

**WEST CALDWELL BOARD OF ADJUSTMENT
PUBLIC MEETING MINUTES**

May 7, 2015

A Public Meeting of the Board of Adjustment of the Township of West Caldwell was held on May 7, 2015 at 7:30 P.M. in the Municipal Building, 30 Clinton Road, West Caldwell, New Jersey. Chairman Backfisch opened the meeting and read the opening statement.

ROLL CALL

Members Present: Mr. Dolan, Mr. Adriaenssens, Mr. Rankin, Chairman Backfisch, Mr. Malia Mr. Shannon and Mr. McDonnell

Members Absent: Mr. Schott

Advisors Present: Larry I. Wiener, Esq., Tamara E. Bross
Glenn Carter, Zoning Officer

CALENDAR

Additional meeting for May 17,2016 has been properly noticed

MEMORIALIZATION OF RESOLUTIONS

A resolution for **#Z15-01, Gary Moeller & Ruthann Hartmann, 125 Hillside Avenue, Block 101 Lot 42, R-4 Zone** was memorialized, moved by Mr. Adriaenssens and seconded by Mr. Shannon; by a vote of 5-0-2.

A resolution for **#Z15-03, Olivia & Nick Amorosi, 8 Springdale Avenue, Block 803, Lot 30, R-4 Zone** was memorialized, moved by Mr. Shannon and seconded by Mr. Adriaenssens; by a vote of 5-0-2.

HEARINGS

#Z15-02, Douglas L. Cummings, 60 St. Charles Avenue, Block 1807 Lot 6, R-4 Zone District

Seeks N.J.S.A. 40:55D-70C variances to construct a one story addition onto the rear of the home. The plans are not in compliance with the West Caldwell Zoning Ordinance and seeks relief for the following: a side yard setback of 4.54' whereas a minimum of 10 feet is required. Section 20-5.4, Rear yard setback- minimum 32.5' required, 28'7" proposed. Same section requires the lowering of the maximum building height by 4.375' to 30.625', 21'-1" existing. Section 20-5.4 Lot Coverage- maximum 30% permitted, 48.6% proposed. Section 20-5.4 and detached accessory structures to be located at least 10' from the principal structure, approximately 6' is proposed, section 20-19.1.e.

Ms. Bross confirmed proper notice was given and taxes are current. Mr. Wiener swore in applicant Douglas Cummings and JulieAnne Cecere as applicant's architect.

The exhibit list was approved A-1 through A-9 and B-1 through B-2. Ms. Cecere was accepted as an expert in architecture and presented a colored rendition of the nonconforming area. A photo board marked A-10 was presented to the Board. A photo of Google Earth was presented and marked A-11.

Ms. Cecere offered that the variances listed are all minor if presented individually. The lot is substandard and nonconforming offering a hardship. Removing the patio will reduce lot coverage; removing more square footage than being added with addition. Her opinion is the benefits outweigh any detriments and is asking for approval having met criteria.

There were no questions or comments from the Public.

The hearing was closed and after Board deliberation; a motion was made by Mr. Malia and seconded by Mr. Rankin to grant variances requested and approve with conditions 6-0-1.

#Z15-06, Michael & Deanna Miscia, 24 Beechwood Road, Block 2606 Lot 24, R-4 Zone District

Seeks N.J.S.A. 40:55D-70C variances to construct an open porch. The applicant has proposed a porch that has a front yard setback of 24', whereas a minimum of 40' is required. Section 20-5.4.c.2.

Ms. Bross confirmed notice given and taxes current. Mr. Wiener swore in Deanna and Michael Miscia. Exhibit list was approved A-1 through A-11 and B-1 through B-3.

Testimony followed by applicants stating reasons for request of relief for front porch to incorporate in the renovation plans of addition and upgrades that conforms to zoning regulations.

There were no questions or comments from the Public.

The hearing was closed and after Board deliberation; a motion was made by Mr. Shannon and seconded by Mr. Malia to grant variances requested and approve with conditions 7-0.

#Z15-07, Louis Ferrara, 29 Dawson Drive, Block 2607 Lot 13, R-4 Zone District

Seeks N.J.S.A. 40:55D-70C variances to construct a covered front porch and second story addition. The applicant has proposed a porch that has a front yard setback of 26'3", whereas a minimum of 40' is required. Section 20-5.4.c.2.

Ms. Bross confirmed notice given and taxes current. Mr. Wiener swore in Maryann and Louis Ferrara. Exhibit list was approved A-1 through A-9 and B-1 through B-2.

Testimony and discussion followed by applicants stating reasons for request of relief for front porch and second story addition. The applicants are starting their family and looking to expand and improve their living space.

There were no questions or comments from the Public.

The hearing was closed and after Board deliberation; a motion was made by Mr. Shannon and seconded by Mr. Adriaenssens to grant variances requested and approve with conditions 7-0.

#Z15-08, Charles & Gina Stadtman, 160 Central Avenue, Block 506 Lots 17&18, R-4 Zone

Seeks N.J.S.A. 40:55D-70c variance to construct a rear deck. The applicant has proposed a side yard setback of 15'5", whereas a minimum of 22.5' (30% of required 75' lot width) is required. Section 20-5.4 schedule of district regulations – side yard setback – note 4

Ms. Bross confirmed notice was accurately given and taxes are current. Mr. Wiener swore in Gina Stadtman and JulieAnne Cecere as applicant's architect. Exhibit list was approved A-1 through A-7 and B-1 through B-2.

Testimony was offered by Ms. Cecere offering details about site plan and reasons for requesting relief. A photo board marked A-8 consisting of 8 photos of applicant yard, home and neighbor's properties.

There were no questions or comments from the Public.

The hearing was closed and after Board deliberation; a motion was made by Mr. Adriaenssens and seconded by Mr. Rankin to grant variances requested and approve with conditions 7-0.

#Z14-18 Joseph Santangelo, 108 Ravine Avenue, Block 802, Lot 3, R-4 Zone

To be carried

INVITATION FOR PUBLIC DISCUSSION

There were no comments and/or discussion from the Public.

ADJOURNMENT

The meeting was adjourned at 9:10 PM.

Respectfully Submitted,

Tamara E. Bross, Board of Adjustment, Secretary