

NOVEMBER 15, 2016 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 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: Mrs. Steele, Messrs. Ackerly, Bremer, Chadwick, Smid, Wegman, Schneeweiss and Chairman Lepre.  
Absent: None

Also in attendance was Mr. Matthew Cavaliere, Board Attorney.

PUBLIC MEETING:

1. Bowitz – West Oakland Avenue, Block 2501, Lots 9, 10, 11, 16 & 30. Public hearing for a zoning permit has requested to carry to the December 13, 2016 meeting.

Chairman Lepre announced that the applicant has requested their application be carried. He entertained a motion.

Motioned by Mr. Smid and seconded by Mr. Bremer, to carry the Bowitz application to the December 13, 2016 public hearing.

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

2. Talamini – 33 Seminole, Block 4602, Lot 27. Public hearing for a side yard setback to be carried to the November 15, 2016.

Members conducted a site inspection. Mr. Wegman reported that the property is located in the RA-3 Residential zone and light in traffic. Chairman Lepre reported comments from the various departments. He noted comments from the Health Department indicating that the applicant needs to comply with the request for submitting architectural plans showing the existing footprint.

The applicant is proposing a 5.5-foot existing side yard setback where 15-feet is required.

Mr. Russell Talamini was sworn in and testified that he and his wife own the subject property. He explained that he is proposing to add a second floor addition as well as a single story extension out the rear to enlarge his kitchen and family room.

Chairman Lepre questioned the number of bedrooms that his septic system is designed for. Mr. Talamini responded that the septic system is designed for four bedrooms. Chairman Lepre questioned if Mr. Talamini would agree to cap the number of bedrooms at four. Mr. Talamini agreed to the stipulation.

Mr. Cavaliere questioned the location of the air conditioning unit. Mr. Talamini responded that it has existed in the side yard since he purchased the property. Mr. Cavaliere suggested that the Board grant grandfather status so the applicant may leave the air conditioning unit where it exists.

Mr. Schneeweiss questioned if a drainage plan is in being proposed. Mr. Talamini responded that the DPW Superintendent informed him that he could tie into the existing water retention line. Mr. Schneeweiss requested that this drainage solution be reviewed and approved by the Board engineer.

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

No comments.

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

Chairman Lepre expressed that the property is unusually narrow which justifies the hardship. He entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to approve the Talamini application contingent to drainage plan reviewed by Board engineer, the home remain four bedrooms, existing location of the air conditioning unit be grandfathered and the porch to remain open.

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

Abstain: None  
Absent: Mr. Chadwick

3. Knudsen – 83 McNomee Street, Block 3804, Lot 30. Public hearing for a front and 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 light in traffic. Chairman Lepre reported comments from the various departments.

The applicant proposes a front yard setback of 25-feet where 40-feet is required, an existing left side yard setback of 5.51-feet and an existing right side yard setback of 3.77 where 15-feet is required.

Mr. Erik Knudsen was sworn in and testified that he is the sole owner of the subject property. Mr. Knudsen is proposing to remove and replace the existing porch and remove, replace and enlarge existing garage. Currently, there is a 4-foot separation from the garage and the home and he will be moving it back leaving a 10-foot separation. Mr. Schneeweiss informed the applicant that it is a fire code to have at least a 10-foot separation between the garage and the home. Chairman Lepre entertained a motion to open the meeting to the public.

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

No comments.

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

Mr. Cavaliere questioned the dimensions of the proposed garage. Mr. Knudsen responded that the garage would be 16-feet wide by 24-feet deep. Chairman Lepre questioned the proposed height of the garage. Mr. Knudsen responded that the height of the garage should not exceed 14-feet.

Mr. Schneeweiss questioned if the porch would remain open. Mr. Knudsen responded that the porch would remain open. Chairman Lepre expressed that the property is very narrow and the applicant is not exacerbating either of the side yard setbacks. He entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Bremer, to approve the Knudsen application subject to the porch remaining open.

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

Nays: None  
Abstain: None  
Absent: Mr. Chadwick

4. Mattera – 21 Manito Avenue, Block 5202, Lot 31. Public hearing for a side yard setback and building height.

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 light in traffic. Chairman Lepre reported comments from the various departments.

