

TOWNSHIP OF SADDLE BROOK ZONING BOARD OF ADJUSTMENT MINUTES

The Saddle Brook Zoning Board of Adjustment will hold a regular meeting on Monday, **October 19, 2020 at 7:00 p.m. at (The Saddle Brook Senior Center)**

1. CALL THE MEETING TO ORDER.

2. FLAG SALUTE

3. OPEN PUBLIC MEETING ACT: adequate notice of this meeting has been sent to all members of the Zoning Board and to all legal newspapers in Accordance with all the Provisions of the "Open Meetings Act", Chapter 231, P.L. 1975.

4. ROLL CALL - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Mr. Marz arrived at 7:10, Ms. Murray – PRESENT, Board Attorney Stephen Pellino, Board Planner Gary Paparozzi and Board Engineer Anthony Kurus also in attendance.

5. NEW BUSINESS

A.) Rupinder Khalsa, 488 Steinway Road, Block 702, Lot 10

Applicant requests a rear and side yard addition in noncompliance with Municipal Code #898, Section 206.

Mr. Pellino swears in Rupinder Khalsa he states his name spells his last and gives his address as 488 Steinway Road Saddle Brook, NJ. He also swears in Francois Nicholas he states his name spells his last and gives his address as 337 Demarest Avenue Oradell, NJ.

Ms. Murray – You were held over from last month. Do you want to go back over what you plan to do?
Mr. Pellino would like to qualify Mr. Nicholas as an expert witness. He is not a licensed architect and can't testify as an expert witness. He can give factual information about the plans but cannot render opinions.
Mr. Nicholas – We are proposing to do a one story rear addition and an attached garage. We are putting in 3 bedrooms and are extending the kitchen. I have revised the plans showing the impervious coverage. We revised the impervious numbers to show the walkway and updated the proposed numbers on the zoning chart. We are adding a master suite on the first floor, a sun room in the back, enlarging the kitchen and giving an attached garage and also the front stoop.

Ms. Murray – We can start with the professionals first.

Mr. Kurus – Can you go over the required lot coverage and the proposed?

Mr. Nicholas – Right now the lot coverage is 44% required is 3095.7 square feet. The proposed puts us over on the building coverage we are under on the lot coverage.

Mr. Kurus – What is the proposed building coverage?

Mr. Nicholas – Building coverage is 26% and we are proposing 33.77%.

Mr. Kurus – The total impervious is 44% required what is the proposed with the walkway and everything?

Mr. Nicholas – With the walkway we have 43.31%.

Ms. Murray – So you have a variance on the maximum building coverage but not on the maximum lot coverage.

Mr. Kurus – I don't have anything else.

Ms. Murray – I think we discussed some other items from last month. I marked down that there was a drainage plan.

Mr. Kurus – I did not get a drainage plan.

Ms. Murray – There was one other thing we wanted to make sure there was no bedroom in the basement. The answer was no but we want to verify there is no bedroom in the basement.

Mr. Nicholas – There is no bedroom down there.

Mr. Paparozzi – The basement is finished is there a half bath or a full bathroom?

Mr. Khalsa – Full bathroom.

Mr. Paparozzi – In the attic it looks like you have a lot of room how do you get to the attic?

Mr. Nicholas – It isn't shown it will probably be in the walk in closet I can show it on the drawing if you want.

Mr. Paparozzi – It's going to be unfinished?

Mr. Nicholas – Yes it will be unfinished.

Ms. Murray – The walk in closet across from the master bath?

Mr. Nicholas – Yes.

Mr. Paparozzi – The basement is the only access from the garage then there is a door to the outside. The basement has a separate entrance right.

Mr. Nicholas – We did that because we did not have any access to the basement right now the access to the basement is in the house and since we are taking that up with living area. You're talking about the side door in the garage?

Mr. Paparozzi – Yeah. It's a door it's not an open basement.

Mr. Nicholas – Will removing the side door address the concern about the separate entrance?

Ms. Murray – Yes it would add to the confidence.

Mr. Pellino instructs the Mr. Khalsa and Mr. Nicholas that they are not allowed to have a side conversation.

Mr. Nicholas – We can remove that door that should be no problem.

Ms. Murray – Board Members any questions?

Mr. Tokosh – I am satisfied if they remove that door. We should have a provision that they can't have an apartment down there.

Ms. Murray – I see the drawing needs to be updated to show the attic access, remove the side door to the garage, no bedroom in the basement. We need signed and sealed drawings and a drainage plan.

Mr. Duffy – What about the railings in the garage?

Ms. Murray – 36 inch high railing style to be selected.

