

CALL TO ORDER:

This meeting was called to order at 7:45 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
John Altadonna, Alt. 1	Absent
Gerald Barbara, Alt. 2	Present
Dianna Cereijo	Present
Christina Hembree	Present
Michael Kaufman	Present
Philip Maniscalco	Present
Lynda Picinic	Present
S. Robert Princiotta, Esq.	Joined at 7:55pm
Anthony Kurus, Engineer	Present
Elizabeth Leheny, Planner	Present
Clairese Neumann, Secretary	Present

The meeting was paused to wait for the Board Attorney to join. Mr. Princiotta joined the webinar at 7:55pm and the meeting continued.

BOARD APPOINTMENT

The board appointed Clairese Neumann as Zoning Board Secretary with a term ending December 31, 2022. The motion was made by Ms. Hembree and seconded by Ms. Picinic. On a roll call vote Chairwoman Malley, Vice Chairman Dhawan, Ms. Cereijo, Ms. Hembree, Mr. Kaufman, Mr. Maniscalco, and Ms. Picinic all voted in favor of the motion.

APPROVAL OF MINUTES

The minutes for July 26th, 2022 were approved as edited on a motion from Ms. Hembree, seconded by Mr. Maniscalco. All board members were in favor of approval.

RESOLUTION OF APPROVAL – TIME EXTENSION

**Jehovah Witness Kingdom Hall
45 Woodcliff Avenue**

**Block: 2004 Lot: 4
R-22.5 Zone**

Request for a D-3 Conditional Use Variance for impervious surface coverage of 53% where 30% is allowed. This coverage is being reduced from 56% previously. Amended Site Plan proposes a second ingress/egress and A/C equipment to be placed in the front yard setback.

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

REQUEST FOR TIME EXTENSION

Lawrence & Phyllis Polevoy
15 West Hill Road

Block: 2103 Lot: 1
R-22.5 Zone

Proposing two new porches to the existing residence which would require a variance for building coverage of 18.45% where 15% is permitted. Received: 4/29/21; Deemed administratively complete on 5/14/21; Deemed Complete by Board Engineer: 5/27/21; Deemed Complete by Board Engineer: 5/27/21;

Mr. Princiotta stated that a letter had been received by Mr. Bruno, architect for the applicant, requesting a one-year time extension for this application.

Mr. Bruno was sworn in and stated that the applicant had experienced delays due to COVID with over loaded construction industry. Mr. Bruno stated that the owners were anxious to have this work completed.

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.

Ms. Mandell raised her hand and was able to address the board but she stated that she raised her hand by mistake. 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 Ms. Picinic, and carried by all.

A motion was made by Ms. Picinic and seconded by Mr. Maniscalco to approve the Time Extension requested. On a roll call vote Chairwoman Malley, Vice Chairman Dhawan, Ms. Cereijo, Mr. Kaufman, Mr. Maniscalco, and Ms. Picinic. Ms. Hembree and Mr. Barbara abstained because they were not present for the original application.

APPLICATION – (Carried / Continued)

1 Dimino Court
Scott & Suzanne Alenick

Block: 1704 Lot: 4.01
R-22.5

Requesting variances for a patio extension which proposes coverage of 32.28% where 30% is permitted. A variance for 2.28% or 515 sq. ft. would be needed.

Mr. Del Vecchio, attorney for the applicant, advised the board that the owners / applicants have removed the original extension and have revised the patio plan. The revised plan provides additional screening and a small rain garden to collect water. Mr. Del Vecchio stated that extensive retaining walls which were part of the original construction of the property have added to coverage and contributed to an overage. Mr. Del Vecchio also stated that the applicant has had

communication with the adjoining neighbor and has agreed to an additional 3 arborvitae and removal of a small 15-foot tree to ensure that the new arborvitae will grow correctly.

Mr. Del Vecchio stated the updated engineer drawings be marked at A-5, A-6 is the patio and planting plan, dated July 12th, 2022, and was prepared by landscape architect, Kim Mitchell.

Mr. Del Vecchio asks for the board's permission to have Mr. Costa come forward and testify on behalf of 1 Dimino Court. There were there some technical issues and Mr. Costa has only audio and cannot get video.

Chairwoman Malley stated she did not see Mr. Costa on the panelist side to be sworn in.

Clairese Neumann, stated she was moving Mr. Costa over to the panelist side of the zoom meeting.

Clairese clarified Mr. Costa was moved over to the panelist side but he was not able to be seen and asked him to unmute himself.

Chairwoman Malley questioned Mr. Del Vecchio if he planned on sharing his screen for Board members to see what he was describing.

Mr. Del Vecchio confirmed he was prepared to share the screen.

Clairese Neumann questioned Mr. Costa if he was able to hear everyone on the zoom meeting.

Mr. Del Vecchio stated the screen was showing Mr. Costa as muted.

Mr. Del Vecchio stated if the Board would prefer to conserve time, he would move forward to have the landscape architect, Kim Mitchell testify for the landscape plan designed for 1 Dimino Court.

Ms. Mitchell was sworn in provided her background as a licensed landscape architect. Ms. Mitchell stated that she began re-designing the patio and made every effort to comply with zoning guidelines. Ms. Mitchell explained that the revised patio expansion was pushed to the side of the existing patio and stated that the existing arborvitae have been eaten by deer. The proposed arborvitae are deer resistant, grow quickly and are sturdy.

Ms. Mitchell stated that the proposed rain garden is a pretty feature and will collect any extra water from the patio. The rain garden will have flowering perennials and pretty grass. Ms. Mitchell stated that this proposed patio revision conforms to setbacks required.

Chairwoman Malley questioned the size of the rain garden.

Ms. Mitchell stated that the rain garden would be 10 feet by 25 feet.

