

Unified Planning/Zoning Board of Adjustments Meeting
December 6, 2010

The meeting was called to order by chairman, Ken Cassidy, and the pledge of allegiance was recited.

Roll Call was taken with the following members present: Mr. Cassidy, Mr. Dolan, Mr. Gallego, Mr. Mendes, Mr. McKenna, Mr. Montfort, Ms. Malanga and Mr. Saporito-late. Absent were: Mr. Buccellato and Mr. Shea.

Mr. Montfort made a motion to approve the minutes of the November 1, 2010 meeting with one correction and Mr. McKenna second. The board voted with all eligible members in favor.

The first application was Emlerich LLC 126 Main Street Block 24 Lots 3,4,6,6.07,7-9

The applicant's attorney, Mr. Alfieri, requested to carry the application to the February 7, 2011 meeting with extension of time granted and without re-notice. Mr. Montfort made the motion and Mr. Mendes second. The board voted with all eligible members in favor.

Resolutions:

Habitat for Humanity Resolution: Mr. Montfort made a motion to approve and Mr. McKenna second. The following roll call vote was taken: Mr. Cassidy-yes, Mr. Gallego-yes, Mr. McKenna-yes, Mr. Montfort-yes, and Ms. Malanga-yes.

Other Business:

Mr. Irene stated that the letter regarding the Geiring litigation was sent to the Borough attorney, Mr. Mena, and he said it was alright for him to proceed with the defense but he would like the board to approve that as well. Mr. Montfort made a motion to allow Mr. Irene to proceed with the defense and Mr. Cassidy second it. The board voted with all members in favor except Mr. Mendes who abstained.

The board took a short break waiting for the 7:30 pm start time and roll call was taken after the break. Everyone returned, as well as Mr. Saporito who had come late to the meeting.

The second application was Mr. Martin 9 Edgemere Drive Block 56, Lot 1

Mr. Martin was sworn in. The board engineer, Mr. Hadderer, was sworn in. The notices were approved, but since they were only copies, the applicant will bring the originals to the Borough Clerk tomorrow morning. The survey was marked for exhibit. The applicant wants to put a pool in his backyard. He filed a variance 9 years ago for an addition and was over in the lot coverage amount. He was 33.9% and now it would be 35.3% so he needs a variance. The pool will look like a pond and will have custom landscaping with stone around it. There will be nothing above ground.

Mr. Irene noted that in 2001 the applicant had a building variance for a pre-existing condition, not one for lot coverage.

Mr. Mendes asked about the grading and landscaping and the applicant said yes, that would all be done. Mr. Hadderer made note that according to the plan it looked like the drainage went right to the property line. He asked where it went from there. The applicant said it now runs in the street and it will continue to do that. It would then go to the sewer and he hopes to tie into the town at some point in the future.

Mr. Hadderer had a question on the fence that looks like it is in the right of way and the applicant said the tree line is there and the fence was there since 2001.

Mr. Montfort said there are no sidewalks there and the applicant agreed that there are not.

Mr. Cassidy asked if the fence being there was really an issue and Mr. Hadderer said that it is not on the applicant's property. Mr. Mendes said that happens a lot but if there were sidewalks put in there, then they would have to move it.

Mr. Mendes made a motion to approve the application and Mr. Dolan second it. The board voted with all members in favor except for Mr. Gallego who voted no.

The third application was Mr. Oreckinto 97 Ravine Drive Block 77, Lot 11

The notices were approved but an affidavit was needed and the applicant provided it to Mr. Irene. Mr. Hadderer, the board engineer, was sworn in. The surveys and site plan were marked for exhibit. The applicant wants to push out the front of his house, 3' X 6', and then it will be built to make it all even across the front. He will have stained glass on both sides of the bow window. He will have a new extra large stoop and landing with railings and steps. The front yard setback will be 18' but should be 25'. There will be no structure over the steps, they will be open. The porch will be oversized for the house in front.

Mr. Gallego asked if the lot coverage is increasing and Mr. Hadderer said it is now 26% and proposed is 29%. Mr. Mendes commented that it was still within the 30%. Mr. Hadderer said it was the same as the neighbor's houses.

Mr. Dolan noted that the stairs will be 12.5' and an 18' bow window.

Mr. Irene asked if relief was needed for the stairs and Mr. Hadderer said no.

Mr. Irene said that the exact lineage would be included in the resolution, if the board approves the application, so there is no confusion.

Mr. Montfort commented that if the stairwell is open, then there is no set back requirement. The applicant said the porch is covered but not the stairwell and that the distance to the edge is 20.5'. Mr. Hadderer said the garage is 20.5'. If they enclose and expand the porch it will be 20.5' and the bow window extends beyond that point.

Mr. Dolan said the bow window would be 18' and 12.5' with the porch. Mr. Montfort commented that if they cover the stoop then it will be part of the setback. However the applicant said they are not enclosed.

Mr. Irene clarified that the porch comes out and will be enclosed so the setback is 20.5' to match the garage. The bow window setback is 18'. The uncovered stairwell setback is 12.5'.

Mr. Mendes made a motion to approve the application and Mr. McKenna second. The board voted with all members in favor.

Mr. Cassidy made a motion to adjourn the meeting and Mr. Mendes second. The board voted with all members in favor.

The meeting was adjourned at 8:15p.m.

Respectfully submitted,

Diane Cannon
Board Recording Secretary