Mr. Pellino – Did we want curbing along the driveway?

Mr. Nicholas – Yes we show Belgian block along the right side on the drawing.

Mr. Schilp makes a motion to open to the public seconded by Mr. Duffy. All in favor – YES.

Mr. Schilp makes a motion to close to the public seconded by Mr. Gatto. All in favor – YES.

Mr. Schilp makes a motion to approve the application with the following stipulations. The plans show the attic access, the door into the garage on the east side is removed, the basement will not be used as an apartment and the proper drainage plans are supplied.

Mr. Pellino – Signed and sealed drawings consistent with this. I think the stipulation was not only no apartment in the basement but no bedroom either. Mr. Duffy seconds the motion.

Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Mr. Marz, Ms. Murray – YES.

Ms. Murray – Your application was approved you need to get the plans and information back to the Building Department.

B.) Carol Buchichio, 272 Oxford Avenue, Block 1410, Lot 1

Applicant requests a rear deck, side addition, second floor addition and carport in noncompliance with Municipal Code #898, Section 206.

Attorney Allyson Kasetta is representing Ms. Buchichio.

Ms. Kasetta – As you may recall we were before you about a year ago and you granted this applicant 2 variances for a privacy fence to enclose this property because it is a corner lot so it has frontage on both Oxford Avenue and Woodcrest Place. She is now proposing a second floor addition with a new awning over the front entry as well as a carport structure on the eastern side. Before I go any further Chairwoman I know you mentioned that something seems off so maybe we should clear that up before we get further into the details.

Ms. Murray – The first set of drawings we had from last month that we held the meeting over for showed an addition off to the side which changed the side yard from 21 to 16 and it's not on this current set of drawings.

Ms. Kasetta – Correct so the reason we requested the adjournment from September when this was originally scheduled was the applicant decided to eliminate the first floor addition entirely so now only the second floor addition is proposed. So that variance went away the footprint is not going to be expanded. Does that clear it up?

Ms. Murray – I just wanted to make that noted because it's in the minutes and the notes as far as the side addition and second floor addition I just wanted to clear that up so everyone is looking at the correct plans. The correct plans have a revision of 9/25/20.

Ms. Kasetta – Thank you. Because you have graciously agreed to allow the architect to testify by phone tonight I would like to get him on so that I can finish my introduction and then he can be sworn in and ready to go once I finish is that okay?

Ms. Murray – Sure.

Ms. Kasetta calls the architect Mr. Chudzinski and puts him on speakerphone.

Ms. Kasetta – As I was saying we eliminated the original proposal for a first floor addition so what you have on the September 25th plan is correct it's only a second floor addition with a new awning over the entry and a car port on the eastern side. By eliminating that first floor addition we also eliminated a variance that was required for the setback on Woodcrest Place. That will stay existing no variance required. The 2 variances we are requesting are the side yard setback on the eastern side that's to the new carport where 10 feet is required and 0.7 feet is proposed. The other is maximum accessory coverage where 18% is permitted and 22.3% is proposed. I want to note one thing on that if you look at the letter of denial dated July 30th the Zoning Officer considered the carport as an accessory structure which I think is reasonable because it is not enclosed and not habitable. If you look through his calculations the total proposed lot coverage is 42.8% which is below the permitted maximum of 44% and he added the new coverage into the accessory and added that total to the building coverage. The building coverage proposed is 20.5 where 26 is permitted. The point is I don't disagree with what he did but if you look at the big picture this is a pretty small deviation because the total lot coverage is still under the permitted maximum. There are 2 existing nonconformities on the property which are not affected by this application those are the setbacks of the pool from the property lines 6 feet required 4.1 and 2.2 feet existing. This was acknowledged at the time of the prior approval for the fence. The Board imposed a condition where when the applicant replaces the pool she will relocate it to comply with the setback requirements so if the Board were to approve this application no problem with adding that as a condition. The other existing nonconformity is minimum distance from an accessory structure to primary structure 20 feet required there is only 1 foot from the house to the shed again not changing that. This hearing was originally scheduled for September 21st and we had submitted our proof of notice before asking for an adjournment so I just want to confirm that Mr. Pellino received and approved our proof of notice before I continue.

Mr. Pellino – I did and at the last meeting it was announced to the public that it would be same place same time and your notice is fine.

Ms. Kasetta – If you have no questions for me I would like to have Mr. Chudzinski sworn in and I will hold my phone up to the microphone.

Mr. Pellino swears in Mr. Chudzinski he states his name spells his last and gives his business address as 350 Market Street Saddle Brook, NJ.

