

CALL TO ORDER:

This meeting was called to order at 7:30 p.m. via Zoom webinar by Chairwoman Robin Malley with the reading of the Open Public Meetings Act.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Robin Malley, Chairwoman	Present
Sanjeev Dhawan, Vice Chairman	Present
Dianna Cereijo	Present
Christina Hembree	Present
Michael Kaufman	Absent
Philip Maniscalco, Alt 1	Arrived at 7:40
Lynda Picinic	Present
S. Robert Princiotta, Esq.	Present
Anthony Kurus, Engineer	Present
Elizabeth Leheny, Planner	Not requested
Meg Smith, Secretary	Present

APPROVAL OF MINUTES

The minutes for April 26, 2022 were approved on a motion from Ms. Cereijo, seconded by Vice Chairman Dhawan. All board members were in favor of approval with the exception of Ms. Hembree who abstained due to absence at the last meeting.

RESOLUTIONS OF APPROVAL

Jacqueline & Peter Gadaleta
69 West Hill Road

Block: 2107 Lot: 1
R 22.5 Zone

Request to expand existing patio requiring a rear yard setback of 10 feet where 20 feet is required. Received 2/2/22; Deemed administratively complete 2/1/22; Deemed complete by the Board attorney 2/10/22;

This resolution was approved at the last meeting on April 26, 2022 but had not been on the agenda. The resolution was posted on this meeting's agenda and the previous vote was noted. The meeting was opened to the public for any questions or concerns on this resolution with a motion from by Ms. Picinic and seconded by Ms. Cereijo. With no one from the public having any questions or concerns, the meeting was closed to the public with a motion from Ms. Cereijo and seconded by Mr. Maniscalco.

APPLICATIONS – NEW

1 Dimino Court
Scott & Suzanne Alenick

Block: 1704 Lot: 4.01
R22.5

Requesting variances for a previously installed non-approved patio to remain requiring: 1) Rear yard setback of 9.3 ft where 20 ft is required 2) Coverage of 31.99% where 30% is permitted.

Mr. Del Vecchio, attorney for the applicant, stated that this property is 22,617 square feet and a corner lot on Dimino Court and Glen Road. Mr. Del Vecchio stated that this patio expansion has two components:

- 1) Add an island with a barbeque to the existing patio
- 2) Patio expansion

Mr. Del Vecchio stated that the owners hired and relied on a contractor to get the necessary approvals for the planned work. All work stopped when the owners realized that Zoning had not been requested and approved. The owners reached out to the neighbors to try to resolve concerns. The neighbor requested landscaping changes be made by her landscaper and noted concerns about the fire pit. Owners removed the fire pit from their application.

Mr. Princiotta confirmed that proof of notice and publication were received and verified.

Mr. Costa, Engineer for the applicant, was sworn in and accepted as an expert. Mr. Costa provided background information for the property and stated that he was involved in the subdivision application for Dimino Court when it was originally approved. Mr. Costa stated that he believed that the variances requested were de minimus and stated that it would be difficult with the property that was purchased to allow for outdoor space.

Mr. Costa described the existing property to include a single-family dwelling with driveway and walls for topography, patio with barbeque and lower patio with lounge chairs. Mr. Costa stated that there were large arborvitaes. Mr. Costa disagreed with the plan to remove and replace this landscaping stating that the bottom of this greenery was probably chewed by deer but the upper part was tall and healthy. He recommended adding lower landscaping or a fence to fill in the damaged area and improve the buffer.

Mr. Costa stated that the approximate size of this semi-circular patio was 27 feet wide by 8 feet deep. This patio proposes a wall at the back end to be a seating surface. When these seats are occupied, persons would be facing the home with their back to the neighbors.

Mr. Costa stated that runoff drains toward Glen Road which is approximately 10 feet lower. Mr. Costa stated that a retention basin exists by Glen Road to catch runoff from this property and this retention basin can handle an additional 450 square feet. Mr. Costa confirmed that water would not runoff to the rear neighbor.

Mr. Costa stated that the closest point of the expanded patio to the property line is 9.3 feet and that 450 square feet is 1.99% additional coverage on the property. The expanded patio is 9.3 feet from the property line where 20 feet is required and the proposed wall with seating would be considered an accessory structure which requires 40 feet to the property line.

