

October 26, 2016

A Regular Session Meeting of the Allendale Board of Adjustment was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on October 26, 2016. Chairman Tenggi 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. Redling, Mr. Stephen, Ms. Tenggi, Mr. Manning, Ms. Weidner.

ABSENT: Ms Hart, Ms. Chamberlain.

Ms. Tenggi requested a vote to approve the minutes for the September 28, 2016 meeting. A motion was made by Mr. Manning, and it was seconded by Mr. Jones. A roll call vote was taken.

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

The next agenda item was public hearing of applications. The first applicant to be heard was a continuation from last month's meeting for ZBA 2016-11, 40 Cottage Place, Allendale, NJ Block: 1805 Lot: 5. Sworn in to testify were the owners: Ronald and Christina Guirland and their architect Daniel D'Agostino. Mr. Nestor noted the architect was qualified at the last meeting, thus Mr. D'Agostino was approved as a witness again for tonight's application. The application is for a hardship variance; minimum side yard setbacks, minimum lot area, minimum lot width, minimum front yard set back. Mr. D'Agostino submitted a new supplement dated October 28, 2016 which Mr. Nestor marked as exhibit G-5 along with the new plans dated October 19, 2016 revised from the original plans created on June 15, 2016 with pages A.001, A.201, A.202, A.501 which Mr. Nestor marked collectively into evidence as G-6. Mr. Nestor then proceeded with an inquiry as to what were the changes made in the drawings specifically. Mr. D'Agostino went to sheet A.501 drawing 1 to delineate the stepped in second floor all the way along the left side of the home by 1 foot to reduce the bulk and volume. Drawing 2 on the same page, A.501, no longer is a sheer single wall and a roof midway rather it is extended further and a window was added. Therefore a reconfiguration had to be done to the second floor with removing the hallway bathroom and only dedicated on suite bathrooms for each of the bedrooms. Note bedroom 206 has also been reduced. To maintain the structure additional costs will be taken on to maintain the wall with the 2nd floor shift, yet maintain a different and unique architecture with work needed to be done in the basement. Ms. Tenggi questioned if the applicants have been to the tax assessor for an estimate of their new tax obligation with an extensive remodeling, would it be affordable for the homeowners due to the substantial increase in size, which the applicants said they have not. Mr. Nestor then spoke about the reduction in size only being 23 feet due to the 1 foot reduction along the left side of the home. Mr. D'Agostino concurred with Mr. Nestor and brought the board's attention to the revision cloud on page. Mr. D'Agostino also stood corrected regarding the discrepancy between the plan and application submitted for total sq ft initially was 5 feet difference. It had not included for the fireplace was not considered in the last submission by the Architect. Mr. Manning commented how the new plan has less impact and less boxy with the stepped in second floor. Ms. Tenggi asked that the applicant will comply with the drainage and seepage pits recommended by the town engineer, which again Mr. D'Agostino affirmed they would. Then Ms. Tenggi open the meeting to the public for comments, questions, concerns. Ms. Patricia Matrone of 50 Cottage Place was sworn by Mr. Nestor. Ms. Matrone began with the fact she was under the impression the second floor would be further in and the roof line reduced and now they will have more roof area along the wall on the left side which is her greatest concern with water issues. Ms. Matrone also reminded the board of the engineering plan from Dewberry July 2006 for the prior applicant who was granted a variance. Mr. Nestor responded that we do not know what has changed and the perc test, compliance for water management and approval with the town

