

MARCH 10, 2020 MINUTES
OAKLAND BOARD OF ADJUSTMENT
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 8:00 P.M.

ROLL CALL: Present: Messrs. Arredondo, Ackerly, Bremer, Smid and Chairman Lepre.
Absent: Mmes. King & Campanelli Messrs. Rose and Chadwick

Also in attendance were Ms. Sophy Sedarat, Board Attorney; and John Yakimik, Boswell Engineering.

Motioned by Mr. Smid and seconded by Mr. Arredondo, to excuse the absences of Mmes. King & Campanelli, Messrs. Rose and Chadwick was voted unanimously by the Board.

PUBLIC MEETING:

1. Romanowski – 37 Pawnee Avenue, Block 5301, Lot 36. Public hearing for a bulk variance. A/C unit in the side yard setback.

Board members conducted a site inspection. Chairman Lepre reported that the site is located in a RA-3 Residential zone where traffic is moderate. He reviewed the comments from the various departments.

The applicant seeks a side yard setback of 8-feet where 15-feet is requires.

Mr. Richard and Mrs. Helen Romanowski were sworn in and testified that they are removing all wall units and proposing to install a central A/C unit in the side yard. The Romanowski's explained that there was not enough room in the rear yard to place the A/C unit due to raised external basement doors and windows.

Ms. Sedarat reviewed existing setbacks and requested the applicant to provide testimony supporting the variance. The applicant testified that the reason for the hardship is due to

exceptional narrowness and shallowness effecting their property. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Arredondo and seconded by Mr. Smid, to open the meeting to the public with regards to comments concerning the Romanowski application.

No comments.

Motioned by Mr. Smid and seconded by Mr. Arredondo, to close the meeting to the public with regards to comments concerning the Romanowski application.

No more discussion. Chairman Lepre entertained a motion.

Motioned by Mr. Ackerly and seconded by Mr. Arredondo, to approve the Romanowski application.

Roll Call Vote: Ayes: Messrs. Arredondo, Ackerly, Bremer, Smid and Chairman Lepre.
 Nays: None
 Abstain: None
 Absent: Mmes. King & Campanelli Messrs. Rose and Chadwick.

2. Gerges – 791 Ramapo Valley Road, Block 901, Lot 29. Public hearing for a bulk variance. Sunroom over existing deck in the rear yard setback.

Board members conducted a site inspection. Chairman Lepre reported that the site is located in a RA-1 Residential zone where traffic is moderate. He reviewed the comments from the various departments.

The applicant proposes a rear yard setback of 60-feet where 75-feet is required.

Ms. Gerges, homeowner, and Mr. Briganski, contractor, were sworn in and testified that the applicant is proposing to reinforce the existing deck and construct a sunroom approximately 15'X16' in size. Mr. Smid confirmed that the sunroom would be no larger than the deck.

Ms. Sedarat reviewed existing setbacks and requested the applicant to provide testimony supporting the variance. The applicant testified that the reason for the hardship is due to exceptional narrowness and shallowness effecting the property. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Smid and seconded by Mr. Bremer, to open the meeting to the public with regards to comments concerning the Gerges application.

No comments.

Motioned by Mr. Smid and seconded by Mr. Arredondo, to close the meeting to the public with regards to comments concerning the Gerges application.

No more discussion. Chairman Lepre entertained a motion.

Motioned by Mr. Smid and seconded by Mr. Bremer, to approve the Gerges application.

Roll Call Vote: Ayes: Messrs. Arredondo, Ackerly, Bremer, Smid and Chairman Lepre.
 Nays: None
 Abstain: None
 Absent: Mmes. King & Campanelli Messrs. Rose and Chadwick.

3. Murphy – 829 Ramapo Valley Road, Block 901, Lot 24. Public hearing for a bulk variance. Deck in the rear yard setback.

Board members conducted a site inspection. Chairman Lepre reported that the site is located in a RA-1 Residential zone where traffic is moderate. He reviewed the comments from the various departments.

The applicant seeks a rear setback of 45.75-feet where 75-feet is required.

Mr. John Murphy, homeowner, and Kurt Vierhielig, Architect from Franklin Lakes, were sworn in and testified that the applicant is proposing to constructed a two-tier deck which will encroach into the rear yard setback.

Ms. Sedarat reviewed existing setbacks and requested the applicant to provide testimony supporting the variance. The applicant testified that the reason for the hardship is due to exceptional narrowness and shallowness effecting the property. Chairman Lepre entertained a motion to open the meeting to the public.

Motioned by Mr. Smid and seconded by Mr. Bremer, to open the meeting to the public with regards to comments concerning the Murphy application.

No comments.

Motioned by Mr. Arredondo and seconded by Mr. Bremer, to close the meeting to the public with regards to comments concerning the Murphy application.

No more discussion. Chairman Lepre entertained a motion.

Motioned by Mr. Arredondo and seconded by Mr. Bremer, to approve the Murphy application.

Roll Call Vote: Ayes: Messrs. Arredondo, Ackerly, Bremer, Smid and Chairman Lepre.
Nays: None
Abstain: None
Absent: Mmes. King & Campanelli Messrs. Rose and Chadwick

MEMORIALIZATION OF RESOLUTION:

None

PAYMENT OF BILLS:

Motioned by Mr. Bremer and seconded by Mr. Arredondo, to approve the 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 February 11, 2020 minutes was voted unanimously by the Board.

NEW BUSINESS DISCUSSION:

Ms. Sedarat expressed the importance of having the applicant give justification, on record, when applying for a C1 (flexible) and C2 (hardship). According to the MLUL, an applicant needs to justify the granting of these variances and she will make it part of the testimony procedure to follow-up with each applicant during all public hearings.

OLD BUSINESS DISCUSSION:

None

MEETING ADJOURNED:

Motioned by Mr. Smid and seconded by Mr. Arredondo, to adjourn the meeting at 8:55 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary
*Next meeting is May 12, 2020.