Ms. Kasetta questions Mr. Chudzinski to establish his credentials.

Mr. Pellino recommends the Board accept him as an expert in the field of architecture.

Ms. Kasetta - Mr. Chudzinski you did prepare the plan that was submitted with this application correct.

Mr. Chudzinski – Yes I did.

Ms. Kasetta – Would you walk the Board through the details of the proposed addition. You heard me speak a little about the elimination of the first floor addition that we originally proposed if you could confirm that as well I'd appreciate it.

Mr. Chudzinski – Yes that was eliminated. We put in a second floor addition on the right side of the building which is the same footprint as the existing building below. In this addition we are putting a bedroom with a walk in closet and also a small room to be a home office.

Ms. Kasetta – The exterior materials will they match the existing home?

Mr. Chudzinski – Yes they will.

Ms. Kasetta – Is it your understanding that the carport will be built by the same contractor that builds the addition?

Mr. Chudzinski – Yes.

Ms. Kasetta – I know you didn't design it but can you speak generally about the type of structure that it is?

Mr. Chudzinski – It will be a wood framed structure three sides will be open. It will have the shed roof with asphalt shingles. There will be 3 posts along the property line that will support the shed.

Ms. Kasetta – So it will not be enclosed with any walls.

Mr. Chudzinski – No it will not.

Ms. Kasetta – That will be part of the permitting process when the addition is constructed right?

Ms. Kasetta – Mr. Chudzinski – Yes.

Ms. Kasetta – So the contractor will have to demonstrate that it complies with all of the applicable building code requirements.

Mr. Chudzinski – Yes.

Ms. Kasetta – Can you tell the Board how these are anchored into the ground and the side of the building.

Mr. Chudzinski – The shed will be fastened to the side of the existing building and on the property side there will be 3 posts which will have 12" round sonotube concrete footings to support it. The posts will support a girder going from the back which will support the roof rafters and the roof.

Ms. Kasetta – is there anything else that I forgot to cover?

Mr. Chudzinski – That's basically it a second floor addition and the carport. There will be a little gable roof over the front entry platform also.

Ms. Kasetta – But that won't impact the setbacks or the coverage or any of that correct.

Mr. Chudzinski – No it will not.

Ms. Kasetta – Madame Chair does the Board have any questions?

Ms. Murray – I don't see anything showing me impervious surface underneath the carport. I need to know what they calculated.

Ms. Kasetta – Mr. Chudzinski do you know the answer to that question were you able to hear that?

Mr. Chudzinski – Was it about impervious lot coverage?

Ms. Kasetta – The Chairwoman wants to know what will be underneath where the carport is going and whether that is impervious and if so whether it was included in the calculations.

Mr. Chudzinski – it's grass now and it will stay that way because the owner wants the shed for the winter time to pull a car underneath to keep it from getting snow on it.

Ms. Kasetta – So no new impervious surface proposed for this application.

Mr. Chudzinski – No.

Ms. Murray – Do you want to go next Mr. Kurus?

Mr. Kurus – The plans showed you increasing on the zoning schedule. You are going existing 38.5% proposed 42.8% so where is the added impervious coverage.

Ms. Kasetta – He is pointing to your bulk table where it shows an increase in impervious coverage. Existing 38.5% proposed 42.8%.

Mr. Chudzinski – I included the shed in that but we are not paving underneath it.

Ms. Kasetta – Is that because the roof covers the ground?

Mr. Chudzinski – That is it.

Mr. Paparozzi – You have to pave it. It is a DEP violation and the Township requires a certain amount of space for parking and you can't put an area on the lawn. It has to be paved number one number two is there a garage on this building?

Ms. Kasetta – There is it is in the house.

Mr. Paparozzi – It doesn't show on the survey or on the architect's plan.

Ms. Kasetta – It should be in the building footprint.

Mr. Paparozzi – It should be shown on one of the two professional drawings that are submitted.

Ms. Kasetta – It is within the building footprint.

Mr. Paparozzi – It's supposed to be shown and under the carport has to be paved. That may affect the lot coverage I don't know if it was included.

Ms. Kasetta – What he said was he included the area of the roof and that is what the increase is so my guess is it wouldn't change the calculation.

Mr. Paparozzi – It may because the carport is 13.7 and the car space is 9 by 18 so the pavement is going to extend 4 feet in either direction. If you extend it in the front I guess his car is not going to be covered from the snow.

Mr. Schilp – It will not be a legal parking spot. It's not a legal size.

Ms. Kasetta – Understood.

Mr. Mazzer – But in a one family you don't have to have a legal size.