The applicant is proposing a side yard setback of 5-feet where 15-feet is required and a building height of 20-feet where 15-feet is required for a garage.

Mr. Gerald Mattera was sworn in and testified that he and his wife Nancy own the home. He is proposing a single bay detached garage approximately 16-feet wide by 25-feet long and 20-feet in height in order to stack two vehicles he owns.

Chairman Lepre questioned if the applicant has resolved his septic system issue. Mr. Mattera responded that a new septic system will be installed.

A discussion ensued concerning the grading of the property which Mr. Mattera expressed that the height would appear less since the property grade drops down in the rear of the home. Chairman Lepre observed that with comparison to the height of the home, the height of the garage would still be higher which in his opinion would look awkward. Mr. Schneeweiss advised Mr. Mattera due to the pitch in the roof, the trusses needed would prevent him from stacking the cars. He suggested that the roof pitch be lowered to allow the stacking of the vehicles and be more esthetically pleasing.

Mr. Schneeweiss questioned if the applicant has a drainage plan. Mr. Mattera responded that he was planning to direct runoff towards the woods. Mr. Schneeweiss suggested that the leaders from the garage be directed to the existing trench drain.

Chairman Lepre worked it out on the site plan showing the applicant that he can lower the roof to 17-feet and have a ceiling height of 13-feet which would be plenty of room to stack two vehicles. Mr. Cavaliere entered the revised drawing as an exhibit.

Exhibit A-1, Drawing revising the roof height for the garage.

Mr. Schneeweiss made a suggestion the garage door be 10-feet in height. Mr. Mattera agreed.

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

No comments.

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

Chairman Lepre indicated that the hardship was the narrowness in width of the property. A new septic system will be installed and there would be no encroachment on the septic fields. He entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to approve the Mattera application subject to not to exceed 17-feet in height as shown on exhibit A-1, leaders to be tied into existing trench drains, new septic system to be installed and the property not to exceed three bedrooms.

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

5. Klinchik – 21 Calumet Avenue, Block 4602, Lot 19. Public hearing for two side yard and front yard setbacks.

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 light in traffic. Chairman Lepre reported comments from the various departments.

The applicant proposes a front yard setback of 30-feet where 40-feet is required, a side yard setback of 13-feet and a side yard setback of 7-feet where 15-feet is required.

Mr. Andrea Klinchik was sworn in and testified that he and his wife are the owners of the property. Mr. Klinchik proposes to add a second story addition and a new front porch with a portico roof above. The septic system is designed for bedrooms and would not exceed that.

Mr. Schneeweiss questioned how the applicant would address the drainage for the runoff. Mr. Klinchik responded that he believes there are French drains in place. He agreed to work with the Board's engineer and if necessary install a seepage pit. Chairman Lepre entertained a motion to open the meeting to the public.

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

Mr. Michael Prichard, the next door neighbor, came before the Board to inform them that there is already a swale with stone for drainage leading down to the lake. He believes the leaders for the roof could be tied into that drainage ditch.

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

Mr. Schneeweiss commented that the plan for the addition is tasteful. Chairman Lepre entertained a motion.

Motioned by Mr. Schneeweiss and seconded by Mr. Wegman, to approve the Klinchik application subject to the porch remaining open.

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

#### MEMORIALIZATION OF RESOLUTION:

1. Guru Nanak Mission, Inc. – 138 Bauer Drive, Block 3603, Lot 2. Approval for a use variance has been carried to the December 13, 2016 public hearing.
2. Gunset – 14 River Road, Block 1807, Lot 9. Approval for one-year extension of time.

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

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

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

3. DiDonato – 88 Truman Boulevard, Block 1606, Lot 25. Approval for a side yard setback.

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

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

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

Nays: None

Abstain: None

Absent: None

#### PAYMENT OF BILLS:

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, 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 September 13, 2016 Minutes was voted unanimously by the Board.

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to approve the October 4, 2016 Minutes was voted unanimously by the Board.

#### NEW BUSINESS:

None

#### OLD BUSINESS:

None

#### MEETING ADJOURNED:

Motioned by Mr. Schneeweiss and seconded by Mr. Smid, to adjourn the meeting concluding at 9:45 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

\*Next meeting is December 13, 2016.