

**CALL TO ORDER:**

The meeting was called to order at 7:30 p.m. at Borough Hall by Chairwoman Christina Hembree with the reading of the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Sanjeev Dhawan	Present
Emilia Fendian	Absent
Robert Hayes	Absent
Michael Kaufman, Alternate 2	Absent
Robin Malley	Present
Gary Newman	Absent
John Spirig	Present
Hasmig Yetemian	Present
Christina Hembree, Chairwoman	Present
S. Robert Princiotta, Esq.	Present
Evan Jacobs, Engineer	Present
Richard Preiss, Planner	Not requested
Meg Smith, Secretary	Present

**APPROVAL OF MINUTES:**

The minutes for November 26, 2019 were approved on a motion from Mr. Spirig, seconded by Ms. Yetemian. Motion was carried by Ms. Hembree, Mr. Dhawan, Ms. Malley, Mr. Spirig and Ms. Yetemian.

Chairwoman Hembree announced that Mr. Spirig will not be returning as a Zoning Board member in 2020. Chairwoman Hembree thanked Mr. Spirig for his many years of dedication and service.

**CONTINUING APPLICATION**

**Mariye Sanar**  
**11 Ellis Court**

Block 1905 Lot 1.03  
R-22.5 Zone

Variances requested for an inground pool and patio. Total lot coverage proposed is 36.7% where 30% is allowed and rear yard setback proposed is 18' where 20' is required.

Mr. Unger, pool contractor, was sworn in and stated that a Landscape Plan was provided, as requested, for this project.

Mr. Princiotta confirmed that the Board had requested a formal landscape plan with detail and marked this Landscape Plan as A-5. The plan was dated 12/4/19 and was prepared by Christopher Karach.

Mr. Unger stated that the purpose of the Landscape Plan was to create a private backyard.

Mr. Spirig stated that the Landscape Plan was beautiful and stated that it should address neighbor concerns.

Ms. Yetemian questioned status of the bamboo.

Mr. Unger stated that the bamboo had been removed from this property, 11 Ellis Court, but it is owned by the neighbor at 5 Carriage Lane and the bamboo is already spreading and returning to this property. Mr. Unger stated that chemicals can be used to control the bamboo but these chemicals could affect the new landscaping that has been planned along the property line. Mr. Unger stated that the neighboring owners should contain the bamboo on their property.

Ms. Hembree stated that Shade Tree Committee should provide guidance regarding bamboo.

Mr. Dhawan stated that the photographs provided with the application were taken in the summer and questioned if the new planting has been done yet. Applicant confirmed that no planting has been done yet, but new growth is present.

Mr. Dhawan questioned an existing block retaining wall and it was confirmed that this will remain.

Mr. Dhawan questioned if any trees would be removed.

Mr. Unger stated that only the bamboo would be removed.

Mr. Dhawan stated that steel would need to be put in the ground as a barricade to the bamboo.

Mr. Unger stated that this would be recommended to the applicant but was not sure if it would be done.

Mr. Dhawan stated that the Landscape Plan was very nice.

A motion was made by Mr. Spirig to grant the two (2) variances needed to allow the pool and patio as proposed. Ms. Malley seconded the motion. On a roll call vote, all board members present (Ms. Hembree, Mr. Dhawan, Ms. Malley, Mr. Spirig and Ms. Yetemian) were in favor of the motion.

Mr. Princiotta stated that a Resolution of Approval had already been drafted and would be reviewed by the Board tonight. This Resolution, if approved, would then be published and there would be 45 days from the date of publication for any appeal.

Mr. Princiotta stated that the second Engineering review letter which addressed the Landscape Plan had been designated as ZBA-2. This letter was dated 12/13/19.

A motion was made by Mr. Spirig to approve the Resolution granting variances needed to install the pool and patio as proposed. Mr. Dhawan seconded the motion. On a roll call vote, all board members present (Ms. Hembree, Mr. Dhawan, Ms. Malley, Mr. Spirig and Ms. Yetemian) were in favor of the motion.

The meeting was not opened to the public because there was no public present at the meeting.

Ms. Malley made a motion to go to Closed Session and it was seconded by Mr. Spirig. All board members were in favor of the motion. This closed session was documented by Resolution 19-14 for litigation regarding WCL Realty at 62 Broadway.

A motion to go to Open Session was made by Mr. Spirig and seconded by Ms. Yetemian. All board members were in favor of the motion.

The Closed Session minutes for November 26, 2019 were carried to the next meeting.

The meeting was adjourned on a motion from Ms. Malley, seconded by Mr. Dhawan, and carried by all.

Respectfully submitted,

Meg Smith