Ms. Kasetta – I was going to say that because it's a pretty wide driveway.

Mr. Paparozzi – You need 3 spaces based on the number of bedrooms so if the garage is there should be shown.

Mr. Mazzer – It should be shown.

Mr. Paparozzi – You still have the garage there and the carport is extra but regardless it has to be paved and the garage should be shown.

Ms. Kasetta – I don't think it would be a problem and correct me if I'm wrong Mr. Chudzinski to agree as a condition of any approval that we would revise the plans to show those 2 things.

Mr. Chudzinski – That's not a problem.

Mr. Paparozzi – If you revise the plan include the variance for accessory lot coverage the last one on the zoning chart. He doesn't have the asterisk there marking the variance.

Ms. Kasetta – Got you and so I don't know if you heard him but on your bulk chart you showed an increase in accessory coverage but you don't have the asterisk next to it to indicate a variance.

Mr. Chudzinski – That's not a problem.

Ms. Murray – Mr. Kurus do you have any more?

Mr. Kurus – That's all.

Mr. Paparozzi – Ms. Kasetta you said last year your client came in for the privacy fence?

Ms. Kasetta – Correct.

Mr. Paparozzi – The survey should have been updated because right now the survey shows the old fence in the Township right of way of Woodcrest place and shows a proposed fence.

Ms. Kasetta – Yes.

Mr. Paparozzi – We don't know if you put the fence in the right spot.

Ms. Kasetta – Correct me if I'm wrong I don't think the fence has been installed yet.

The Board replies yes it has.

Ms. Kasetta – It has I'm sorry I haven't been there recently.

Mr. Paparozzi – The survey has to be updated if you put the survey in the wrong spot the Board should know that there is an issue there as well. The first fence was one to two feet over.

Ms. Kasetta – That was a condition of the approval that it be relocated to be entirely on the applicants side.

Mr. Paparozzi – But the survey has been altered so you do need a new one.

Ms. Kasetta – I'm not sure if that's true.

Mr. Paparozzi – The existing fence should be shown on here the Zoning Officer sees that the fence is installed but he's not a surveyor so he can't tell if it's encroaching or not. An alteration should be shown.

Mr. Pellino – I understand what you're saying but it's not part of this application.

Mr. Paparozzi – Part of the application is that the survey is updated because there's alterations that need to be shown.

Ms. Murray – When he updates the plans he needs to update the survey.

Mr. Pellino - Well he's not a surveyor.

Ms. Murray – They would want to have a new survey put in that's correct to apply for this. Any more Gary.

Mr. Paparozzi – Like I said earlier a number on the plan would at least help to verify lot coverage and

Ms. Kasetta neither the survey or Mr. Chudzinski's plan have a total house number he has a number on the addition only.

Ms. Kasetta – When you say number you mean square footage?

Mr. Pellino – The metric like the front of the building is 40 feet 42 feet whatever it is that should you know the size of the framed shed these should be numbered because as it is now you are only 1% under the maximum lot coverage and quite frankly I don't know how it was done.

Ms. Kasetta – Mr. Chudzinski were you able to hear that.

Mr. Chudzinski – Yes.

Mr. Paparozzi – Since the survey has to be updated you might ask them to put some dimensions on it and Mr. Chudzinski can follow up on his revision. It should go to the Board Engineer so he can verify the variance you are not requesting is not a variance. It's only 1% under and the only way I can do that calculation is scaling it and this is 1 inch equals 20 feet. I'm not going to scale it to 1% below your maximum allowable unless you're conceding that there should be another variance. I think that some of the dimensions should be shown. Also I think Ms. Kasetta you put a roof cover on the open porch and you need a setback for that which may be a front setback variance as well.

Ms. Kasetta – I'm sorry I am not following why would there be a new setback variance the porch is already there?

Mr. Paparozzi – Now it's going to be covered so then it becomes a structure and the setback is 26 feet to the house the setback to the porch will be less than 25 which is less than the minimum requirement.

Ms. Kasetta – I don't know that I agree and I don't have the code book with me to look at the definitions.

Mr. Mazzer – What happens steps fireplaces they are called appurtenances as soon as you cover steps now it's part of the structure. Just steps are fine and are not in the front setback as soon as you cover it it becomes part of the building.

Ms. Murray – You can add it in the variances as part of this.

Mr. Paparozzi – Unless it's already covered then it would be an existing variance. I don't know that.

Ms. Kasetta – There is something over the front door now isn't there?

Mr. Chudzinski – There is an aluminum cover over the front entry and we are changing it to a shed roof and tying it into the roof and it will be wood construction instead of the aluminum awning.