Vice Chairman Dhawan questioned the width and length of the patio steps.

Mr. Costa stated that the steps were 30 feet wide and that there were 2 steps.

Vice Chairman Dhawan questioned the size of the patio diameter.

Mr. Costa stated that the diameter was 30 feet.

Vice Chairman Dhawan questioned if the existing patio was 30 feet by 18 feet.

Mr. Costa confirmed that it was and stated that there is very little backyard for outdoor space at this property.

Ms. Cereiyo questioned the percentage of completeness of the work.

Mr. Costa stated that 4 or 5 brick pavers were not in the patio.

Chairwoman Malley added that seating and landscaping would also need to be completed.

Mr. Costa stated that the owners would comply with whatever landscaping is required by the Board but stated that the property would be better served by adding to the buffer and not ripping out the existing landscaping.

Chairwoman Malley questioned if the application was still requesting seating.

Mr. Del Vecchio stated that the owners had already removed the fire pit and can reconsider the seating proposed.

Chairwoman Malley questioned if this property was conforming or needed variances with the original subdivision.

Mr. Del Vecchio stated that the property was conforming and did not need variances.

Mr. Costa stated that the home size is always maximized when built.

Ms. Hembree stated a concern that this patio was described as entertainment space and that she believed that this patio was too close to the property line with only bushes to buffer.

Mr. Costa stated that this was a small expansion and that there is not a lot of backyard.

Mr. Del Vecchio stated that describing as an entertainment area is overstated and that it is really a barbeque and seating area.

Ms. Hembree stated that when you build the biggest house you can't always get what else you want.

Mr. Costa stated that this expansion was de minimus and not overbearing and can be buffered.

Ms. Hembree stated that you can't control what happens on that patio.

Mr. Costa stated that you can have tables or people on the grass without a patio.

Mr. Princiotto stated that deer eat arborvitae. Mr. Princiotto stated that topography issues were mentioned but the rear yard looks level.

Mr. Costa explained that tiered walls were created with the subdivision about 15 years ago.

Mr. Princiotto noted that from the photos provided that there seems to be a lot of level space on the southerly side of the property (toward the driveway) which would not encroach on the setbacks.

Mr. Del Vecchio noted a window well and bump out of the house in this area.

Mr. Costa stated that when coming out the patio doors you would need to turn right and head toward the driveway. Mr. Costa stated that this was not best and that the current design is better.

Mr. Princiotto questioned what having a corner lot has to do with this application.

Mr. Costa stated that having a corner lot limits where you can put outdoor areas because you have 2 front yards.

Mr. Princiotto questioned Mr. Costa about working on the subdivision and if the subdivision was for 6 lots.

Mr. Costa confirmed.

Mr. Princiotto asked if all lots in the subdivision met all the requirements.

Mr. Costa confirmed.

Public Session

The meeting was opened to the public on a motion from Ms. Hembree, seconded by Ms. Picinic, and carried by all.

The phone number was provided to the public to call in with any questions or concerns. The public was also advised that if they were participating via Zoom that they could raise their hand to ask a question or make a comment.

Mr. Meinhard stated that lounge chairs were mentioned but that there is other seating too. Mr. Meinhard stated that this expansion is moving closer to neighbors and stated that not all water runoff is going to Glen Road. Some runoff is flowing to the neighboring properties.

Mr. Costa stated that based on topography and site visit that he doesn't see the runoff affecting neighboring properties. Mr. Costa stated that there was a swale between the properties from the time of subdivision and that there hasn't been much regrading.

Ms. Banker questioned where water goes with the slope of the area.

Mr. Costa stated that the natural grade is toward Glen Road and confirmed a swale between the properties.

Ms. Banker asked Mr. Costa if he observed the slope from the north side of patio into the garden on her property.

Mr. Costa stated that the topography slopes to Glen Road.

Ms. Banker asked Mr. Costa if he observed the slope.

Mr. Costa stated that there is a swale between the properties.

Mr. Del Vecchio stated that at the edge of the expansion that the dirt is sloping and water would follow into the swale.

Mr. Costa stated that a swale is a depression in the ground which is higher on the sides and its purpose is to divert water. Mr. Costa stated that in this case the swale diverts water to the street.

