

DECEMBER 14, 2010 MINUTES  
OAKLAND BOARD OF ADJUSTMENT  
OAKLAND COUNCIL CHAMBERS - 8:00 P.M.  
PUBLIC HEARING

Pursuant to Chapter 231, Public Law 1975 (Open Public Meetings Act) adequate notice of this meeting 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 8:05 P.M.

ROLL CALL: Present: Messrs. Chadwick, Johnson, Smid, Wegman,  
Schneeweiss, Jensen and Chairman Lepre.  
Absent: Mr. Haas

Also in attendance, Mr. Matthew Cavaliere, Esq., (Board Attorney).

PUBLIC MEETING BEGINS:

1. Trivedi – 8 Hannah Road, Block 3501, Lot 25. Public hearing for a front yard setback.

Members conducted a site inspection of the property, located in a RA-3 Residential zone which was light in traffic. Chairman Lepre reviewed the comments from the various departments and reviewed the zoning issues.

Mr. and Mrs. Trivedi were sworn in and testified that they propose to add a second story addition and allow an increase of living space on the first level as well as increase the square footage to the kitchen.

Chairman Lepre expressed that, in reference to comments made from the Health Department, he believes that the basement extension would not encroachment upon the septic system or seepage pits. Location of septic system and seepage pits are in the front yard. In addition, the property grade is downward from the front yard directing any runoff away from the septic system and seepage pit.

The Board questioned whether the home would remain three-bedrooms. Mr. and Mrs. Trivedi responded that the home would remain three-bedrooms. The Board questioned whether the porch would remain open. Mr. and Mrs. Trivedi responded that the porch would remain open.

The Board expressed the importance of not overloading the existing septic system by changing the den/office into a bedroom.

A discussion ensued concerning the height of the home not listed on the plans. Chairman Lepre informed the Board that he measured a height of approximately 31.4-feet. Mr. Cavaliere added that the height is determined by the average finished grade to the highest point on the building.

The Board questioned if the applicant intends to include central air-conditioning along with the home improvements. Mr. Trivedi responded that they would be including central air-conditioning. The Board expressed that there are no condenser units listed on the plans and suggested that the units be located in the rear yard. Also, the Board suggested that the condenser units be placed near the utility area where the electric us run.

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

No comments.

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

The Board questioned the location and height of the chimney. Mr. Trivedi responded that the fireplace would be gas operated with a direct vent.

Chairman Lepre entertained a motion.

Motioned by Mr. Jensen and seconded by Mr. Smid, to approve the Trivedi application with the stipulations that the home remain three-bedrooms, the porch to remain open, the office/den not to be converted into a bedroom, air-conditioning units to be located in the rear yard and to clarify comments made by the Health Department.

Roll Call Votes:       Ayes: Messrs. Chadwick, Johnson, Smid, Wegman,  
                                  Schneeweiss, Jensen and Chairman Lepre.  
                                  Nays: None  
                                  Abstain: None  
                                  Absent: Mr. Haas

2. Snudden – 47 Algonquin Trail, Block 5404, Lot 20. Public hearing for a side and rear yard setback.

Members conducted a site inspection of the property, located in a RA-2 Residential zone which was light in traffic. Chairman Lepre reviewed the comments from the various departments and reviewed the zoning issues.

Mr. Snudden was sworn in and testified that he is proposing to add a 10 X 12 rear deck off the dining area off the first level of the home.

Chairman Lepre questioned if the proposed deck would go any closer to the property line on the left hand side. Mr. Snudden responded that it would not.

The Board questioned if Mr. Snudden had recently replaced the septic system. Mr. Snudden responded that they did not replace the septic system but recently had it pumped out.

Motioned by Mr. Jensen and seconded by Mr. Johnson, to open the meeting to the public regarding matters concerning the Snudden application was voted unanimously by the Board.

No comments.

Motioned by Mr. Jensen and seconded by Mr. Wegman, to close the meeting to the public regarding matters concerning the Snudden application was voted unanimously by the Board.

The Board questioned the number of steps that would be used to access the deck. Mr. Snudden responded that there would be four steps. The Board informed Mr. Snudden that there is a maximum rise to the steps of eight inches.

The Board questioned if the steps accessing the deck would include handrails and Mr. Snudden responded that handrails would be included.

The Board suggested to Mr. Snudden that footings for the deck should go down no less than 42-inches which would bring it below the frost level.

Motioned by Mr. Wegman and seconded by Mr. Chadwick, to approve the Snudden application.

Roll Call Vote:       Ayes: Messrs. Chadwick, Johnson, Smid, Wegman,  
                              Schneeweiss, Jensen and Chairman Lepre.  
                              Nays: None  
                              Abstain: None  
                              Absent: Mr. Haas.

2. Lejava/Franco – 4 Seminole Avenue, Block 5404, Lot 20. Public hearing for a front yard setback.

The Board Secretary informed the Board that the applicant did not delivery their proof of service and are not present at the meeting. She indicated that a letter was sent out with instructions for the public hearing as well as a phone a few days ago that has not yet been returned.

The Board instructed the Board Secretary to send the applicant another letter and list them on the January agenda and if there is no response, the Board will have to rescind the application.

#### MEMORIALIZATIONS OF RESOLUTION:

None

#### PAYMENT OF BILLS:

Motioned by Mr. Jensen and seconded by Mr. Wegman, to pay bills subject to the availability of funds was voted unanimously by the Board.

#### APPROVAL OF MINUTES:

Motioned by Mr. Wegman and seconded by Mr. Jensen, to approve the November 9, 2010 minutes was voted unanimously by the Board.

#### OLD BUSINESS:

Chairman Lepre informed the Board that as indicated by the Board Secretary, the Borough's Zoning Map is being updated and adopted. The Board will receive a new copy of the Zoning Map as soon as it has been released.

#### NEW BUSINESS:

Chairman Lepre appointed committees to review the RFQ's (Request for Qualifications) submitted to the Board.

He appointed Mr. Wegman and Mr. Johnson to review the qualifications of Attorneys, Mr. Chadwick and Mr. Haas were appointed to review qualifications of Engineering firms and Mr. Schneeweiss and Mr. Smid were appointed to review the qualifications of the Planning firms submitted and seeking to represent the Board.

Chairman Lepre announced that Mr. Jensen would be leaving the Board to fulfill his position as an elected Councilman for the Borough.

He expressed his regrets of losing a valuable member and thanked him for his many years of service to the Board.

Chairman Lepre explained that he feels good knowing that one of the Board members would be representing the Borough and decisions. He expressed that he knows Mr. Jensen will keep the Board's thoughts, concerns and best interest in mind.

Mr. Jensen thanked the Chairman and the rest of the Board members for their support.

He explained that he has gained so much knowledge of the history of the town and challenges that can come with the state and county.

Mr. Jensen expressed that he would keep an open mind and ear to the residents of this Borough and he also invites the Board to reach out to him for anything as he continues to serve the Borough.

MEETING ADJOURNED:

Motioned by Mr. Wegman and seconded by Mr. Chadwick, to adjourn the public meeting at 9:00 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Administrative Assistant