

OCTOBER 10, 2017 MINUTES  
OAKLAND BOARD OF ADJUSTMENT  
OAKLAND SENIOR CENTER - 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 8:06 P.M.

ROLL CALL: Present: Messrs. Rose, Arredondo, Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.  
Absent: None

Also in attendance were Mr. Matthew Cavaliere, Board Attorney, Mark Behrens, Burgis Associates and Rebecca Mejia, Boswell Engineering.

PUBLIC MEETING:

1. A & E Ventures of Oakland, LLC – 101 Plaza Road, Block 2702, Lots 1.01 and 1.01. Continued public hearing for a preliminary site plan, subdivision, and use and bulk variances.

Chairman Lepre announced that A & E Ventures of Oakland, LLC has requested to carry to the November 14, 2017 public hearing. He noted for the record that the Board made accommodations to hold a special meeting for the applicant on October 2, 2017 which they canceled also. He entertained a motion to carry the application.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, carry the A & E Ventures of Oakland application to the November 14, 2017 public hearing with no further notice.

Roll Call: Present: Messrs. Rose, Arredondo, Bremer, Ackerly, Wegman, Schneeweiss and Chairman Lepre.  
Absent: None  
Recused: Mr. Chadwick

2. Glasson – 51 Princeton Terrace, Block 4906, Lot 4. Public hearing for a front yard setback to be carried to the October 10, 2017 public hearing.

Members conducted a site inspection with the exception of Mr. Chadwick. Mr. Wegman reported that the property is located in the RA-3 Residential zone and traffic is light. Chairman Lepre reported comments from the various departments.

The applicant proposes a front yard setback of 23.2-feet where 40-feet is required.

Mr. Kevin Glasson was sworn in and testified that he and his wife are the co-owners of the subject property and proposing to add a level to expand the living area. He expressed that he believes the improvements would benefit this up and coming neighborhood.

Chairman Lepre confirmed that the home had three bedrooms and that the septic was designed for three bedrooms. Mr. Glasson responded that he believes the septic is designed for three to four bedrooms. Chairman Lepre questioned if Mr. Glasson would stipulate to the home not exceeding three bedrooms. Mr. Glasson agreed to the stipulation.

Chairman Lepre confirmed that the measurement from the front stoop would still measure 23.2-feet. Mr. Wegman questioned about proposed access to the attic. Mr. Glasson responded that they are proposing a set of pull down stairs. A discussion ensued concerning if the two separate driveways will remain. Mr. Glasson responded the two driveways will remain. Chairman Lepre noted for the record that there would be no hard surface increase. He entertained a motion to open the meeting to the public.

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

No comments.

Motioned by Mr. Bremer and seconded by Mr. Rose, to close the meeting to the public regarding matters concerning the Glasson application was voted unanimously by the Board.

Mr. Cavaliere confirmed that the door for the office would be removed. Mr. Glasson responded that the door has been removed. Mr. Ackerly pointed out that setbacks were incorrect on the application and was amended by the Board. Chairman Lepre entertained a motion.

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to approve the Glasson application with the stipulation that the home remain three-bedroom, office door removed and pull down stairs to access the attic.

Roll Call Vote: Ayes: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.

Nays: None

Abstain: None

Absent: None

3. DelCorpo – 52 Page Drive, Block 3803, Lot 18. Public hearing for a front, two sides and a rear yard setback to be carried to the October 10, 2017 public hearing.

Members conducted a site inspection with the exception of Mr. Chadwick. Mr. Wegman reported that the property is located in the RA-3 Residential zone and traffic is light. Chairman Lepre reported comments from the various departments.

The applicant's proposing a front yard setback of 36.3-feet and 25.6-feet (corner lot) where 40-feet is required and a rear yard setback of 11.7-feet where 35-feet is required. \*Amended front yard setback to 24.8-feet.

Mr. Robert DelCorpo was sworn in and testified that he is the homeowner. He explained that he is adding a 566 square foot addition to the second story for a master bedroom suite and a 30-square foot addition on the first floor for a mudroom.

Chairman Lepre questioned the existing overhang and the number of bedrooms. Mr. DelCorpo responded they are proposing four bedrooms. A discussion ensued concerning the office. Chairman Lepre questioned if the applicant would agree to stipulate that the home will remain four bedrooms if the application were approved. Mr. DelCorpo responded that he will agree to the stipulation.

