

FEBRUARY 10, 2015 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 8:10 P.M.

ROLL CALL: Present: Mrs. Steele, Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.
Absent: Mr. Johnson

Also in attendance were Mr. Matthew Cavaliere, Board Attorney, Steve Lydon, Burgis Associate and Ms. Rebecca Mejia, Boswell Engineering.

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

Mr. Ackerly sitting for Mr. Johnson.

PUBLIC MEETING BEGINS AT 8:10 p.m.:

Chairman Lepre announced that there were some changes to the agenda.

1. Bogdanov – 90 Grove Street, Block 3401, Lot 29. Public hearing for a front and side yard setback.

Chairman Lepre informed the Board that the applicant has hired an attorney to represent the application. However, his attorney was unable to make the meeting and has requested an adjournment. The attorney requested that this matter be carried to the March 10, 2015 public hearing.

Motioned by Mr. Schneeweiss and seconded by Mr. Bremer, to carry the Bogdanov application to the March 10, 2015 public hearing with no further notice was voted unanimously by the Board.

2. Piuck - 23 Brandywine Place, Block 1002, Lot 4. Continued public hearing for a front and rear yard setback.

Mr. Ben Cascio, Esq. was before the Board on behalf of the Piuck application. He explained that the applicant's architect reworked the plans eliminating the second entry and reducing the square footage of the addition. However, he just received the plans and knew it would be too late to submit them to the

Board. He requested that the Piuck application be carried to next month's meeting. Chairman Lepre entertained a motion.

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to carry the Piuck application to the March 10, 2015 public hearing with no further notice was voted unanimously by the Board.

2. Smirles – 76 Ramapo Hills Boulevard, Block 5002, Lot 27. Public hearing for a front and side yard setback.

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

The applicant seeks a variance for a front yard setback of 23.1-feet where 40-feet is required and a side yard setback of 3.3-feet where 15-feet is required. All proposed setbacks are pre-existing.

Chairman Lepre reported that the Smirles have complied with the Health Department's request to locate their septic system. They submitted an asbuilt, which was also approved by the Health Department, tracking the location of the septic tank and fields.

Mr. Robert Smirles was sworn in and testified that he and his wife Holly own the home. He explained that the bedrooms on the main floor are very small. They are proposing a second floor for a master bedroom and will remove the wall between the two bedrooms on the main floor to make it one bigger bedroom.

A discussion ensued concerning the height of the chimney. Mr. Smirles responded that the height of the chimney does not exceed 22.6-feet. Chairman Lepre entertained a motion to open the meeting to the public.

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

No comments.

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

Chairman Lepre entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Bremer, to approve the Smirles application contingent to the home remaining two-bedrooms.

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

3. Lynch – 32 Bannehr Street, Block 3804, Lot 9. Public hearing for a side yard setback.

Members conducted a site inspection. Mr. Wegman reported that the area to be in a RA-3 Residential zone moderate in traffic. Chairman Lepre reviewed comments from the various departments and zoning issue.

The applicant proposes two side yard setbacks of 10-feet and 9.5-feet (both pre-existing) where 15-feet is required.

Mr. Dennis Lynch was sworn in and testified that he is the owner. He explained that he proposes to extend the second floor by expanding the back dormer the entire width of the home. The home would remain a three-bedroom home. Chairman Lepre entertained a motion to open the meeting to the public.

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

No comments.

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

Chairman Lepre questioned if there were any more discussion. He entertained a motion.

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

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

Nays: None

Abstain: None

Absent: Mr. Johnson

4. Ross – 30 Chuckanut Drive, Block 5303, Lot 9. Public hearing for a rear yard setback.

Members conducted a site inspection. Mr. Wegman reported that the area to be in a RA-2 Residential zone moderate in traffic. Chairman Lepre reviewed comments from the various departments and zoning issue.

The applicant proposes a rear yard setback of 65-feet where 75-feet is required.

Mr. William Brown with W.G. Brown Architects and Ms. Jan Ross, owner of the home, were sworn in. Mr. Brown explained that the applicant proposes a one-story addition out the rear of the home to expand her kitchen. Ms. Ross added that the proposed addition would replace and be the same size of the deck. Chairman Lepre entertained a motion.

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

Mr. Cavaliere questioned the square footage of the proposed addition. Mr. Brown responded that the proposed footprint of the addition would be 13.7-feet (length) by 15.3-feet (width) at approximately 197 square feet in size. Chairman Lepre entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to approve the Ross application.