engineer will still be required by the applicant to proceed. Mr. Nestor went on to acknowledge the same process would be part of the condition of approval tonight. Ms. Matrone then produced photos of 40 Cottage Place and her property, which Mr. Nestor asked her as to when they were taken. Ms. Matrone noted they are imprinted with the date of the photographs which was within the last week. Her particular concern was the location of the sump pump and the water sheeting off the home onto her property. Ms. Matrone also stated after considering the situation, the change to the neighborhood would be substantial for the original 6 ranches located on Cottage Place, including those of the same style furthered on East Allendale Avenue, of which only one has been expanded since the 1950's. The applicant's property is the smallest property and now will become the largest home on the block. Ms. Matrone inquired of Mr. D'Agostino if the entire house will be demolished? Mr. D'Agostino corrected Ms. Matrone that it is not being demolished but a renovation of the home with reconstruction of the main level. Ms. Matrone inquired of a time line and start date which Mr. D'Agostino walked her through the tentative plans stating for the record that the applicants not be bound by his testimony in replying to her question. Ms. Matrone complimented Mr. D'Agostino on the design but it is more than doubled the original home that happens to be a duplicate model of her residence in size. Mr. D'Agostino corrected Ms. Matrone in the difference between the tax code and building code and how the measurements that are made, which are qualified and performed by a licensed person, as being the most accurate and can not be compared to her residence because of variations when fabricating a home. Ms. Tengi then asked if Ms. Matrone had any further questions for Mr. D'Agostino, which she again referenced her photographs. Mr. Nestor asked that she only submit 3 depicting the best views of the concerns she presented, which she was unable to do therefore the board was handed the entire roll and each member of the Board reviewed them individually then returning them to Ms. Matrone. Ms. Matrone mentioned an article from Paramus about property size vs space and size of homes which Ms. Tengi quickly answered that the Borough of Allendale has ordinances which restrict the size of the home to only 25% FAR which this board takes very seriously. Especially any applications over 25% when reviewing such a variance. Ms. Matrone went on to discuss the property line and the few trees growing in cinder blocks and would they be removed thus reducing the buffer between the properties. Mr. Manning noted plantings can be added once the home is completed to ensure a barrier of privacy for both neighbors. Ms. Matrone went on again to state this home should be on Meadow Lane and not Cottage Place. Ms. Tengi thanked her, then closed the meeting to any further public comments seeing no one else. Mr. Stephen inquired of Mr. D'Agostino about the height of the existing home and to clarify again how far are they demolishing the home. Mr. D'Agostino confirmed it was their intention to go down to the deck and prefer not to remove the sub floor because of expense, unless it need to go to the girders. Mr. Manning inquired of the grading that will be done during the construction phase. Mr. D'Agostino answered the left side will not be touched and on site grading will be done in the back of the property as needed after the construction. Mr. Nestor also asked about the buffers between the two homes and if any plans for a new buffers? After the testimony tonight the applicants will have trees to insulate any line of sight issues between the properties to avoid a direct line of sight a boundary to improve the transition in size from one property to the other on the left side of the home. Mr. Jones noted that last month the record showed multiple members of the board had asked for the applicant to rethink the roof line on the property and a visual relief in the impact zone. Major side-yard redesign was taken on by the Guirlands', which is a more expensive option, to reinforce the second floor in connection to the foundation. Based on the fact the the unique shape of the the property the zoning code allows for the deviate due to the physical features of the same. Since the zoning regulations have changed since the construction of this home the owner should be allowed to modify their dwelling with the forethought for future owners and future neighbors. Mr. Jones also asked of the architect and applicant to weigh heavily the recommendations of the engineer in regards to the water situation on the property and the impact to 50 Cottage Place. Mr. Manning then followed with planting appropriate vegetation that can survive tremendous amounts of water along with a berm that

would be 2 to 3 feet high to assuage the concerns made by Ms. Matrone. Mr. Manning also suggested trees be part of the conditions for approval in between where appropriate and not necessarily along the entire property line to insulate both neighbors. Mr. Nestor then summarized the approval conditions before the board votes on the application by the Guirlands. Mr. Nestor began; 1st that a buffer line be constructed with plantings and a berm to address the water and privacy, 2nd a perk test, and results approved by township engineer with any seepage pit recommendations be generously rounded up to accommodate more than expected projections by the town engineer. A motion was made by Mr. Jones to approve the application with the 2 conditions, seconded by Ms. Weidner. Roll call was taken and all present voted in favor.

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

Respectfully Submitted,

Christina Montanye