

OCTOBER 15, 2019 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 8:01 P.M.

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

Motioned by Mr. Campanelli and seconded by Mr. Bremer, to excuse the absences was voted unanimously by the Board.

Chairman Lepre announced that Mrs. Campanelli will sit in for Mr. Arredondo and Mrs. King will sit in for Mr. Rose.

Also in attendance were Ms. Sophy Sedarat, Esq., Board Attorney; Mr. Steve Lydon, Burgis Associates; and John Yakimik, Boswell Engineering.

PUBLIC HEARING:

1. Ten Eyck – 1 Mohawk Avenue, Block 1502, Lot 15. Continued public hearing for a front yard setback and steep slope variance to build a new dwelling on an undersized corner Lot.

Chairman Lepre announced that a letter was received from Mr. Ben Cascio, Esq. indicating that the applicant has withdrawn their application.

2. Rosenblat – 37 Nokomis Avenue, Block 4503, Lot 14. Public hearing for a 2nd story addition that will encroach into the front yard setback.

Members conducted a site inspection. Mrs. Campanelli reported that the property, Block 4503, Lot 14, is located in the RA-3 Residential zone with medium traffic. Chairman Lepre reviewed the comments from the various departments.

The applicant seeks a front yard setback of 32.4-feet (existing) where 40-feet is required.

*Mr. Arredondo arrived to the meeting at 8:08pm.

Mr. Eric and Jennifer Rosenblat were sworn in. They testified that they are seeking to modernize their 1940-1950 home by adding a second story and locating all 3 bedrooms on the second floor to free up living space on the first floor.

Chairman Lepre verified that the second level will go over a 2/3 portion of the first floor, no other setbacks would be exacerbated and no more than 3 bedrooms are being proposed. Mrs. King questioned the number of bathrooms. The Rosenblat's responded that there will be a total of 3 bathrooms. No further questions. Chairman Lepre entertained a motion to open the meeting to the public.

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

No comments.

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

Ms. Sedarat stated for the record that the applicant testified that the hardship for the lawfully existing structure is due to exceptional narrowness, shallowness and irregular shape of the property. She informed the applicant that the home shall remain a 3 bedrooms unless there is an upgrade to the septic system. Chairman Lepre entertained a motion.

Motioned by Mr. Chadwick and seconded by Mr. Arredondo, to approve the Rosenblat application contingent to the home remaining 3 bedrooms.

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

2. Becker – 16 Princeton Terrace, Block 4911, Lot 1. Public hearing for a front porch
On a corner lot that encroaches into the front yard setback.

Members conducted a site inspection. Mrs. Campanelli reported that the property, Block 4911, Lot 1, is located in the RA-3 Residential zone with medium traffic. Mr. Smid reviewed the comments from the various departments.

The applicant seeks a front yard setback setback of 22.4-feet where 40-feet is required.

Mr. Michael and Mrs. Dianne Becker were sworn in and testified that they are seeking to add a covered porch to the front of their home. Chairman Lepre confirmed that the covered porch will remain open. He explained that the property is a corner lot consisting of 2 front yard setbacks. The other front yard setback, existing non-conforming, will remain the same at 23.8-feet. No further questions. Chairman Lepre entertained a motion to open the meeting to the public.

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

No comments.

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

Ms. Sedarat stated for the record that the applicant testified that the hardship for the lawfully existing structure is due to exceptional shallowness of the property. She informed the applicant that the porch shall remain open.

No further discussion. Chairman Lepre entertained a motion.

Motioned by Mr. Chadwick and seconded by Mrs. King, to approve the Becker application contingent to the porch remaining open.

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

3. Tode Landscaping – 53 Spruce Street, Block 2302, Lot 21. Continued public hearing for a use variance, front yard setback and impervious coverage.

Mr. Steven Schepis, Esq. introduced Mr. David Egarian, licensed engineer and planner, and Mr. Jonathan Istranyi, licensed engineer, who will be testifying with regard to the traffic. Both Mr. Egarian and Mr. Istranyi were sworn in, gave their credentials and the Board accepted their qualifications.

Mr. Istranyi explained that he submitted his traffic report on August 30, 2019 and conducted an activity study on October 7, 2019. He entered an exhibit.

Exhibit A-16, Ariel Photo.

He reviewed the site and the industrial surroundings. The proposed traffic pattern will be one-way ingress and egress. A traffic count was conducted on October 7, 2019 at peak hours from 7:00-9:00 a.m. to 2:30-4:30 p.m. Mr. Istranyi did not notice any interference with the school traffic which begins at 8:30 a.m. since all vehicles left the Tode Landscaping site before that time.

