

CALL TO ORDER This virtual 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:

Christina Hembree, Chairwoman	Present
Dianna Cereijo, Alt 2	Present
Sanjeev Dhawan	Present
Emilia Fendian	Present
Robert Hayes	Present
Michael Kaufman	Absent
Robin Malley	Present
Gary Newman	Present
Hasmig Yetemian, Alt 1	Present
S. Robert Princiotto, Esq.	Present
Evan Jacobs, Engineer	Present
Richard Preiss, Planner	Not Requested
Meg Smith, Secretary	Present

APPROVAL OF MINUTES:

The minutes of Open Session for February 25, 2020 were approved on a motion from Mr. Hayes seconded by Ms. Fendian. Mr. Newman abstained for the vote. All other board members voted in favor of the approval.

APPLICATION (New)

Jonathan Blonde

Block: 1104 Lot: 1

6 Spring House Road

R-30 Zone

Request for construction of a two (2) car detached garage and retaining wall where required minimum side yard setback is 20 feet and 13 feet is proposed.

Mr. Princiotto stated that information for this application have been posted on the Borough website. These documents were marked as follows:

- A-1 Application
- A-2 Proof of Notice and Publication
- A-3 Topographical Survey, by Koestner Engineering dated 7/2/19 revised 10/21/19
- A-4 Floor Plan & Elevation, by Tudor Architects, dated 7/16/19
- WCL-1 Neglia Engineering review letter dated 4/9/20

Mr. Princiotto noted that the public will be advised to call in with questions or comments on this application using the phone number 201-391-4977 Ext. 203.

Ms. Knarich, attorney for the applicant, confirmed that proof of notice and publication were received and reviewed. Ms. Smith confirmed that proof of notice and publication were in order.

Ms. Knarich stated that the applicant is requesting to build a two car detached garage and retaining wall. This property is located in the R-30 Zone. The minimum side yard setback proposed is 13 feet where 20 feet is required.

Ms. Knarich stated that this is a unique, peculiar and exceptional property and this garage would be minimally visible from the street. Ms. Knarich stated that these proposed improvements would cause no detriment to the public good.

Mr. Blonde, owner and applicant, was sworn in. He described this as a hilly property of approximately 1 1/3 acres with a long driveway and a single-family dwelling. He explained that his family needs space for several cars and storage.

Ms. Knarich asked and Mr. Blonde confirmed that the proposed garage was aesthetically consistent with the current home.

Mr. Blonde reviewed photos provided.

Mr. Koestner, Engineer for the applicant, was sworn in and qualified as an expert. Mr. Koestner reviewed the Topographic survey (A-3) and explained that the proposed garage would be constructed on the northwesterly portion of the property. There is an existing garage attached to the house. The driveway slopes up toward the house and there are four trees indicated for removal. Mr. Koestner stated that the proposed 13 foot setback abuts property of the Temple and the Temple is at least 200 feet away. There is no additional paving required. This application proposes to handle extra coverage with a stormwater chamber located on the southeasterly corner of the property.

Ms. Knarich asked Mr. Koestner if any additional utilities were proposed.

Mr. Koestner stated that only electric utilities are being requested in the garage.

Ms. Knarich stated that there was no substantial detriment with approving this garage because there was little or no visibility from the street.

Mr. Koestner agreed and stated that this area is well screened along the property line and the garage is a modest size.

Ms. Knarich confirmed with Mr. Koestner that the applicant will comply with the concerns noted in the Neglia Engineering review letter dated 4/9/20.

Mr. Jacobs, Board Engineer, stated that when the retaining wall is constructed an additional tree may need to be impacted.

Mr. Princiotta questioned why the applicant can't meet the 20 foot setback.

Mr. Koestner explained that if the garage was placed within the setback that the only flat piece of property would be impacted and reduced. He explained that the topography dictated the location of the garage.

Mr. Dhawan questioned the location of wrought iron gate seen in photos in relation to the proposed garage.

Ms. Malley stated that the wrought iron gate was near the existing home and not near the proposed garage.

Ms. Malley questioned if the proposed garage could be a few feet closer to the house and away from the Temple to minimize the variance needed.

Mr. Koestner stated that this would affect the only flat area.

Ms. Knarich confirmed with Mr. Koestner that the proposed location of the garage is already paved.