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

Nays: None

Abstain: None

Absent: Mr. Johnson

5. Madison Avenue Midland Park, LLC – 26 Princeton Terrace, Block 4901, Lot 2. Public hearing for a front and side yard setback.

Members conducted a site inspection. Mr. Wegman reported that the area to be in a RA-3 Residential zone moderate in traffic. Chairman Lepre reviewed comments from the various departments and zoning issue.

Mr. Schneeweiss recused himself from the application.

The applicant proposed an amendment to a previously approved application which would change the front yard setback from the existing 25.8-feet to 17.5-feet from the garage. The required setback is 40-feet.

Mr. Jay Lazerwitz, Esq. explained that this application was previously before the Board last November and received approval where a resolution was adopted last December. However, there was a layout issue so a better design has been prepared which required a return to the Board to amend the application. He introduced the architect, Ms. Staphanie Pantale from Montvale, New Jersey.

Ms. Pantale was sworn in and reviewed her credentials. The Board accepted her qualifications. She explained the difference is a second story addition over the garage to locate a master bedroom. This would increase the roof ridge from 25-feet to 28-feet in height. The study on the first level would now be a dining room and the additional bedroom on the second floor would now be a loft. Including the garage, the total square footage for the addition would be approximately 900 square feet. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Wegman and seconded by Mr. Smid, to open the meeting to the public regarding matters concerning the Madison Avenue Midland Park, LLC application was voted unanimously by the Board.

No comments.

Motioned by Mr. Bremer and seconded by Mr. Wegman, to close the meeting to the public regarding matters concerning the Madison Avenue Midland Park, LLC application was voted unanimously by the Board.

Mr. Cavaliere requested that the approved plans from November be entered as an exhibit.

Exhibit A-1, Z-1 Approved plans from November dated September 30, 2014.

Mr. Smid question if this addition would increase the runoff off the property. Ms. Pantale responded that the footprint has not changed just a change in the roof ridge elevation. Chairman Lepre entertained a motion.

Motioned by Mr. Ackerly and seconded by Mr. Wegman, to approve the amendment of the Madison Avenue Midland Park, LLC application contingent to the home not exceeding three bedrooms.

Roll Call Vote: Ayes: Mrs. Steele, Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman and Chairman Lepre.
Nays: None
Abstain: None
Absent: Mr. Johnson
Recused: Mr. Schneeweiss

RESOLUTIONS:

1. Authorized Agreement with Board of Adjustment Attorney.

Motioned by Mr. Wegman and seconded by Mr. Ackerly, to adopt the above referenced resolution.

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

2. Authorized Agreement with Board of Adjustment Engineer.

Motioned by Mr. Wegman and seconded by Mr. Ackerly, to adopt the above referenced resolution.

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

3. Authorized Agreement with Board of Adjustment Planner.

Motioned by Mr. Schneeweiss and seconded by Mr. Ackerly, to adopt the above referenced resolution.

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

MEMORIALIZATION OF RESOLUTION:

1. Pantano - 47 Page Drive, Block 3701, Lot 19. Approval for a front and side yard setback.

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

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

2. Sanchez - 383 West Oakland Avenue, block 202, Lot 2. Approval for a side yard setback.

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

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

3. Valley Medical Group – 14 Post Road, Block 2101, Lot 1. Public hearing for a use variance.

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

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

PAYMENT OF BILLS:

Motioned by Mr. Smid and seconded by Mr. Schneeweiss, to approve 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. Ackerly, to approve the January 13, 2015 minutes was voted unanimously by the Board.

NEW BUSINESS:

None

OLD BUSINESS:

Chairman Lepre informed the Board that he has submitted a letter to Mayor and Council and the Borough Administrator concerning changing the timing for the light on Long Hill Road as a result of the traffic study done for the Children's Therapy application. A traffic study was done and it was suggested to the county that by tweaking the timing, could improve traffic cueing at the Long Hill Road/Breackneck intersection. This change can only be endorsed by Mayor and Council.

Mr. Schneeweiss questioned the response from the building department concerning 18 Princeton Road being sold as a four bedroom. He requested that this be followed up with the zoning officer.

MEETING ADJOURNED:

Motioned by Mr. Wegman and seconded by Mr. Johnson, to adjourn the meeting concluding at 9:30 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

*Next meeting is February 10, 2014