Mr. Cavaliere confirmed that the setback from the overhang does exceed making the new front setback \*24.8-feet. A discussion ensued concerning the location of the air conditioning unit. Mr. DelCorpo responded that it will be located technically in the front yard setback which they consider their side yard. They plan to buffer the unit with landscaping. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Schneeweiss and seconded by Mr. Wegman, to open the meeting to the public regarding matters concerning the DelCorpo application was voted unanimously by the Board.

No comments.

Motioned by Mr. Ackerly and seconded by Mr. Chadwick, to close the meeting to the public regarding matters concerning the DelCorpo application was voted unanimously by the Board.

Chairman Lepre entertained a motion.

Motioned by Mr. Chadwick and seconded by Mr. Bremer, to approve the DelCorpo application with the stipulation that the home is not to exceed four bedrooms.

Roll Call Vote: Ayes: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.

Nays: None

Abstain: None

Absent: None

4. Tuit – 714 Ramapo Valley Road, Block 5301, Lot 3. Public hearing for a side yard setback.

Members conducted a site inspection with the exception of Mr. Chadwick. Mr. Wegman reported that the property is located in the RA-3 Residential zone and traffic is light. Chairman Lepre reported comments from the various departments.

The applicant proposes a 5.91-foot side yard setback where 15-feet is required.

Mrs. Debra and Mr. Raymond Tuit were sworn in and testified that they co-own the home. Mr. Tuit explained that they are proposing a second floor addition with a cantilever for a master bedroom to increase living space on the first level for their elderly parents.

Chairman Lepre questioned the number of bedrooms and if he would agree to stipulate that they would not exceed three bedrooms. Mr. Tuit responded that he agrees to the stipulation.

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

No comments.

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

A discussion ensued concerning the risers to the porch. Chairman Lepre verified that the risers do not exceed the proposed setback. He entertained a motion.

Motioned by Mr. Smid and seconded by Mr. Chadwick, to approve Tuit application contingent to the home remaining three-bedrooms.

Roll Call Vote: Ayes: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.

Nays: None

Abstain: None

Absent: None

5. Interstate Outdoor Advertising – 50 Edison Avenue, Block 201, Lot 2. Continued public hearing for a use variance.

Mr. Chadwick recused himself from the application. Chairman Lepre announced that this is a continued public hearing. Mr. Ben Cascio, Esq., representing the applicant, suggested that Mr. Jeffrey Gerber address questions the Board had from the last meeting.

Mr. Gerber addressed the three concerns the Board had which were the master plan, positives and visual impacts the sign will have. Since the last meeting, these concerns were reviewed with their planner and a lighting expert.

During their review of the last master plan reexamination report, it speaks about the town seeking to create a firm economic base. The proposed sign could help promote this for Oakland reaching the people traveling on Interstate 287. Their company offers a 10 percent vacancy for towns that allow them occupancy. Mr. Gerber entered two exhibits.

Exhibit A-5, A sign advertisement for Montgomery, NJ promoting their Community Recreation Center.

Exhibit A-6, A sign advertisement for Montgomery, NJ promoting their Fall Festival.

Exhibit A-7, A sign advertisement for Hazlet, NJ promoting their Halloween Costume Contest and Swim and Tennis registration.

Exhibit A-8, A sign advertisement for Edison, NJ, in English and Spanish, fundraising for hurricane victims in Puerto Rico.

Exhibit A-9, Bridge, road closures, amber and weather alerts.

He discussed the rotation and duration of each advertisement displayed on the sign. Chairman Lepre questioned if Mr. Lydon had a response to the applicant's review of the master plan. Mr. Lydon responded that he will wait to comment after the applicant's planner testifies.

A discussion ensued concerning the visual impact. Mr. Gerber explained that Google Earth Street View is used to capture some of the visuals. He entered an exhibit.

Exhibit A-10, Google Earth Street View showing the buffer of the proposed location.

Mr. Gerber testified that these pictures show the barrier provided by the trees which will buffer the view of the sign. Chairman Lepre commented that he visited what he believed to be the site

and could see Dogwood School and Post Road. He expressed that he and others on the Board are having a difficulty figuring out the exact location of the sign. Mr. Gerber entered another exhibit.

Exhibit A-11, Google Earth Street View of Jersey City depicting the back of a sign 1.3 miles away.

The Board requested to discuss pictures found in a booklet entered as an exhibit by the applicant at the last meeting. They pointed out what they thought were numerous discrepancies with some of the pictures. There was a discussion concerning the angle of the signs and blackening of the screen that occurs once you pass the sign in the evening. Chairman Lepre pointed out for Mr. Gerber that you can see the high school and the cell tower behind it in one of the pictures. Mr. Gerber responded that's because the high school and the cell tower are at a higher elevation. He compared it to the Jersey City exhibit where the high school is over a mile away and you barely be see the back of the sign or notice light from the sign.