Mr. Del Vecchio stated that grade at the edge of the patio is 279 and grade on the street is 272-3.

Vice Chairwoman Malley questioned whose property the swale was on.

Mr. Costa stated that the swale is encroaching on both properties.

Ms. Banker stated that survey equipment could confirm this grade.

Mr. Costa stated that a survey was just done 3 months ago after construction of the expanded patio.

Ms. Banker asked if Mr. Costa had been there in a rain storm.

Mr. Costa stated that he had only been on the property today.

Vice Chairman Dhawan stated that there is no swale indicated on the plan dated 10/27/21.

Mr. Costa stated that water does not flow toward the neighbor.

Vice Chairman Dhawan stated that no swale was shown on 1 Dimino Court.

Mr. Del Vecchio stated that he would stipulate that water doesn't traverse property line with the Board Engineer.

Ms. Banker asked how many patios expanded into the setback on Dimino Court.

Mr. Costa stated that he didn't know.

Ms. Banker asked if they can add chairs and a fire pit.

Mr. Costa stated the if it is allowable on grass then it would be allowable on a patio.

There were no other members of the public calling in or raising their hand on Zoom.

The meeting was closed to the public with a motion by Ms. Hembree, seconded by Vice Chairman Dhawan, and carried by all.

Mr. Kurus, Board Engineer, stated that he would follow up on questions regarding runoff and drainage. Mr. Kurus stated that minor changes and minor re-grading can be done if needed.

Ms. Alenick, owner, was sworn in and stated that her family had purchased the home in December 2007 and were the first owners. Ms. Alenick stated that all previous work at this home had obtained permits. Ms. Alenick hired a landscaper to do the outdoor work and the landscaper had obtained some permits which they believed was all that was needed. Ms. Alenick stated that her family enjoys the outdoor space and that she wanted to enhance and maintain the property. Ms. Alenick stated the location was chosen because it is directly off the kitchen and did not believe it would be as functional in another conforming area. Ms. Alenick stated that this is to be used as family space and they had no intention of having loud parties.

Ms. Alenick stated that the fire pit was removed due to respect for concerns from the neighbor. Ms. Alenick stated that the original plan did not include additional arborvitae but that these were added due to concern with privacy from the neighbor.

Ms. Alenick stated that there are no water issues since they have owned the home. Changes to the existing patio have permits and inspections. Ms. Alenick stated that, if necessary, they would remove the wall and seating. If needed Ms. Alenick stated that she would have an Engineering review done to prevent runoff and if additional landscaping or fence were needed that they would comply.

Ms. Cereiyo asked how much of the work was completed before they were advised to stop.

Ms. Alenick stated that the patio is down already and went in pretty quickly. Some pavers are out where the fire pit was originally going to be placed.

Ms. Cereiyo questioned and it was confirmed that they would only have to place a few pavers and do the seating in order to complete the work. Ms. Cereiyo also confirmed that the outside kitchen is on the existing patio and not the expansion.

Mr. Dhawan questioned and it was confirmed that the rectangular patio was from the original construction.

Mr. Princiotta confirmed that the existing patio can be accessed through patio doors from the

kitchen and that there are 2 steps.

Mr. Princiotta asked if there had been any thought to extending the existing patio to the right side of the property.

Ms. Alenick stated that this recommended layout would not flow as well as current design.

Public Session

The meeting was opened to the public on a motion from Ms. Hembree, seconded by Mr. Maniscalco, and carried by all.

The phone number was provided to the public to call in with any questions or concerns. The public was also advised that if they were participating via Zoom that they could raise their hand to ask a question or make a comment.

Mr. Meinhard stated that this was a beautiful home and asked if the owner chose to maximize house size vs. property size when purchasing.

Ms. Alenick stated that the builder of this home had built a similar house in Old Tappan which they had seen and liked.

There were no other members of the public calling in or raising their hand on Zoom.

The meeting was closed to the public with a motion by Ms. Hembree, seconded by Mr. Maniscalco, and carried by all.

The Zoning Board took a five minute break.

Mr. Del Vecchio requested that the application be carried to the next Zoning Board meeting on June 28th and the applicant's planner will be heard at this time.