Mr. Paparozzi – That may create a variance.

Mr. Paparozzi – I scaled it and it's about 22 feet and the minimum is 25.

Mr. Mazzer – We can make it subject to.

Ms. Murray – We can add it to the application tonight.

Mr. Pellino - We should know the dimension though.

Ms. Murray – We know it's going to be less than 25 feet.

Mr. Paparozzi – Everything has been scaled on here and the only thing I can do is scale it and it's scaling close to 4 feet so that would be 4 feet off of 26.9 would be 22.9 and the minimum is 25. There aren't any dimensions on either plan to give you a number.

Mr. Pellino – Why don't we say a variance of up to 3 feet if the Board is comfortable with that. The Board is fine with that.

Ms. Murray - A variance up to 3 feet.

Ms. Kasetta – Yes thank you.

Ms. Murray – does the Board have any questions?

Mr. Gatto – The carport the expansion that are holding the roof as I read it is that it's going to be 7 inches off the property line?

Ms. Kasetta – Yes.

Mr. Gatto – How much overhang is there on the roof of the carport?

Mr. Chudzinski – The roof is staying 1 foot away from the property line.

Mr. Gatto – How is that possible?

Mr. Chudzinski – Sorry .7.

Mr. Gatto – I have the same type of lean-to on my garage and I can't see how it works there is going to be some overhang and then it's hanging on the other property. Then you have a drainage problem cause all the water is going on his property.

Ms. Kasetta – I think more likely to maintain that .7 setback the posts will be brought in further because you have a width of 10 feet and this is already a small roof area so I think the post will be brought closer to the house.

Mr. Gatto – The drainage is going on the other guys' property. This part here is going to overhang at least a foot. Then you got a gutter on it that will be further out so now you're on air space which is there and you are infringing on the neighbor's property. The way this can be solved is to make it smaller. I'll tell you 7 inches off the property line I don't like it. As long as I've been on the Board over 20 years I have yet to see anything less than 4 feet for a side yard.

Ms. Kasetta – I think this is a different kind of structure it is not enclosed with walls.

Mr. Gatto – It's still a structure.

Ms. Kasetta – Sure but I think it's different than putting an enclosed structure on the property.

Mr. Gatto – What's going to stop him once it's built from putting sides on it?

Ms. Kasetta – I think the Board can word the resolution specifically.

Mr. Gatto – I know what you are saying but you know things get done after it's been built and the only way we find out is that the neighbors complain or if one of us want to know if they have a permit.

Ms. Kasetta – I understand but there is not much I can do about that.

Mr. Gatto – that's why I'm bringing it up as far as I'm concerned it's got to be brought in.

Ms. Murray – What I think we are all trying to get to is the footprint including overhang gutter and everything can't be wider than 10 feet in order to match the drawing and what we are seeing as an example has an overhang so is the 10 feet just the roof dimension the entire roof plus the gutter or is it the structure and the roof overhangs. This is just a hand drawn little box here it is just an example of what this could be and we don't an exact.

Ms. Kasetta – Mr. Chudzinski I don't know if you have anything that might respond to that but as the attorney I would have to represent that the 10 feet is the entirety of it otherwise our plan would not be accurate. I think it would be up to the applicant to figure out how to fit it within that footprint.

Mr. Chudzinski – Basically .7 feet off the property line I can make that the face of the gutter because I can commit a foot and still have 9 foot clear for a car to pull in underneath. The furthest the roof would go out with the gutter would be the dotted line I show which is .7 feet from the property line.

Ms. Murray – Did you hear it Mr. Gatto?

Mr. Gatto – Where will the drainage go from the roof?

Mr. Chudzinski – I can run that towards the back of the property and let it drain into a catch basin.

Mr. Gatto – I think you have an easement back there.

Ms. Kasetta – That's all the way in the back.

Mr. Gatto – Right on the end I know that. I think that is a problem and likewise going back to the roof it has to be satisfied somehow.

Ms. Murray – Mr. Tokosh any questions?

Mr. Tokosh – I have a question about the shed what will be kept in there? If there is a snow blower with gasoline that could be an issue with the Fire Department.

Ms. Kasetta – That shed is already there that's not part of the application. I'm not sure what is kept in there but it is not part of what is proposed.

Mr. Tokosh – As long as there is no gasoline in there I don't have a problem with it.

Mr. Schilp – That shed has been there for a long time.

Mr. Mazzer – That shed is there and whatever he puts in there he puts in there.

Mr. Schilp – If we do approve the carport we said this before to all other applicants if you put some kind of driveway down you have to have Belgian blocks on the edge of the driveway.

