

AUGUST 13, 2019 MINUTES
OAKLAND BOARD OF ADJUSTMENT
COUNCIL CHAMBERS - 8:00 P.M.
PUBLIC HEARING

Pursuant to Chapter 231, Public Law 1975 Open Public Meetings Act, adequate notice of this meeting has been provided by:

- *Adoption of an annual schedule of meetings.
- *Posting a copy of same at Borough Hall.
- *Forwarding a copy of same to the Record.
- *Mailing a copy to any person requesting same.

FLAG SALUTE, MEETING OPENED AT 8:01 P.M.

ROLL CALL: Present: Mmes. King and Campanelli, Messrs. Rose, Ackerly, Chadwick, Smid and Chairman Lepre.
Absent: Messrs. Arredondo and Bremer

Motioned by Mr. Smid and seconded by Mr. Rose, to excuse the absences was voted unanimously by the Board.

Chairman Lepre announced that Mrs. Campanelli will sit in for Mr. Bremer and Mrs. King will sit in for Mr. Arredondo.

Also in attendance were Ms. Sophy Sedarat, Esq., Board Attorney; Mr. Steve Lydon, Burgis Associates; and Eileen Boland, Boswell Engineering.

PUBLIC HEARING:

1. Ten Eyck – 1 Mohawk Avenue, Block 1502, Lot 15. Public hearing for a front yard setback and steep slope variance to build a new dwelling on an undersized corner lot.

Chairman Lepre announced that this application will be carried to the September 10, 2019 public hearing with no further notice. He informed the Board that this will be the third adjournment for this application.

2. Worst – 4 Gates End, Block 1002, Lot 11. Public hearing for a front yard setback.

Members conducted a site inspection. Ms. Campanelli reported that the property, Block 1002, Lot 11, is located in the RA-1 Residential zone where traffic is light. Chairman Lepre reviewed the comments from the various departments.

The applicant is seeking a 35-foot front yard setback where 50-feet is required.

Mr. Richard and Jean Worst were sworn in and explained that they are seeking a front yard variance to install an above ground pool measuring 15' X 24' and 54" in height. A discussion ensued concerning the property being a corner lot with 3 fronts surrounded by 3 roadways. Mr. Chadwick questioned the distance of the pool from a structure. No further questions, Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Smid and seconded by Mrs. Campanelli, to open the meeting to the public regarding matters concerning the Worst application was voted unanimously by the Board.

No comments.

Motioned by Mr. Campanelli and seconded by Mrs. Smid, to close the meeting to the public regarding matters concerning the Worst application was voted unanimously by the Board.

Ms. Sedarat reviewed for the record that the hardship of this application is due to exceptional narrowness and shallowness of the property. Chairman Lepre entertained a motion.

Motioned by Mr. Chadwick and seconded by Mr. Smid, to approve the Worst application.

Roll Call Vote: Ayes: Mmes. King and Campanelli, Messrs. Ackerly, Chadwick, Smid, Rose And Chairman Lepre.

Nays: None

Abstain: None

Absent: Messrs. Arredondo and Bremer.

3. Tode Landscaping – 53 Spruce Street, Block 2302, Lot 21. Continued public hearing for a use variance, front yard setback and impervious coverage.

Mr. Steven Schepis, Esq., representing the applicant, approached the Board. He informed the Board that he did reach out to the neighboring school and would agree to plant additional landscaping. Chairman Lepre expressed that he would like to see the applicant scale back on what they are proposing. He stated that he is uncomfortable with the size of the lot and what is being proposed for it. The uncertainty of the number of vehicles being parked at the site and vehicles being staggered at different locations. A discussion ensued concerning changes to the site plan that were not provided to the Board ahead of time.

Ms. Gurney informed Chairman Lepre that there were only 4 eligible voters for the application. A discussion ensued concerning the need for 5 votes in the affirmative to approve the application. Chairman Lepre announced that the applicant would need to carry again to ensure he has the votes. Ms. Sedarat suggested to the attorney and the applicant that it may be a good idea if they bifurcate their application. They can begin with approval for the use and if they receive approval,

they can come back with their site plan application. It will probably be more economical for the applicant. Mr. Lydon added that they deemed the application complete in May and will need an extension of time, at least until September 30th. Mr. Schepis agreed that he would file for the extension. Chairman Lepre entertained a motion to carry the application.

Motioned by Mr. Rose and Mr. Smid, to carry the Tode application to the September 10th public hearing with no further notice.

MEMORIALIZATION OF RESOLUTION:

1. Brozyna – 209 Manito Avenue, Block 5504, Lot 7. Approval for a front, rear and side yard setbacks.

Eligible voters: Messrs. Arredondo, Chadwick, Smid, Rose and Chairmen Lepre.

Roll Call Vote: Ayes: Messrs. Chadwick, Smid, Rose and Chairmen Lepre.
 Nays: None
 Abstain: None
 Absent: Mr. Arredondo

PAYMENT OF BILLS:

Motioned by Mr. Smid and seconded by Mr. Rose, to approve the payment of bills subject to the availability of funds was voted unanimously by the Board.

APPROVAL OF MINUTES:

Motioned by Mr. Smid and seconded by Mr. Rose, to approve the July, 9, 2019 minutes was voted unanimously by the Board.

NEW BUSINESS DISCUSSION:

None

OLD BUSINESS DISCUSSION:

Chairman Lepre announced that everyone should have received a copy of the Board's updated By-Laws. He questioned if there were any further amendments to be made. There were no further amendments to be made. Chairman Lepre entertained a motion.

Motioned by Mr. Rose and seconded by Mrs. Campanelli, to approve the Board of Adjustment By-Laws as amended.

Roll Call Vote: Ayes: Mmes. King and Campanelli, Messrs. Rose, Ackerly, Chadwick, Smid
and Chairman Lepre.
Nays: None
Abstain: None
Absent: Messrs. Arredondo and Bremer.

MEETING ADJOURNED:

Motioned by Mr. Rose and seconded by Mr. Smid, to adjourn the meeting at 8:45 p.m. was voted
unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

*Next meeting is September 10, 2019.