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February 25, 1998

Chairman and Members  
Ridgewood Zoning Board of Adjustment  
131 No. Maple Avenue  
Ridgewood, New Jersey 07450

Re: **Application of Eric Roos**  
**560 Route 17 North, Block 4704, Lot 6.01**

Mr. Jacob and Members:

I have been asked to comment on the correspondence to the Board dated December 10, 1997 from Robert J. Inglima, Jr., Esq., on behalf of Commons at Ridgewood Condominium Association opposing the Roos application. I will be brief.

1. Regarding the alleged illegal use of the condominium property by Mr. Roos and/or his tenant. Mr. Roos testified at the hearing on August 13, 1997 that Mr. Cerillo, his long-time tenant, had a verbal agreement with representatives of the association permitting the use of that property in return for plantings and services. Notwithstanding, it was represented at that meeting and at the meeting on December 11 that there is no intention to make use of that property for the application before the Board. In fact I am advised that all offending material has been withdrawn from the association lands.

2. As for the contention that a hearing must be held to determine whether there is in fact a valid, pre-existing non-conforming use of the property, Mr. Roos offered his testimony on that issue last August and because Mr. Inglima was not retained until later, Mr. Roos has agreed to be available for further examination by Mr. Inglima when the Board directs.

3. With respect to the variances and/or deviations being requested, the applicant has expanded his notice of hearing and will, at the continuation on February 25, 1998,

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move to amend his application to add those new variances and revisions to originally requested variances suggested by Mr. Inglima's concerns. But it must be kept in mind that the interpretation of its zoning ordinance is the peculiar province of the Board of Adjustment and what appears to an applicant as an accessory building may, to the Board appear to be a second principal building. The same is true when bulk variances are being discussed. Accordingly, the applicant's notice concludes with that time honored generic request for, "such other variances or deviations as may be determined necessary by the Board." When one considers the amended application, notices and filed plans it must be concluded that any reader will be aware of the nature of the application and its impact on him and the Board has the authority to "fine tune" the list of variances/deviations being requested to fit its determination of the nature of relief applied for.

I believe this letter responds to the more serious issues raised by the opponents.

Very truly yours,

Charles C. Collins, Jr.  
Attorney for Applicant

CCCJR:me

cc: Eric Roos (By Fax) ✓  
Robert J. Inglima, Jr., Esq. (By Fax and delivery)  
Morton Hirschklau, Esq. (By Fax)