Mr. Pellino – Some kind of curbing.

Mr. Schilp – I agree with Tony I don't ever remember approving anything closer than 4 feet from the property line.

Mr. Duffy – Looking at this how would you clean the gutter we are now sticking a structure right up to the property line. You are going to put the neighbor in a bad situation how are you going to service this you can't access that gutter at all without going on the neighbor's property.

Mr. Pellino – Unless you go on the roof.

Mr. Duffy – So you are going to go on the roof and bend over on pitch just think of the practicality of it.

Ms. Kasetta – I understand but I think it's the homeowner's burden to figure that out.

Mr. Duffy – We are giving permission for that burden.

Ms. Kasetta – Sure but you are granting variances from the zoning ordinance the maintenance problems are theirs to figure out.

Mr. Duffy – I put my neighbor in a bad situation because now not just the runoff I put a ladder up there and I have to come from his side of the yard and the ladder is on his property and you fall off now it's his fault you know.

Ms. Kasetta – I do know the applicant has a good relationship with the neighbors they wanted to submit something saying they are okay with this. I know you can't consider that and unfortunately we could not have the neighbor come but I do know there is not a concern about going on their property in order to maintain it.

Mr. Schilp – The problem is that's today.

Mr. Duffy – Right tomorrow they sell the house.

Mr. Schilp – How about when he builds this initially when they put the shingles on when they put the gutter on when they put the fascia on aluminum on the fascia.

Ms. Kasetta – If the neighbor is willing to allow that then.

Mr. Manzo – I am also concerned about the 7 inches off the property line.

Ms. Murray – I think you are going to see there is a commonality amongst all the comments that the 7 inches is tough. The other portion is the drawings need to be updated. The addition is not what the Board is questioning it's the carport and that 7 inches and I have the same concerns. I had a neighbor that I liked when I first moved into my house the second neighbor I wouldn't let come on my property for the life of me so you can't always know who is going to live next door to you and put a ladder on your property and think they can drop everything and possibly fall. This is for perpetuity.

Ms. Kasetta – I understand.

Ms. Murray – It is well worth having the conversation to think about not only now but what could be.

Ms. Kasetta – I hear everyone's comments I want to address them I'm thinking the best thing to do is request an adjournment let us regroup a little bit but aside from any plan revisions would the Board find it helpful if the applicant and the next door neighbor were here to address these issues or do you want a more practical solution?

Mr. Gatto – Ms. Kasetta the next door neighbor is a senior citizen he sold the house and moved to Florida.

Ms. Kasetta – I understand that the plan details are where we have to start but in addition to that would it be helpful I'm hearing no but I wanted to put it out there.

Mr. Gatto – If they want to come they are welcome but it won't be much help.

Mr. Schilp – I agree with Tony.

Mr. Pellino – Ms. Kasetta has asked that we carry the application to the next meeting. She's had the opportunity to hear the concerns as far as plan revisions and also the carport so I think that's a good suggestion.

Ms. Kasetta – While we're doing that if you don't mind let me just take one moment to have the notes and refresh my recollection so I know exactly what we need to do for the plans.

Ms. Murray – We need some measurements of the house and the shed.

Mr. Paparozzi – The survey Ms. Kasetta is not to scale. It looks like the one that was submitted he either made a mistake or it was reduced.

Ms. Kasetta – I think it was reduced because when we were here a year ago we submitted signed and sealed copies this time we had copies made.

Mr. Paparozzi – It should be submitted to the Board Engineer so he can verify the square footage because of the lot coverage you may have a variance there as well. This way it can be covered in the entire application.

Mr. Pellino – The Board wanted more dimensions on the drawings.

Ms. Murray - Update the bulk chart show the garage on the plans for the parking. Show the impervious coverage under the carport or show that it is impervious, also with show curbing along that side. Update the fence plan on the survey.

Ms. Kasetta – That is one thing I don't know if we can get an updated survey before the next meeting. I understand the reasons why it's needed I just don't know if that is feasible.

Mr. Paparozzi – You need something at least to scale then because how else can we attempt to get lot coverage. If you can't get a new one at least have one to scale.

Ms. Kasetta – We can figure that out like I said we just made copies of the survey they were not printed by the surveyor.

Ms. Murray – The overall dimensions of the carport including the gutter need to be shown. The dimension to the front to the roof over the front steps.

Mr. Duffy – The height of the house and the carport.

Mr. Gatto – Should there be something about the drainage?

Ms. Murray – Show where the drainage from the roof of the carport will go.

