

November 16, 2016

A Regular Session Meeting of the Allendale Board of Adjustment was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on November 16, 2016. Ms. Hart announced that the Open Public Meetings Act requirements were met by the required posting and notice to publications and called the meeting to order at 8:13 p.m.

PRESENT: Mr. Jones, Mr. Stephen, Ms. Chamberlain, Ms. Hart, Mr. Manning, Ms. Weidner.

ABSENT: Ms. Teng, Mr. Redling.

Ms. Hart requested a vote to approve the minutes for the October 26, 2016 meeting. A motion was made by Mr. Jones, and it was seconded by Mr. Manning. A roll call vote was taken.

In Favor: Mr. Jones, Mr. Stephen, Mr. Manning, Ms. Weidner.

ABSTAIN: Ms. Chamberlain and Ms. Hart.

Ms. Hart asked for comments on the Resolution memorializing variance approval Application File No. ZBA 2016-11, Ron and Christina Guirland, 40 Cottage Place, Allendale, Block: 1805, Lot: 5. Mr. Nestor asked for the board to review the conditions upon which Mr. Jones made a motion to approve, Ms. Weidner seconded the motion.

In Favor: Mr. Jones, Mr. Stephen, Mr. Manning, Ms. Weidner.

ABSTAIN: Ms. Chamberlain and Ms. Hart.

Next on the agenda was the public hearing for application ZBA 2016-13, Kathy Kaminsky, of 97 Knollton Road, Allendale, Block: 508 Lot: 1. This applicant was seeking relief of variances for minimum front yard setback and minimum lot area. Also present was Mary Scro, Architect who created the plans for Ms. Kaminsky. Mr. Jones noted that there was no need to qualify Ms. Scro since she was previously before the board in January of this year. Ms. Scro and Ms. Kaminsky were sworn in by Mr. Nestor. Ms. Scro began presenting the application for the existing split level on Knollton Road to have a full bathroom and 2<sup>nd</sup> level expansion with another bedroom and bathroom reconfiguration with the layout and outside of the home modifications. The first variance needed is for the non-conforming lot size existing of 25,348 S.F. where 26,000 S.F. is required. This is an irregular lot at the end of cul-du-sac on the curve. To relocate the front door will benefit the home owner and community benefits with the extra set of eyes, plus the front door to the street instead of the current side facing front door. Mr. Jones inquired about the distance of the rear of the structure to the rear property line of 96 ft on sk-1 to clarify if an additional variance would be needed. He also noted the skewed rear property line and that it is narrower than the standard lot of 50 ft x 100 ft. Ms. Scro noted the 38 ft to the side yard, with Ramsey on the backside of the property line. Mr. Jones asked of Ms. Scro how close were the structures in Ramsey, which she confirmed 38 ft plus a lot of pine trees that are a tremendous buffer between her and the residents in the back. Mr. Nestor noted the house is not linear to the curb. Ms. Scro noted a normal lot will have a narrow line and two sides. Mr. Nestor noted that the drawing SK-1 is a lighter shade of green is the current residence and the darker green pushing towards the side yard corner is a 2 story addition. Again Mr. Jones asked Ms. Scro to interpret the rear yard which Ms. Scro referenced the tax map K-2 dated today. At this point Ms. Hart opened the meeting to the public for any comments, concerns or questions for the witness. Mr. Nestor swore in Mr. Kevin Casey of 179 Nottingham Road, Ramsey, NJ. He was present to find out what was the proposed renovation due to the need for disclosure when selling real estate. Mr. Casey currently has his home listed for sale. Mr. Jones asked if it was accurate regarding the trees between the properties, which Mr. Casey agreed it is very difficult to even notice the play set in the back yard. At this point Ms. Hart thanked him for his comments and closed the meeting to the public and bring it back to the board for a final vote.

Mr. Nestor noted there is no full definition of a back yard or side yard in the MLUL, nor did the code official of Allendale note the vagueness for this property with a house not centered on a non conforming property on a cul du sac. It was sufficient as presented, even if determining in the future which is the back yard by the MLUL. Ms. Scro commented that the rear yard vs. side yard are already within the code with the renovation however it is determined at this date in time. Mr. Jones motioned that without making a determination to define which is the rear yard or side yard and the variance as requested and the unique shape of the property; that both variances be approved. The first variance for the minimum lot are 25,348 S.F. where 26,000 S.F. are required and the minimum front yard set back of 38 feet as long as the rear yard setback is maintained. In conclusion, a deviation from the code would benefit the neighborhood and the applicant and he moved to approved. Ms. Weidner seconded the motion and a roll call vote was taken. All present voted in favor of the application.

Ms. Hart asked for a motion to conclude the meeting. Hearing none, a motion made by Ms. Hart seconded by Ms. Weidner, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Christina Montanye