Mr. Dhawan proposed removing gravel patio area currently surrounded by retaining walls and move the garage to the south.

Mr. Koestner stated that every foot moved south would decrease flat area.

Mr. Dhawan stated that the area he is referring to is a landscape area and changing this area to an L shape instead of a U shape could provide room for the garage.

Mr. Blonde stated that he would prefer the current proposal and explained that he would be able to keep part of the existing retaining wall.

Mr. Princiotta questioned if the garage could be made narrower – 22 ½ feet wide instead of 24 ½ feet wide.

Ms. Knarich stated the architect would testify next and he would address the width of the garage.

Mr. Blonde addressed questions regarding the photos of the property and proposed location of the garage.

Mr. Tudor, architect for the applicant, was sworn in and accepted as an expert.

Mr. Princiotta stated that Mr. Tudor prepared the floor plan and elevation (A-4) and asked if the garage width could be reduced to minimize the variance needed. Mr. Princiotta stated that the proposed garage width was 24'7" and asked if it could be reduced to 22'7".

Mr. Tudor stated that the proposed larger width would be better.

Mr. Princiotta proposed the garage be one foot narrower and move the garage one foot to the south to minimize variance to 5 feet.

Mr. Blonde agreed to the garage being one foot narrower but did not want to touch the backyard area.

Ms. Knarich stated that Mr. Blonde would reduce the width of the garage by one foot and is requesting a variance of 6 feet.

Mr. Newman stated that he had seen justification for a 7 foot variance.

Ms. Fendian suggested that creating a buffer would be helpful.

Mr. Koestner agreed that buffering would mitigate the side yard variance and stated that due to the slope of the property that the garage would be 3 to 4 feet below grade and would not seem as large.

Mr. Dhawan stated that he believes that there are 2 opportunities to minimize the variance needed to 5 feet:

- 1) Applicant could narrow the garage
- 2) Applicant could cut into the landscaping by the existing wall

Mr. Dhawan also suggested it could be a combination of both ideas.

Mr. Hembree stated that since part of this garage is for storage it should not be a problem to reduce the width by one foot.

The meeting was opened to the public with a motion from Mr. Newman seconded by Ms. Fendian. All board members were in favor of the motion.

The phone number was provided to the public to call in with any questions or concerns regarding this application.

With no members of the public calling in to ask questions or state any concerns, the meeting was closed to the public with a motion from Mr. Newman, seconded by Ms. Malley. All in favor, the motion carried.

Ms. Knarich stated that the applicant has agreed to move the garage over by one foot and will narrow the width of the garage by one foot to minimize the variance needed to 5 feet instead of 7 feet.

The meeting was opened to the public with a motion from Mr. Newman seconded by Ms. Hembree. All board members were in favor of the motion.

The phone number was provided to the public to call in with any questions or concerns regarding this application.

With no members of the public calling in to ask questions or state any concerns, the meeting was closed to the public with a motion from Mr. Newman, seconded by Ms. Hembree. All in favor, the motion carried.

Ms. Knarich thanked the Board and summarized this application stating that the applicant has minimized the variance and this application allows the applicant to still use their property.

A motion to approve this application as amended to a 5 foot side yard setback variance was made by Mr. Newman and seconded by Ms. Malley. On a roll call vote, all board members were in favor of the motion to approve this application.

CLOSED SESSION

Mr. Newman made a motion to go to Closed Session and it was seconded by Ms. Yetemian. All board members were in favor of the motion. This closed session was documented by Resolution 20-06 for litigation regarding 188 Broadway LP at 188 Broadway and WCL Broadway Realty at 62 Broadway.

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

APPROVAL OF CLOSED SESSION MINUTES:

A motion was made by Ms. Hembree to approve the Closed Session minutes for February 25, 2020. Ms. Fendian seconded the motion. Mr. Newman abstained from this vote and all other board members were in favor of the motion.

APPROVAL OF RESOLUTION

A Resolution authorizing the hiring of a professional at \$165 per hour was made by Mr. Newman and seconded by Mr. Hayes. On a roll call vote, all Board members were in favor of the resolution.

The meeting was adjourned on a motion from Mr. Newman, seconded by Mr. Hayes, and carried by all.

Respectfully submitted,

Meg Smith