

NOVEMBER 12, 2013 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 8:00 P.M.

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

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

Motioned by Mr. Schneeweiss and seconded by Mr. Johnson, to excuse the absences of Mr. Smid was voted unanimously.

Mr. Ackerly would be sitting in for Mr. Smid.

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

1. Zania, LLC – 78 Ramapo Valley Road, Block 2601, Lot 6. Continued public hearing for an amended site plan.

Chairman Lepre announced that Mr. Aquaviva who is representing the Zania, LLC application, would be detained at a prior meeting and would make the meeting by approximately 8:30 p.m. He explained that they would move forward with the next application on the agenda scheduled that evening.

2. Delgado – 36 Martha Place, Block 2801, Lot 54. Public hearing for a side yard setback.

Members conducted a site inspection of the property. Mr. Wegman reported that the property is located in a RA-1 Residential zone and the traffic is light. Chairman Lepre reviewed the comments from the various departments and zoning issues.

Chairman Lepre explained that the applicant is seeking a side yard setback of 9.8-feet on the left and 9.5-feet on the right where 30-feet is required. He informed the Board that these setbacks are pre-existing and the applicant would not be encroaching any further into the setbacks.

Mr. Joseph Delgado was sworn in and testified that he and his wife co-own the home and propose to add a second story addition over the existing footprint. The second floor would consist of three bedrooms and one and a half bath. The renovations would be done to the first floor to increase the living space on the first level.

Chairman Lepre questioned if Mr. Delgado if the application were to be approved, would he agree to stipulate that the home remain a three-bedroom dwelling. Mr. Delgado agreed to the stipulation.

Chairman Lepre informed Mr. Delgado that the Board prefers that air conditioning units be located in the rear yard instead of the side yards. Mr. Delgado responded that he would agree to locate the air conditioning unit in the rear yard.

Chairman Lepre commented that he sees no height issues with what is being proposed but commented that the roofline appeared to be steep. He suggested to Mr. Delgado that he refer to his architect about lower the roofline which could save the applicant money.

Chairman Lepre entertained a motion to open the meeting to the public.

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

No comment.

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

Chairman Lepre expressed that the home is adding a level to the existing footprint and commented that the renovation would be a practical approach. He entertained a motion.

Motioned by Mr. Johnson and seconded by Mr. Schneeweiss, to approve the Delgado application contingent to the home remaining 3 bedrooms and the air conditioning unit to be located in the rear.

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

MEMORIALIZATION OF RESOLUTION:

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

1. Madison Avenue Midland Park, LLC – 17 Princeton Avenue, Block 4903, Lot 20. Approval for a front and side yard setback.

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

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

2. Chesney – 27 Eagle Crest Place, Block 5304, Lot 37. Approval for a rear yard setback.

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

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

3. Sharrock – 51 Hopper Street, Block 3702, Lot 3. Approval for a rear and side yard setback.

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

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

Chairman Lepre announced that the meeting would recess from 8:35 p.m. and resume at 9:15 p.m. to allow Mr. Aquaviva time to get to the meeting and if he does not arrive by 9:15 p.m., the meeting would end and the application would be carried.

Meeting recessed at 8:35 p.m.
Meeting resumed at 9:15 p.m.

Chairman Lepre explained that Mr. Aquaviva has not arrived in the timeframe allotted for him to continue the Zania, LLC public hearing. He announced that the Zania, LLC public hearing would be carried to the December 8, 2013 public hearing with no further notice.

PAYMENT OF BILLS:

Motioned by Mr. Wegman and seconded by Mr. Chadwick, to approve payment of bills subject to the availability of funds was voted unanimously by the Board.

APPROVAL OF MINUTES:

Motioned by Mr. Wegman and seconded by Mr. Chadwick, to approve the October 8, 2013 minutes was voted unanimously by the Board.

NEW BUSINESS:

None

OLD BUSINESS:

None

MEETING ADJOURNED:

Motioned by Mr. Schneeweiss and seconded by Mr. Ackerly, to adjourn the meeting concluding at 9:15 p.m. was voted unanimously by the Board.

Respectfully submitted by,

Kathlyn Gurney, Board Secretary

*Next meeting is December 10, 2013