

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

April 7, 2016

A Public Meeting of the Board of Adjustment of the Township of West Caldwell was held on April 7, 2016 at 7:30 P.M. in the Municipal Building, 30 Clinton Road, West Caldwell, New Jersey. Chairman Steven Backfisch opened the meeting and read the opening statement.

**ROLL CALL**

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

Members Absent: Mr. Malia and Mr. Schott

Advisors Present: Larry I. Wiener, Esq., Tamara Bross

**MEMORIALIZATION OF RESOLUTIONS:**

1. The Board of Adjustment approved the memorialization of the Resolution for the application Z16-01, Stephen Law, 17 Brian Road, Block 2806, Lot 16, R-3 Zone District.
2. The Board of Adjustment approved the memorialization of the Resolution for application Z15-29 Giuseppe & Jacqueline Chirico, 36 Johnson Ave, Block 1803, Lot 6, R-4 Zone District.
3. The Board of Adjustment approved the memorialization of the Resolution for application Z16-03 Chester & Coleen Barrasso, 23 Fairfield Ave, Block 1002, Lot 7, R-3 Zone District.
4. The Board of Adjustment approved the memorialization of the Resolution for application Z14-18, Joseph Santangelo, 108 Ravine Avenue, Block 802, Lot 3, R-4 Zone.

**HEARINGS:**

**1 Z15-19 Mary Beth, Anthony & Guiseppe Lentine, 19 Bond Place, Block 2607 Lot 31, R-4 Zone District**

Seeks N.J.S.A. 40:55D-70C variance to construct a rear deck. The applicant has proposed a side yard setback of 7' whereas a minimum of 10 (left side) is required. Section 20-5.4 schedule of district regulations- side yard setback. The applicant has proposed a plan with lot coverage of more than 30% is proposed and whereas 30% is maximum, (Section 20-5.4.) carried from 9/17/2015

- Larry Wiener, Esq. swore in applicants Mary Beth Lentine (“Witness 1”) and Anthony Lentine (“Witness 2”) at 19 Bond Place.
- Board Secretary reviewed the prior hearing and requests – copy of photographs and a prior survey. Any the notices were deemed acceptable because carried from last time.
- Larry Wiener, Esq. reminded the witnesses that remain under oath.

- Reference is made to April 6, 2016 memo from the current zoning officer to calculate existing is approximately 45.8% lot coverage and proposed new coverage of 45.6%. Noted as Exhibit B-3.
- The Board discussed that there was a lack of clarity at the prior meeting as to calculations. The surveyor needed to provide a new zoning table.
- The current lot is a substandard lot.
- The applicant stated that under the existing deck there will be gravel or grass or mulch – nothing solid.
- The applicant stated that the deck is proposed at 15 feet by 18 feet with stairs. And if the stairs need more room, the space will be taken from the deck.
- The Board asked if the deck will be enclosed and the applicant responded in the negative.
- The Board asked if the deck will encroach of air, light and open space and the applicant responded in the negative.
- The Board noted that the side yard setback is requested to be at 7 feet whereas 10 feet is required.

Chairman Backfisch then asked for comments or questions, testimony or evidence from the public for the Applicants. None was presented.

Chairman Backfisch closed the hearing on motion by Mr. McDonnell, seconded by Mr. Adriaenssens.

Board members then discussed the application.

Chairman Backfisch summarized application. Motion was made by Mr. Adriaenssens and seconded by Mr. Rankin to approve application as presented and was approved unanimously. The Board found that the variance is to be allowed and agreed to provide the requested relief to the side yard setback variance.

### **INVITATION FOR PUBLIC DISCUSSION**

Annual report was submitted to the Planning Board and the Mayor and Council. The Board noted that lot coverage needs to be addressed.

### **ADJOURNMENT**

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

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Lynda Korfmann  
Secretary to the Board of Adjustment