

**CALL TO ORDER:**

The meeting was called to order at 7:30 p.m. at Borough Hall by Chairwoman Christina Hembree with the reading of the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Sanjeev Dhawan	Present
Emilia Fendian	Present
Robert Hayes	Present
Michael Kaufman, Alternate 2	Absent
Robin Malley	Present
Gary Newman	Present (arrived at 7:40pm)
John Spirig	Present
Hasmig Yetemian	Present
Christina Hembree, Chairwoman	Present

S. Robert Princiotta, Esq.	Present
Meg Smith, Secretary	Present

**APPROVAL OF MINUTES AND TRANSCRIPT:**

The minutes for March 21, 2019 – Open Session were approved on a motion from Mr. Spirig, seconded by Ms. Malley, and carried by all.

The minutes for April 23, 2019 were approved on a motion from Ms. Fendian, seconded by Ms. Malley, and carried by all.

**NEW APPLICATIONS**

Christian & Ingrid Tinning  
133 Rose Avenue  
Block: 1803 Lot: 5  
Variance needed for accessory garage where 800 sq. ft. is allowed and 2,051 sq. ft. is proposed.  
**Applicant requested to carry this application to the June 25, 2019 meeting.**

Mr. Weishar  
205 Pascack Road  
Block: 1905 Lot: 1.06  
Variances needed for an inground swimming pool where property faces 3 streets and has 3 front yards and maximum total coverage proposed is 31.8% and required is 30%.

Mr. Weishar, owner, introduced himself and was sworn in. Mr. Weishar stated that he was before the board to request permission for an inground pool in the rear yard of his property. Mr. Weishar explained that his property had a hardship due to it fronting on 3 streets and having 3 front yards. He is requesting a variance to permit the pool in the rear of the house which is completely landscaped and shielded on both sides to the streets of Ellis Court and Ellis Lane.

Mr. Unger, contractor for the applicant, was introduced and sworn in. Mr. Unger explained the scope of the project to be a pool and spa with patio. An existing patio will be replaced with a new one with the same location and size.

Mr. Newman questioned the size of the pool and Mr. Unger stated that the pool was approximately 740 sq. ft. Mr. Unger stated that the pool, spa and patio are a total of 2,733 sq. ft. There will be no outdoor kitchen only a barbeque.

Mr. Newman questioned how many feet calculated the 1.8% coverage overage. Mr. Unger stated that it was 373 sq. ft.

Mr. Newman questioned if this project met side yard setbacks -- if it was considered a side yard facing Ellis Lane. Mr. Unger said that it would meet side yard setback because it was 20 feet from the property line on that side.

Mr. Princiotto explained that the applicant was asking for three (3) variances: two (2) front yard variances and one (1) variance for exceeding allowable coverage.

Mr. Newman stated that this was a unique situation and felt it could be considered a hardship.

Mr. Newman asked if the pool was better suited as proposed or on the other side of the property.

Mr. Weishar stated that he believed that the pool was better as proposed and also stated that more trees will be added to screen the pool to the streets.

Mr. Dhawan questioned what type of patio pavers would be used and how much water would penetrate. Mr. Unger stated that the details weren't finalized yet but pavers typically allow 10% of water to penetrate.

A motion was made to open the meeting to the public by Mr. Hayes. Ms. Malley seconded the motion and all board members were in favor of the motion.

Ms. Mariaschin, owner of 9 Ellis Lane, addressed the board with concerns regarding traffic and her driveway being used as a turnaround. Ms. Mariaschin is worried that this pool will bring additional traffic to the area when family and friends visit.

A motion was made by Mr. Hayes to close the meeting to the public and the motion was seconded by Mr. Newman.

Mr. Spirig stated that he felt that the applicant has done a good job camouflaging the property.

Mr. Newman stated that it is unusual and difficult to be fronting on 3 streets.

Mr. Hayes stated that the fronting on 3 streets could be considered a hardship.

A motion was made by Ms. Fendian to grant the three (3) variances needed to install an inground pool. Mr. Newman seconded the motion. All board members present were in favor of the motion.

At approximately 8:30pm, Mr. Hayes made a motion to go to Closed Session and it was seconded by Mr. Dhawan. All board members were in favor of the motion. This closed session was documented by Resolution 19-04 for litigation regarding WCL Broadway Realty Associates LLC at 62 Broadway.

Ms. Hembree was recused from this application and left the meeting at 8:30pm.

At approximately 10:40pm, a motion to go to Open Session was made by Ms. Yetemian and seconded by Mr. Hayes. All board members were in favor of the motion.

A motion was made by Ms. Malley to approve the Closed Session minutes for the March 21, 2019. Ms. Fendian seconded the motion and all board members were in favor of the motion.

The meeting was adjourned at approximately 10:45pm on a motion from Ms. Malley, seconded by Mr. Hayes, and carried by all.

Respectfully submitted,

Meg Smith