

OCTOBER 13, 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: Mmes. King & Campanelli Messrs. Rose, Arredondo, Ackerly, Chadwick  
Bremer, Smid and Chairman Lepre.  
Absent: None

Also in attendance was Ms. Sophy Sedarat, Board Attorney and John Yakimik, Borough Engineer.

PROFESSIONALS SWORN IN:

John Yakimik

PUBLIC MEETING:

1. Brozyna – 210 Manito Avenue, Block 5504, Lot 3. Seeking extension of approval.

The applicant is seeking an extension for variance approval received back in August 2019. Ms. Sedarat reminded the Board that one of the MLUL conditions for an extension of approval is to provide proper notice. Since no proper notice was served, the Board cannot consider the request. A discussion ensued concerning escrow. It was determined that the applicant will need to provide notice and update their escrow account. Chairman Lepre announced that this matter will be carried to the November meeting.

Motioned by Mr. Arredondo and seconded by Mr. Smid, to carry the Brozyna extension to the November 10, 2020 public hearing with no further notice.

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

Absent: None

2. Trotta – 96 Page Drive, Block 3806, Lot 14. Seeking approval for an above ground pool.

Board members conducted a site inspection. Mrs. Campanelli reported that the site is located in a RA-2 Residential zone where traffic is light moderate. Chairman Lepre reviewed the comments from the various department and the setbacks being requested.

The applicant is seeking a side yard setback of 5-feet for an above ground pool where 10-feet is required.

Mr. Nicholas and Mrs. Tawnya Trotta were sworn in. Mr. Trotta explained that they want to install a semi in-ground pool. The location of the pool and the request for the variance are driven by the location of the septic system and leach field.

The Board questioned how deep in the ground, the depth, size of the pool and fencing. Mr. Trotta responded that semi in-ground means half underground and half above ground. The proposed pool size will be approximately 15' X 30' with a depth of 52-inches and filled with 48-inches of water. There is existing fencing on 2 sides and the rear of the property. They will add one more section of fence in front of the pool to meet the existing fence which will enclose the pool.

Mr. Trotta explained that they plan to add steps to the pool with decking around it as well as landscaping. A discussion ensued concerning no details of the deck being included with the application. Chairman Lepre explained that a deck is a structure and could pose an issue with the setbacks and the impervious coverage. Mr. Rose agreed there needs to be plan for the deck.

Ms. Sedarat gave Mr. and Mrs. Trotta the option to amend their application that include plans showing deck footprint, position of footings and impervious coverage and return back before the Board next month. She also explained that they would not need to notice again provided the last notice included the language *"applicant shall also request any additional relief from any other requirements which may arise as a result of or during the course of the hearings."* The notice did include the wording. The applicant agreed to the return to the Board next month and provide plans showing the deck footprint, footings and impervious coverage percentages along with any mechanicals being used with the pool.

Chairman Lepre entertained a motion to carry the Trotta application to the November 10, 2020 public hearing.

Motioned by Mr. Bremer and seconded by Mr. Campanelli, to carry the Trotta application to the November 10, 2020 public hearing with no further notice.

Roll Call Vote: Ayes: Messrs. Rose, Arredondo, Ackerly, Bremer, Chadwick, Smid and

Chairman Lepre.  
Nays: None  
Abstain: None  
Absent: None

MEMORIALIZATION OF RESOLUTION:

None

PAYMENT OF BILLS:

Motioned by Mr. Rose 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. Bremer and seconded by Mr. Rose, to approve the July 14, 2020 minutes was voted unanimously by the Board.

NEW BUSINESS DISCUSSION:

There was a discussion pertaining to the recent clearing of the property behind Luca's Restaurant. Mr. Yakimik informed the Board that the property owner was advised by Property Maintenance to clear out overgrown vegetation.

OLD BUSINESS DISCUSSION:

None

MEETING ADJOURNED:

Motioned by Mr. Bremer and seconded by Mrs. Campanelli, to adjourn the meeting at 8:53 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary  
\*Next meeting is November 10, 2020.