

ZONING BOARD OF ADJUSTMENT

REORGANIZATION MEETING

January 31, 2010

The reorganization meeting of the Zoning Board of Adjustment for January 5, 2010 was opened and called to order at 8:00 PM Secretary Romero.

Secretary Romero read Sunshine Act.

Rollcall: Williams, Barbire, Deinhardt, Reiter, And Ruhle, Attorney Kimball Absent:
Affuso, Newsome, Daleo

Judy Deinhardt was sworn in.

Secretary Romero called for a motion for Chairman:

Mr. Reiter made a motion for Robert Ruhle for Chairman, seconded by Mrs. Barbire.

Rollcall: 4 AYES

Secretary Romero calls for a motion for Vice Chairman:

Mr. Reiter made a motion for Mrs. Barbire for Vice Chairman, seconded by Mr.

Williams. Rollcall 4 AYES

Secretary Romero called for a motion for Attorney:

Mr. Williams made a motion for Mr. Kimball, seconded by Mr. Reiter.

Rollcall: 5 AYES

Mr. Reiter made a motion for Kellie Romero for Secretary, seconded by Mr. Ruhle.

Rollcall: 5 AYES

There was a request made by Mayor and Council for our meetings to start at 7 PM.

Mrs. Barbire made a motion to start our meetings at 7PM, seconded by Judy Deinhardt.

Rollcall: 5 AYES

DOCKET #2010-9 SEAN MCMANUS, 551 UNION AVE. APPLICANT WISHES TO INCREASE HIS DRIVEWAY WIDTH 248-6D

The Code Official explained the Board heard appeal as a D-Variance and it should have been C-Variance for widening of driveway.

A-7 Mr. Clemente's letter

The vote that took place was 4 to 3 in favor of the driveway, which would have passed so in all fairness to the public and the applicant the application should be heard as a new application. The board can and should consider all evidence new and old. The previous vote should be null and void and revote on as a new application. This is a non-conforming use 2 family in a R1 zone.

248-6D there was confusion with the D thinking it was a D-Variance

A-8 new notice packet

This application is considered as a bulk variance which considers proof of a hardship.

Sean – I have a 2-family house with a 2 car garage, I feel having a 2 family house I should have more than 2 spots I have more than 2 cars. The 2 car garage which goes under my house and the only way I could fit more than 2 cars is if I kept my garage door open. I have a garage but no driveway so my car would be in the apron.

Have you ever submitted a plan for this driveway? Yes. My contractor did but I don't have it with me.

His survey shows no driveway just a garage. We found the documents which were not exactly what we thought there was a not plan but a pencil drawing. We will take the Board Engineers testimony so you know what would be entailed if you are granted a variance.

Brian Intindola – Neglia Engineering

1. applicant needs service of a NJ Professional Engineer
2. Proof for Prof Service to be provided to Board and bldg dept.
3. Design Scope including drainage study and design of driveway trench drain and storm water management system.
4. Excising and proposed retaining walls to be certified for structural soundness design submission for review.

Modest site plan that they can review and look over for recommendations. You can proceed with approval but they would have to follow the board's resolution.

Boards questions:

What issues for setbacks? Exceeding the 20 foot limit side yard restriction for neighbor's house. Combo driveway sidewalk.

How many people live in the home? 4 2 up 2 down 4 cars – 1 bedroom upstairs, 2 bedroom down stairs.

Public Questions:

Glen Cinelli- 109 Columbia St. Why would you move to a town that doesn't have over night parking? I didn't know. When you pulled the permit did you tell them I want to cut driveway 36 feet wide? No I didn't.

Dawn Cinelli – 109 Columbia St. If by law he has to give 1 parking space let him give one and he take the other one.

Greg Ombalski 103 Columbia St. will the engineering drawings coverage drainage, lighting and coverage of our wall? Brian – we will have drawing and a drainage report and structural acct which will all be addressed for all parties. No lighting.

Christine Amos – 103 Columbia St. gutters coming off the house and we still have the dirt problems and we did the work of the one gutter. You could go to home depot and buy black PVC and run it into the street. This is a temporary fix until you construction

can be fixed. Regarding driveway widths – what is the maximum width of a driveway, is it only 20 feet?

A-9 photos of property

Brendan O'Byrne 91 Columbia St. When will this finally get resolved I've been looking at this dirt pile for 9 months. The board has variance power not enforcement power only the Code Official has that.

Open for Comment –

Anthony Sinatra – 116 Hill St. – Ref 115 Madison St. I applaud you Mr. Intindola for your calculations. I came here 3 yrs ago and the structural & drainage were never done for my neighbor's house.

Brendan O'Byrne 91 Columbia St. – the house that he lives in was owned by the Trauses and they applied for the permit for the driveway 20 yrs ago and never got it.

Glen Cinelli – If you going to vote can you specify how long the driveway would be. Can you give him 8X15 as the minimum?

Christine Amos. We are talking about storm drains and say we can put 1 car garage then it would be the engineers work on the job.

Greg Ombalski this could have been avoided if a better drawing was submitted.

Closing Comments:

Board Comments:

Williams was satisfied with what he had at the November meeting but the engineer did clear up a lot.

Ruhle the engineers report will handle a lot of the issues. The engineers report would have to be followed for this to be passed.

Kimball the size of the driveway should be stated unless you want to let the engineer state the size. I think you should talk about length and width.

Deinhardt If the driveway was 12 feet wide you can park only 1 car right? Yes.

What is the maximum the board is willing to go for the size of the driveway.

This applicant appeal has now been changed and doesn't look like the original application. Kimball the board has amended application before.

Mr. Reiter made a motion seconded by Mrs. Barbire to grant variance approval to provide additional parking maximum length 36 feet by 12 feet wide minimum 3 foot buffer on eastside certified by professional licensed engineer. Rollcall 5 AYES

DOCKET#2010-7 MR. DANIEL WONG, 277 HACKENSACK ST., APPLICANT WISHES TO ERECT A SECOND LEVEL RESIDENTIAL APARTMENT SPACE IN A RETAIL BUSINESS DISTRICT.

Motion: Mr. Reiter made a motion to accept the resolution seconded by Mrs. Barbire.
Rollcall: 5 AYES

Motion: Mr. Williams made a motion to accept the minutes seconded by Mrs. Barbire.
Rollcall: 5 AYES

Motion: Ms. Deinhardt made a motion to adjourn seconded by Mr. Williams. Rollcall: 5 AYES