He noted that in the afternoon after 3:00 p.m. the cars and buses begin staging for the dismissal of school and by 4:30 p.m., that traffic diminishes. At approximately 4:30-4:00 p.m. the Tode Landscaping vehicles begin to return.

Mr. Yakimik reviewed comments in his report with Mr. Istranyi. They discussed items in his report such as cuing before the intersection of Spruce Lane and Ramapo Valley Road, impact on the school and the other industrial businesses.

Chairman Lepre questioned the results of the traffic count. Mr. Istranyi responded that they counted 19 trips in the a.m. and 19 trips returning in the p.m. According to ITE guidelines, there should be no impact to the other industrial buildings with under 100 trips. There is no detail available concerning the turning radius for some of the vehicles with trailers when pulling out onto Ramapo Valley Road and having to take a wider turn into the opposite lane. Smid informed Mr. Istranyi that the traffic on Ramapo Valley Road is very busy between the hours of 4:30-5:30 p.m.

It was suggested that traffic counts be conducted at the intersection of Spruce and Fir. It was confirmed that no staging of vehicles on the street would be allowed to maneuver other vehicles on the lot. Mr. Tode reminded the Board that they stagger the work crews beginning at 7:00 a.m. and will vary from 10 minutes to 1 hour of each other.

Mrs. King expressed concerns that left hand turns onto Ramapo Valley Road during the peak hours will be difficult. Mr. Yakimik questioned what the traffic rating of that intersection would be. Mr. Istranyi responded that he was not sure, maybe a "B" or a "C". Mr. Tode expressed that if he needs to start sending crews out earlier, he will.

Mr. Ackerly questioned how the freight liner is maneuvered while other vehicles are parked in the lot. A discussion ensued and Mr. Istranyi responded that he may have to modify the staging of the vehicles. Mr. Arredondo confirmed that the staging plan submitted to the Board shows all of the vehicles. Mr. Tode responded that it does. Mr. Lydon suggested, as he did in the past, that the applicant supply the Board with a turning template plan. In addition, both ingress and egress reflect the widening of 18-feet as per the Fire Department's request. A discussion ensued concerning parking spaces impacting the sides of the egress and ingress. Mr. Schepis requested

that they have a moment to discuss. Chairman Lepre announced the meeting will recess for a moment.

Meeting recessed at 9:16 p.m.

Meeting resumed at 9:30 p.m.

Ms. Sedarat informed the applicant that before the next meeting, they will need to submit, in a timely manner, a turning radius template, reflect the 18-foot width expansion of both ingress and egress and how the bigger vehicle, freight liner, will be maneuvered with other vehicles parked in the lot. In addition, show on the site plan the details on how the gate operates. Mr. Yakimik expressed that it would be helpful if the applicant can submit these request in advance of the required 10 days prior to the meeting.

Motioned by Mr. Smid and seconded by Mr. Arredondo, to carry the Tode Landscaping, LLC application to the November 12 public hearing with no further notice.

MEMORIALIZATION OF RESOLUTION:

1. Prusiensky – 97 Walnut Street, Block 3905, Lot 19. Approval to add a level and a new deck that encroaches into both side setbacks.

Eligible voters: Mrs. Campanelli, Messrs. Arredondo, Ackerly Bremer Chadwick, Smid and Rose.

Motioned by Mr. Smid and seconded by Mr. Ackerly, to approve the Prusiensky application.

Roll Call Vote: Ayes: Mrs. Campanelli, Messrs. Arredondo, Ackerly Bremer, Chadwick, Smid and Rose.
 Nays: None
 Abstain: None
 Absent: None

2. Domenico Construction, Inc. – 16 Columbia Way, Block 4909, Lot 9. Approval to add a 2nd floor addition and carport with roof into front setback.

Eligible voters: Mrs. Campanelli, Messrs. Arredondo, Ackerly, Bremer, Chadwick and Smid.

Motioned by Mr. Arredondo and seconded Mr. Bremer, to approve the Domenico Construction, Inc.

Roll Call Vote: Ayes Mrs. Campanelli, Messrs. Arredondo, Ackerly, Bremer, Chadwick and Smid.
 Nays: Mr. Rose
 Abstain: None

Absent: None

PAYMENT OF BILLS:

Motioned by Mr. Bremer 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. Chadwick and seconded by Mr. Arredondo, to approve the September 10, 2019 minutes was voted unanimously by the Board.

NEW BUSINESS DISCUSSION:

None

OLD BUSINESS DISCUSSION:

None

MEETING ADJOURNED:

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

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

*Next meeting is December 10, 2019.