

April 27, 2016

A regular meeting of the Allendale Board of Adjustment was held in the Municipal building on April 27, 2016. The meeting was called to order at 8:08 PM by Ms. Tengi, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered to roll call: Mr. Jones, Ms. Hart, Ms. Tengi, Mr. Manning, Ms. Weidner. Absent: Mr. Redling and Ms. Chamberlain.

Ms. Tengi requested a motion to approve the minutes for the March 23, 2016 meeting. On a motion from Ms. Hart, seconded by Mr. Manning. A roll call vote was taken and all in attendance voted in favor.

Ms. Tengi requested a motion for the Resolution Memorializing Variance for Application Approval of Jason and Suzanne Warzala of 53 Harreton Road, Block: 508 Lot 16, ZBA 2016-3. On a motion from Mr. Manning, seconded by Ms. Tengi. A roll call vote was taken and all in attendance voted in favor.

Ms. Tengi requested a motion for the Resolution Denying Variance Application of Tyler and Lindsey Kearl of 15 Homewood Avenue, Block: 2005 Lot: 2, ZBA 2016-2. On a motion from Ms. Tengi, seconded by Mr. Jones. A roll call vote was taken, Ms. Tengi and Mr. Jones voted in favor.

Prior to hearing the new application, Mr. Bruce Whitaker made the presentation along with the architect Peter Cooper. Due to the changes to the application; removal of shed, corrected calculations with reductions, thus a FAR reduction, a removal of variance specifically, the rear yard setback, a new presentation was made. The Board agreed to hear the new application because it was agreed by the board that res judicata does not apply, as the application is substantially differs with an updated design dated April 27, 2016. On a motion from Mr. Jones, seconded by Ms. Tengi, a vote was taken. All present voted in favor to hear the new application.

Public hearing of application ZBA 2016-4 for Tyler and Lindsey Kearl of 15 Homewood Avenue, Block: 2005 Lot: 2. Variance request for Minimum Side Yard Setback, Minimum Front Yard Setback, Minimum Lot Area, Maximum Floor Area, Minimum Lot Width, and Pre-Existing Non-Conforming Structure.

Changes in the new plans submitted as K-1 designed 4/1/16. New plan K-2 designed 4/27/16 submitted with new calculations and reductions. No rear yard setback, shed will be removed. Reduction in kitchen 68 feet on first floor previously referred to as the breakfast nook. Reduction on second floor in bathroom 40.5 feet smaller. The stairwell is not considered living space thus reducing the number on the total FAR. The third floor reduction is due to the height of the attic, which is under 7 feet, as per the zoning ordinance the closet is not calculated due to a slanted roof inside the closet thus eliminating that number from the total FAR. Total net reduction from K-1 to K-2 is 303

square feet. In sum and substance the new calculation is 634 square feet added to 2,306 square feet existing for a total of 2,940 square feet of FAR to a 9,000 square foot lot. Also submitted was K-4 an elevation map with the roof line to show a correction of the roof line with the reduction on the second floor. K-5 presented into evidence was the Dormer permit and resolution allowing the construction.

Ms. Tengi opened the meeting to the public for anyone who objects the architects testimony, hearing none the meeting was closed and brought back to the board for discussion.

Ms. Hart questioned the steps on the rear of the house and distance to the rear of the property. The measurement is 50.1 feet from the home, not including the steps. The zoning official needed to be informed for future applications it is measured from the bottom step. Mr. Whitaker then stated the 5 foot platform with steps will be removed so no rear yard setback variance will be required for this application. Also the front yard setback variance again the zoning officer incorrectly measured thus it is 15 feet from the property line and not 25 feet.

Ms. Tengi then opened the meeting to the public for any objections to this application. Hearing none, the meeting was open to any public comment on the Kearl application.

Peter Wendeborn of 3 Homewood Avenue, lives across the street from the applicant. He is an architect, reviewed plans and believes details are key along with modest and in character with the neighborhood. Previous owner has taken liberties and the new design is sensible and in favor of the application.

Ellen Hillman, 1 Homewood Avenue, next door on the left side from the applicant. She has seen the plans and the proposal is modest and in character with the neighborhood. In favor of the application

Lisa Wendeborn, 3 Homewood Avenue, fully support character and location for family to stay where they choose. In favor of application

Fifer Woods, 26 Homewood Avenue, diagonal to applicant and believed modest upgrade, with open plan for family living. In favor of applicant.

Josh Shute, 30 Mid wood Avenue, behind to applicant location and makes sense the upgrades and modest. In favor of applicant.