A discussion continued concerning discrepancies with pictures entered as exhibits. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to open the meeting to the public regarding continued testimony given by Mr. Gerber was voted unanimously by the Board.

Debra Puzzo, Oakland resident, expressed that she sees no benefit to the Borough by erecting a billboard sign unless the applicant was willing to donating a digital sign where it is needed for the Borough. Mr. Gerber responded that he would be in favor of contributing.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to close the meeting to the public regarding continued testimony given by Mr. Gerber was voted unanimously by the Board.

Chairman Lepre questioned Ms. Puzzo's request for the applicant to donate a digital sign. Mr. Cavaliere responded that the applicant can propose a donation but the donation cannot be part of the approval. Mr. Cascio introduced Mr. Robert Newell.

Mr. Newell, vice chairman of Architectural Lighting Design located in Westfield, N.J. explained that he has been a lighting designer for 25 years and has testified for billboard sign companies since 2009. The Board accepted Mr. Newell as a witness.

Mr. Newell explained the basis behind digital LED lighting and the vertical throw of light that would be produced by this billboard sign. He compared the measurements of nits as opposed to foot candles, which is their standard for measuring the light. Reasoning was given on the angle of the sign which faces west and east on Interstate 287. A discussion ensued concerning visibility of the sign from locations in town. Mr. Newell responded that even if the sign were visible, the angle would prevent you from seeing the message or light. He expressed that the headlights from cars traveling along the highway are brighter than the sign itself.

Ms. Mejia informed Mr. Newell that he would need to provide details of the sign and certification that the sign will not exceed 150 nits between dusk and dawn. Mr. Lydon requested that a lighting plan, transferring nits to foot candle measurements, be submitted to the Board for review. Mr. Newell responded that he did not know if the manufacturer will transfer nits into foot candles but he would research that and provide the Board with plans that calculate the light spillage. Mr. Lydon suggested that they make all modifications before they do the calculations and give the Board an idea where exactly the sign will be located.

Mr. Marty Litwer, Vice-President of Development, of Interstate Outdoor Advertising was sworn in and explained that some of the pictures were taken close and some far which can make the location distorted. He agreed that they will put the crane up in the location they propose to erect the sign. He informed the Board to keep in mind that one mile is equivalent to 17 football fields in a row in reference to the sign visibility from the distances mentioned.

A discussion ensued concerning scheduling the inspection of the crane location any Saturday before the next public hearing. Chairman Lepre announced that this application will be carried to the November 14, 2017 public hearing with no further notice.

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to carry the Interstate Outdoor Advertising to the November 14, 2017 public hearing with no further notice.

Roll Call: Present: Messrs. Rose, Arredondo, Bremer, Ackerly, Wegman, Schneeweiss and Chairman Lepre.  
Absent: None  
Recused: Mr. Chadwick

#### MEMORIALIZATION OF RESOLUTION:

Eligible voters: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.

1. Corcoran – 11 Yuma Court, Block 5501, Lot 25. Approval for a side and rear yard setback.

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to memorialize the above resolution of approval.

Roll Call: Ayes: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.  
Nays: None  
Abstain: None  
Absent: None

2. Chadwick – 129 Yawpo Avenue, Block 4101, Lot 7. Approval for a side yard setback.

Motioned by Smid and seconded by Mr. Wegman, to memorialize the above resolution of approval.

Roll Call: Ayes: Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.

Nays: None

Abstain: None

Absent: None

3. Marcucilli – 62 Iroquois Avenue, Block 5402, Lot 1. Approval for a front and side yard setback.

Motioned by Mr. Smid and seconded by Mr. Wegman, to memorialize the above resolution of approval.

Roll Call: Ayes: Messrs. Rose, Arredondo, Ackerly, Bremer, Chadwick, Wegman and Chairman Lepre.

Nays: None

Abstain: None

Absent: None

#### PAYMENT OF BILLS:

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

#### APPROVAL OF MINUTES:

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to approve the October 10, 2017 minutes was voted unanimously by the Board.

#### NEW BUSINESS DISCUSSION:

None

#### OLD BUSINESS DISCUSSION:

None

#### MEETING ADJOURNED:



Motioned by Mr. Wegman and seconded by Mr. Schneeweiss, to adjourn the meeting concluding at 11:15 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

\*Next meeting is November 14, 2017.