Mr. Duffy makes a motion to open to the public for this application seconded by Mr. Gatto.

All in favor - YES

Mr. Manzo makes a motion to close to the public seconded by Mr. Schilp. All I favor – YES.

Mr. Schilp makes a motion to have the November Zoning Board Meeting changed to Monday November 16th at 7:00 pm held at the Senior Center 8 Caldwell Avenue seconded by Mr. Duffy.

Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Ms. Murray – YES.

Mr. Schilp makes a motion to adjourn the 272 Oxford Avenue application until next month on Monday November 16th at 7:00 pm at the Senior Center when the attorney provides the requested information and without further notice seconded by Mr. Duffy.

Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Ms. Murray – YES.

Mr. Pellino – Any interested party will receive no further notice come back November 16th.

C.) Francesca Carmeci, 247 South Street, Block 513, Lot 9

Applicant requests a 6-foot privacy fence in the front (corner lot) yard in noncompliance with Zoning Ordinance Chapter 89-4.G, on a corner lot both yards shall be treated as front yards and 89-5.B, no fence shall exceed four feet in height on any portion of the front yard.

Mr. Pellino swears in both Francesca and Anthony Carmeci they state their names spell their last and give their address as 247 South Street Saddle Brook, NJ.

Ms. Murray – Please explain what you would like to do.

Mrs. Carmeci – I live on a corner lot and we are across the street from the apartments as well as office buildings and I have 2 little girls. I have a 4 year old and a 1 year old so the way our backyard is if they go around that fence anybody can easily reach over our fence and grab them. I'm always with them but with kids it only takes a second. I have 2 pictures this is how easy it is, this is my husband and he can easily reach over the fence and grab our children so if I'm a second too slow anybody can grab my daughter. That is my biggest concern. I know my neighbors on South Street but with the apartments and the buildings I don't know everybody that comes in and out of there. There's a lot of traffic and that's what I am really concerned with. People can see and watch my daughters and can easily grab them. It's very simple to snatch them up and run.

Ms. Murray - Mr. Kurus do you have anything for this?

Mr. Kurus – No it looked pretty clear to me. There is existing chain link fence on the property. You are proposing to replace with 6 foot privacy that is highlighted in yellow and that short section that extends into the front you're going to keep that as 4.

Mrs. Carmeci – Yes.

Mr. Paparozzi – If you replace the fence where the exiting fence is the fence behind the garage is on the neighbor's property.

Mrs. Carmeci – Okay.

Mr. Paparozzi – I don't know how much it is the survey that was done in 2016 just says it's on the neighbor's property doesn't say how much. The fence along Finnigan is okay and on the other side of the house is okay but that one I don't know if you need some markers.

Mrs. Carmeci – You mean behind the garage correct?

Mr. Paparozzi – Yes behind the garage according to the survey he said it's on the other people's property he doesn't say how much. If you put it in the same spot you are going to be on the other people's property.

Mr. Carmeci – We can move it in right?

Mr. Paparozzi – Yes but the survey doesn't tell you how much to move it in. What I'm saying is either ask him or see if you and your neighbor agree on the property lines so you don't have an issue.

Mrs. Carmeci – That would be my next step anyway.

Mr. Paparozzi – That's all I have Madame Chair.

Mr. Schilp – I drove past a couple of times and I see no problem as long as you keep the front 4 feet there should be no problem with anybody going around the corner. Looks good to me.

The rest of the Board is in agreement that it is acceptable.

Mr. Duffy makes a motion to open to the public seconded by Mr. Schilp. All in favor – YES.

Mr. Schilp makes a motion to close to the public seconded by Mr. Duffy. All in favor – YES.

Mr. Gatto makes a motion to approve the application as submitted seconded by Mr. Tokosh.

Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Ms. Murray – YES.

D.) Krystian Wrobel, 70 Jamros Terrace, Block 1301, Lot 3

Applicant requests a rear addition and second floor addition in noncompliance with Municipal Code #898, Section 206.

Mr. Pellino swears in Krystian Wrobel he sates his name spells his last and gives his address as 70 Jamros Terrace Saddle Brook, NJ.

Ms. Murray – Please explain what it is you would like to do.

Mr. Wrobel – Above the garage there is no second floor so what I want to do is add the second floor. The reason I am here is that the garage is only 4.7 feet away from the neighbor and this does not comply with the zoning. I also want to extend the kitchen in the back with the second floor on top of it.

Mr. Pellino – What's clear is based on Mr. Ambrogio's review the only variance is the exacerbation of the existing side yard setback.