The meeting was then brought back to the board for final comments before vote. Ms. Tengi stated for the record her position stays the same as before and believes in mixed housing sizes to keep diversity in the town.

Ms. Hart stated that the board seriously considers FAR variances. Due to the reduction in bulk and not overbuilding where they could have pushed further in the design triggering more variances. The design is modest and every effort to make this a livable space.

Mr. Jones stated families needs are changing and several changes from the first application making this less impact than first. Believes a significant reduction in FAR.

Mr. Manning commented on the design and mitigating the problem as much as possible due to the size of the lot.

Ms. Weidner stated mixed size housing is needed in town and believes this family should remain in town.

Due to the absence of two members the final voting on the application will be carried until the May 25, 2106 meeting. Ms. Tengi stated every effort will be made for the absent members to hear the testimony tonight to be able to vote at the next meeting.

Public hearing of application ZBA 2016-5 for Theodore and Barbara Zientek of 603 Franklin Turnpike, Block: 911 Lot: 16. Variance request for Minimum Lot Area, Minimum Lot Width, Right Side Setback, and Corner Lot. Sworn in to testify Ms. Barbara Zientek, home owner and Chris Grimel Professional Engineer. The application was to replace a one (1) car nonfunctional and nonconforming garage with a functional 2 car garage with a storage space above that is not a living space on a trapezoid shape property. The hardship is due to the corner lot and the location of the house variances are needed. Z-1 submitted design dated 10/27/15. Mr. Jones, stated in his motion this is for an accessory building with a storage only no living habitable space, and move location 6 feet from the property line from Ivers Road and change from one car to a two car garage. Promotes safety and usage of the yard. On a motion from Mr. Jones, seconded by Ms. Hart. A roll call vote was taken and all in attendance voted in favor.

Public hearing of application ZBA 2016-6 for Greg Ferretti of 117 Powell Road, Block: 1907 Lot: 25. Variance requests Minimum Side yard Setback, Minimum Front Yard Setback, Minimum Lot Area, Minimum Lot Width, and Pre-Existing Non-Conforming Structure. Karen Weidner recused herself because she is a neighbor to the applicant. Sworn in to testify, Greg and Christine Ferretti, home owners and Wayne Johnson, Architect. The application was to increase to an undersized home. F-1 submitted design dated 4/11/16. The owner is building a space for an elderly parent to live on the first floor and increase the living space on the second floor. The addition is over 200 feet and non-compliant home. Adding 1066 square feet to a 1883 square feet for a total size of 2,949 square feet. The home is adding 36% bulk. The garage is impacting the side yard setback. The hardship is the location of the home and garage without changing the entire location of the building on the lot. Front yard setback is 32.5 feet instead of 38 feet due to the bottom step. Also bordering on wetlands the house increase is in bulk and enhancement to the Master plan and MLUL, Mr. Manning.

The meeting was open to the public for comment, Mark Weidner, 106 Powell Road. Lives across the street and the addition is tasteful, well-scaled and enhancement to the neighborhood.

Significant changes to the entire structure bring it in in to compliance. On a motion from Mr. Manning, seconded by Ms. Teng. A roll call vote was taken and all in attendance voted in favor.

Public hearing of application ZBA 2016-7 for Douglas and Jennifer Hart of 278 Schuyler Road, Block: 1301 Lot: 8. Variance requests for Minimum Side Yard Setback and Maximum Impervious Coverage. Sworn in was Ms. Jennifer Hart, home owner and Linda Del Nobile Manze. H-1 plans submitted 4/4/16 collectively to add 426 square feet addition to accommodate the home office, larger kitchen and moving a powder room. This property contains a pool, tennis court and a ranch home style home causing a hardship with one story home. The concern is the increase in the impervious coverage of 1.2%. Current impervious coverage is 39.32% where only 27.5% is permitted. Then the new total is 40.52% including a small walkway.

Concern is runoff water. Seepage pit and stone pit. Over by 5000 square feet of impervious coverage with pool and tennis court. Where are the seepage pits located on property? Capacity of seepage pit? Water management? Need the township Engineer review for water management to verify before application can be voted on. It was advised for the applicant to verify the current drainage systems and water management on the property with the Town Engineer, Mr. Vreeland, due to the high percentage of impervious coverage. The application will be carried to the next meeting May 25, 2016.

Ms. Teng asked if any other concerns to be discussed.

Hearing none on a motion by Ms. Teng, seconded by Mr. Manning, the meeting was adjourned at 10:38 PM.

Respectfully submitted,
Christina Montanye