garcia is sworn in, she is proposing to remove the existing fence along the Habben Ave. side of the property and replace it with a 6 ft fence where only a 4 ft fence is permitted. Mrs. Garcia is requesting the 6 ft fence for privacy due to the new Starbucks location, which caused an increase in vehicular and pedestrian traffic, litter and noise. **Exhibit A1** – Photo showing delivery truck arriving at night. **Exhibit A2** – Photo showing cars parked along side yard. **Exhibit A3** – Photo showing cars double parked along the side yard before 9 AM on a Saturday. **Exhibit A4** – Photo showing a man drinking coffee sitting on the curb facing the yard for over 30 minutes. **Exhibit A5** – Property Survey (dated 7/16/15) with demarcation of proposed fence. The Board questions what type of fence is proposed, Mrs. Garcia is proposing a white or grey vinyl fence, and it would run from the right rear corner of the dwelling to the rear property line. The Board asks about the fence at the rear of the property, and if it is hers or the rear neighbors. Mrs. Garcia confirms that it is a wood fence that was existing when they moved in and is on her property, they have no plans to change it at this time. Mrs. Garcia states that the existing fence that will be removed does not currently go to the rear property line because there are hedges there, but they will be removing the hedges to extend the proposed fence to the property line. Meeting opened to the public for questions or comments, with none, meeting closed to the public. Motion by Mr. Formicola to approve the application, seconded by Mr. Braunius; during voting, Mr. Papapietro raised a question about the color of the fence and if the requirement that it be a neutral color should be included in the motion. The Board agrees that the fence should be required to be a neutral color and Mrs. Garcia agrees. Voting on the motion as amended restarts, all voted in favor.

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### COMMUNICATIONS:

Leegwater, Dennis – 63 Cottage St. – BL 5 LT 23.02 – return of unused escrow in the amount of \$41.49  
Motion by Mr. Braunius to approve the return of escrow, seconded by Mr. Formicola; all voted in favor.

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Meeting adjourned – 7:49 PM

Jessica Harmon