Mr. Wrobel – If you look on Jamros Terrace you can see multiple houses that have the exact extension over the garage. I want to make it the same as those.

Ms. Murray – Mr. Kurus do you have anything on this application?
 Mr. Kurus – No.
 Mr. Paparozzi – You propose upstairs to have 3 bedrooms and an office.
 Mr. Wrobel – Yes.
 Mr. Paparozzi – You don't show any closets in the bedrooms so are the bedrooms going to have a closet.
 Mr. Wrobel – Yes.
 Mr. Paparozzi – Will the office have a closet?
 Mr. Wrobel – The office has an existing closet that will remain the same.
 Mr. Paparozzi – Even if that's a bedroom that's 4 bedrooms it still complies right Anthony?
 Mr. Kurus – Yes.
 Mr. Paparozzi – Four bedroom 1 family you need 2.5?
 Mr. Kurus – 3.
 Mr. Paparozzi – You need 3 so even if the office turns into a bedroom it complies.
 Mr. Schilp – I was up and down the block and a lot of houses have done the same thing as you are proposing.
 The rest of the Board is in agreement that the application is acceptable.
 Mr. Duffy makes a motion to open to the public seconded by Mr. Tokosh. All in favor – YES.
 Mr. Schilp makes a motion to close to the public seconded by Mr. Duffy. All in favor – YES.
 Mr. Gatto makes a motion to approve the application as submitted seconded by Mr. Mazzer.
 Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Ms. Murray – YES.

6. MINUTES

Meeting of September 21, 2020 Regular Meeting

Mr. Schilp makes a motion to read and file seconded by Mr. Duffy. All in favor – YES.

7. COMMUNICATIONS

Stephen F. Pellino to Allyson M. Kasetta, Esq., 9/22/20
 Stephen F. Pellino to Kimberly Bennett, Esq., 9/22/20
 Andrew Karas to Frank Barrale, 10/5/20
 Anthony Kurus to the Zoning Board, 8/21/20
 Anthony Kurus to the Zoning Board, 9/11/20

The applications for Curcio Realty need to re notice.

8. VOUCHERS

Jason Mazzer, 200 Floral Lane, Return Unused Escrow, 10/06/20, \$3933.20
 Basile Birchwale & Pellino, 10/01/20, 295 Harrison Ave, LLC, 501 N. Midland Avenue, \$500
 Basile Birchwale & Pellino, 10/01/20, 48 Rosedale Avenue, LLC, 48 Rosedale Avenue, \$125
 Basile Birchwale & Pellino, 10/01/20, Rupinder Khalsa, 488 Steinway Road, \$125
 Basile Birchwale & Pellino, 10/01/20, Carol Buchichio, 272 Oxford Avenue, \$125
 Neglia Engineering Assoc., 10/07/20, McDonald's Corp, Block 123, Lots 1 & 1.01, \$675
 Neglia Engineering Assoc., 10/07/20, 295 Harrison Ave, LLC, 501 N Midland Ave, Blk 1717, L 4, \$180
 Neglia Engineering Assoc., 10/07/20, Geraldo, 282 Nedellec Drive, Block 1408, Lot 7, \$270
 Neglia Engineering Assoc., 10/07/20, Khalsa, 488 Steinway Road, Block 702, Lot 10, \$90
 Neglia Engineering Assoc., 10/07/20, Wrobel, 70 Jamros Terrace, Block 1301, Lot 3, \$180
 Neglia Engineering Assoc., 10/07/20, RPM Hospitality Group, 129 Pehle Ave, Blk 1311, Lot 36 \$1980

Mr. Gatto makes a motion seconded by Mr. Tokosh to pay the vouchers if funds are available.
 Roll Call - Mr. Duffy, Mr. Gatto, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Ms. Murray – YES.

9. OPEN AND CLOSE MEETING TO THE PUBLIC

Mr. Schilp makes a motion to open the meeting to the public seconded by Mr. Duffy. All in favor – YES.
Mr. Schilp makes a motion to close the meeting to the public seconded by Mr. Duffy. All in favor – YES.

Mr. Schilp – I would like at the end of the year when we send our request in to the Mayor and Council for all of this stuff that we ask them to get away from this .5 on the parking spots. If it's 1.5 it should be 2 spots if it's 2.5 it should be 3.

Ms. Murray – Its state mandated.

Mr. Paparozzi – You know why they have .5 because of multiple family high rises apartments things like that but they don't break it down for houses one family or two.

10. ADJOURN

Mr. Duffy makes a motion to adjourn seconded by Mr. Gatto. All in favor – YES.

Ms. Murray – Meeting adjourned.