Public Session

The meeting was opened to the public on a motion from Ms. Picinic, seconded by Vice Chairman Dhawan, and carried by all.

The phone number was provided to the public to call in with any questions or concerns. The public was also advised that if they were participating via Zoom that they could raise their hand to ask a question or make a comment.

Ms. Banker thanked the board for the time spent on this application and questioned why this application would not be continued tonight to hear the applicant's planner.

Mr. Del Vecchio advised that the Planner's testimony would change if the plans were changed.

Chairwoman Malley explained that this is typical when after an applicant hears the Board's concerns. Chairwoman Malley requests the Planners report before the next meeting.

Mr. Princiotto stated that plans and reports are due at least 10 days prior to the meeting.

There were no other members of the public calling in or raising their hand on Zoom.

The meeting was closed to the public with a motion by Mr. Maniscalco, seconded by Vice Chairman Dhawan, and carried by all.

30 Heather Hill Lane

Block: 309 Lot: 10

David & Michele Dryerman

R-30

Request to add a front portico which is located 42.9 feet from the front property line where 50 feet is required. A variance of 7.1 feet is needed.

Mr. Dryerman, owner and applicant for 30 Heather Hill Lane was sworn in.

Mr. Princiotto confirmed that proof of notice and publication had been received and verified.

Mr. Princiotto stated that the applicant provided a survey dated 12/6/02 and Mr. Dryerman stated that he purchased the home on 12/30/02.

Mr. Princiotto questioned if there were any changes to the property since the survey in 2002.

Mr. Dryerman stated that a small extension to the rear of the home was done in 2019,

Mr. Princiotto confirmed that no variances were needed for this extension.

Mr. Princiotto noted the photo provided for the front of the home and questioned if it was the same as in 2002.

Mr. Dryerman confirmed that it was the same since 2002. Mr. Dryerman explained that they are looking to redo the outside of the house with new siding and are adding gables. Mr. Dryerman stated that they would also like to add a small portico over the front door. Mr. Dryerman stated that this would beautify the home and increase the value.

Mr. Princiotto stated that a property in the R-22.5 Zone would have a front yard setback requirement of 35 feet but that this property is in the R-30 Zone which requires a 50 foot front yard setback. Mr. Princiotto stated that this property is the size of an R-22.5 lot but is in the R-30 zone.

Mr. Princiotto questioned the size of the portico.

Mr. Dryerman stated that the portico is 10 feet 10 inches by 4 feet.

Mr. Princiotto stated that the variance is only for the portico and would not extend across the front of the property.

Chairwoman Malley confirmed that no other variances were needed for the gables or windows.

Chairwoman Malley stated that the improvements looked very nice.

Vice Chairman Dhawan stated that there is an existing overhang over the front door of approximately 1 ½ feet. The additional bump out would only be an additional 2 ½ feet.

Vice Chairman Dhawan confirmed that the bump out on the left side of the front door is existing.

Mr. Princiotta stated that the proposed portico was less than 45 square feet and that the change from existing (44.3 foot) to proposed (42.9 foot) front yard setback is 1.4 feet.

Public Session

The meeting was opened to the public on a motion from Ms. Cereijo, seconded by Ms. Picinic, and carried by all.

The phone number was provided to the public to call in with any questions or concerns. The public was also advised that if they were participating via Zoom that they could raise their hand to ask a question or make a comment.

There were no members of the public calling in or raising their hand on Zoom.

The meeting was closed to the public with a motion by Vice Chairman Dhawan, seconded by Ms. Picinic, and carried by all.

A motion was made by Vice Chairman Dhawan and seconded by Ms. Picinic to approve the Resolution for variances requested. On a roll call vote Chairwoman Malley, Vice Chairman Dhawan, Ms. Cereijo, Ms. Hembree, Ms. Picinic and Mr. Maniscalco voted in favor of the motion.

A motion to go into Closed Session was made by Ms. Hembree, seconded by Ms. Picinic.

A motion to return to Open Session was made by Ms. Picinic and seconded by Ms. Hembree.

The meeting was adjourned on a motion from Ms. Hembree, seconded by Ms. Picinic, and carried by all.

Respectfully submitted,

Meg Smith