

APRIL 14, 2009 MINUTES
OAKLAND BOARD OF ADJUSTMENT
OAKLAND COUNCIL CHAMBERS – 8:00 P.M.
PUBLIC MEETING

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 8:02 P.M.

ROLL CALL: Present: Messrs. Chadwick, Johnson, Haas, Wegman, Smid,
Schneeweiss, Jensen and Chairman Lepre.
Absent: None.

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

PUBLIC MEETING BEGINS:

1. **Captive Fasteners, Inc.** – 19 Thornton Road, Block 3301, Lot 4. Continued public hearing for a use variance.

Chairman Lepre announced that the Applicant has requested to be carried. The Board was informed that the May agenda was full and the matter would have to be carried to the June 9, 2009 public hearing. Chairman Lepre entertained a motion to carry the Captive Fasteners, Inc. application with no further notice.

2. **Sheji** – Roosevelt Boulevard, Block 2418, Lot 11. Public hearing for a steep slope, Lot area, lot width, front and side yard setback.

Chairman Lepre announced that the Applicant has requested to be carried to the May 12, 2009 public hearing. Chairman Lepre entertained a motion to carry the Sheji application with no further notice.

Motioned by Mr. Wegman and seconded by Mr. Smid to carry the Sheji application to the May 12, 2009 public hearing was voted unanimously by the Board.

3. **Fanale** - 127A & 127B McCoy Road, Block 4202, Lot 1, 2 & 3 (f.k.a. 3416/1.02, 1 & 1.01). Public hearing for a preliminary and final major subdivision and use variance.

Chairman Lepre announced that the Applicant has requested to be carried to the May 12, 2009 public hearing. Chairman Lepre entertained a motion to carry the Fanale application with no further notice.

Motioned by Mr. Wegman and seconded by Mr. Jensen, to carry the Fanale application to the May 12, 2009 public hearing was voted unanimously by the Board.

4. Sullivan – 26 Park Drive, Block 2001, Lot 18. Public hearing for two side yard setbacks.

The Board members conducted a site inspection. Mr. Wegman reported the neighborhood, in a RA-3 Residential area, to be light in traffic. Chairman Leper reviewed the reports from the various departments.

Chairman Lepre indicated that the Applicant has submitted a Department of Environmental Protection (DEP) checklist for properties located in a floodway and the Applicant meets the requirements. Therefore, DEP has no jurisdiction over this application.

Mr. Rick Sullivan was sworn in and testified that he is proposing to add a 300 square foot addition to the second level of his home. The addition would consist of a bedroom, workout area and storage area. The house would remain a two-bedroom with the removal of a smaller bedroom on the first level for the installation of a stairwell to access the proposed second floor.

The Board questioned whether the roof of the addition would extend the length of the house. Mr. Sullivan responded that the roof would extend the length of the entire house, however, half of the proposed second level would be the cathedral ceiling for the living room.

The Board questioned if the addition would stay within the footprint of the existing house. Mr. Sullivan responded that it would.

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

No comments.

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

Chairman Lepre commented that these homes were once summer cottages and noticed that at least three other homes on the street have done similar improvements. Chairman Lepre entertained a motion.

Motioned by Mr. Jensen and seconded by Mr. Johnson, to approve the Sullivan application.

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

5. Mazzella – 13 Harvard Way, Block 4911, Lot 13. Public hearing for lot area, lot width And front yard setback.

The Board members conducted a site inspection. Mr. Wegman reported the neighborhood, in a RA-3 Residential area, to be light in traffic. Chairman Lepre reviewed the reports from the various departments.

Chairman Lepre informed the Board that the Applicant has an approved septic design on file at the Health Department.

Mr. Mazzella was sworn in and testified that he is relocating from Staten Island and needs a bigger home for his family.

would stipulate in the resolution that the home remain three-bedrooms. Mr. Schinski agreed to the stipulation.

A discussion ensued concerning a portico over the front porch. Mr. Schinski expressed that he would like to add a peak above the portico, which was not part of the plan, but was not sure if this would be considered an encroachment. The Board expressed that it would not encroach and would not be a problem.

Motioned by Mr. Jensen and seconded by Mr. Smid, to open the meeting to the public regarding matters concerning the Schinski application.

No comments.

Motioned by Mr. Schneeweiss and seconded by Mr. Johnson, to close the meeting to the public regarding matters concerning the Schinski application.

Chairman Lepre expressed that this addition is similar to other improvements in the neighborhood. He entertained a motion.

Motioned by Mr. Jensen and seconded by Mr. Smid, to approve the Schinski application.

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

7. Fiorina – 16 Concord Lane, Block 1001, Lot 32. Public hearing for a front and rear yard setback.

The Board members conducted a site inspection. Mr. Wegman reported the neighborhood, in a RA-1 Residential area, to be light in traffic. Chairman Lepre reviewed the reports from the various departments.

Mr. Schneeweiss recused himself from the application.

Chairman Lepre informed the Board that a letter from the DEP indicates that no flood hazard permits would be required for this property. In addition, revised comments from the Health Department indicate that soil logs were conducted that day in order to design a new septic system to accommodate the new addition.

Mr. and Mrs. Fiorina were sworn in and testified that they are proposing a first and second floor addition. Mr. Fiorina explained that on the first level they are proposing to expand the kitchen, living area and garage. The second level addition would consist of adding a master bedroom and master bathroom.

The Board questioned if the Applicant would stipulate that the home does not exceed four bedrooms. Mr. and Mrs. Fiorina agreed to the stipulation.

The Board questioned a front and rear porch and whether the Applicant would stipulate to the two porches remaining open. Mr. and Mrs. Fiorina agreed to the stipulation.

A discussion ensued concerning a wet basement. Mr. Fiorina responded that they have a partial basement and have had no problem with water.

Respectfully submitted by,

Kathlyn Gurney/Board Administrative Assistant