Vice Chairman Dhawan questioned the material for the patio extension.

Ms. Mitchell stated that the revised patio would have matching patio pavers.

Vice Chairman Dhawan questioned if these pavers would be pervious.

Ms. Mitchell stated that the pavers would be pervious and that water would run through them.

Vice Chairman Dhawan questioned if the rain garden would be for excess drainage.

Ms. Mitchell confirmed that rain garden is for excess drainage.

Vice Chairman Dhawan questioned if there was any seating proposed with the revised plan.

Ms. Mitchell stated that no permanent seating was proposed and that portable seating would be used if needed.

Vice Chairman Dhawan asked if the several hundred feet of retaining walls was previously calculated in the property coverage.

Ms. Mitchell stated that the Engineer did these coverage calculations.

Vice Chairman Dhawan asked for the diameter of the circle.

Ms. Mitchell stated that it was 16 feet in diameter.

Mr. Costa, Engineer for the applicant, joined the meeting via telephone due to technical difficulties.

Mr. Princiotta stated that Mr. Costa was previously sworn in.

Mr. Costa stated that the 32.28% coverage is correct and stated that the pavers to be used would be impervious. Mr. Costa stated that he is a proponent of these type of pavers and guarantees that they will work as long as the joints were maintained and cleaned.

Mr. Del Vecchio asked Mr. Costa if there were any drainage concerns with this revised proposed patio.

Mr. Costa stated that there would be no impact to neighbors and that all water would be captured.

Chairwoman Malley asked if there was any impact with the recent rain.

Mr. Costa stated that drainage is designed for a 25 year storm and that NJ cannot continue to do what it is doing. Mr. Costa stated that this project will not contribute to drainage issues.

Mr. Barbara questioned maintenance for the proposed patio.

Mr. Costa stated that the drainage system must be maintained just as rugs need to be vacuumed.

Vice Chairman Dhawan questioned the square footage for the existing retaining walls.

Mr. Costa stated that the existing retaining walls are approximately 400 sq. feet.

Mr. Costa stated that he was the engineer when Dimino Court was designed and that seepage pits and berms were included to handle drainage. Mr. Costa stated that this patio is diminimus and that all water runoff is to the street. Mr. Costa stated that the proposed rain forest will also collect water.

Mr. Del Vecchio stated that the 2.28% overage on coverage is approximately 550 sq. feet. Mr. Del Vecchio stated that approximately 400 sq. feet of this overage is due to the existing retaining walls.

Mr. Princiotto detailed conditions of approval to include any drainage issues to be addressed by the homeowner and that this project will be subject to Engineering review. Mr. Princiotto noted that Exhibit A-6 shows a fire pit which has been stated will no longer be installed but will be covered with pavers.

Ms. Mitchell stated that the patio extension would be 180 sq. feet and anchored to the existing patio.

Mr. Princiotto stated that total coverage for the anchor and the circle would be 230 sq. feet.

Mr. Kurus, Board Engineer, stated that the patio counted as impervious coverage for drainage calculations. Mr. Kurus stated that he will review the rain garden. Mr. Kurus is comfortable with the drainage design since he believes that the 20 foot setback provides protection and the rain garden will also enhance drainage.

Public Session

The meeting was opened to the public for questions for the applicant's Landscape Architect or Engineer on a motion from Mr. Kaufman, 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 Chairwoman Malley, seconded by Mr. Maniscalco, and carried by all.

Ms. Bogart, Planner for the applicant, was sworn in and provided her background and license information.

Ms. Bogart stated that she had visited the site many times and worked on the landscape and patio design. Ms. Bogart stated that this was the smallest lot in the subdivision and to complicate things it is also a corner lot which has additional restrictions. Ms. Bogart also noted that this lot has drainage easements and retaining walls. She stated that all these conditions limited the ability to add to the patio and meet restrictions and created a hardship.

Ms. Bogart believes that the revised proposed patio is appropriately placed. The original variances requested for coverage and setback have been removed or improved. Damaged landscaping will be removed and replaced and a rain garden will be added. Ms. Bogart stated that this revised design meets the goals of the owners and provides a design that the neighbors could be satisfied with.

Ms. Bogart stated that this patio extension would advance the benefits of land use law and that the benefits outweigh the detriments. Ms. Bogart state that this patio extension fits in with the character of the neighborhood and provides open space.

Ms. Bogart stated that this property is an undersized lot in the R -22.5 Zone but was approved thru subdivision. Ms. Bogart stated that this application meets criteria of the Master Plan.

Public Session

The meeting was opened to the public for questions of the applicant's Planner on a motion from Mr. Kaufman, 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.

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 Mr. Kaufman, and carried by all.

Public Session

The meeting was opened to the public for public comment 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.

Ms. Banker thanked the Board and wanted to confirm that there would be an additional three (3) arborvitae and one (1) tree to be removed.

Mr. Princiotto stated that Mr. Del Vecchio testified that there would be an additional three (3) arborvitae and that one (1) tree would be removed.

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. Kaufman, and carried by all.

Mr. Del Vecchio summarized by stating that this application began in May but has changed and was made better for the applicant and the neighbors. Mr. Del Vecchio stated that this property has a hardship due to the retaining walls. Mr. Del Vecchio stated that the applicants have been cooperative with the Board and have removed the original patio extension. Mr. Del Vecchio stated that the applicants sincerely tried to comply and recognize and address concerns. These revisions had a significant cost in both time and money but the applicants' have acted in good faith.

A motion was made by Ms. Picinic and seconded by Ms. Cereiyo to approve the coverage variance requested with the conditions noted. Ms. Cereiyo noted that approval should also be subject to Shade Tree approval. On a roll call vote Chairwoman Malley, Vice Chairman Dhawan, Ms. Cereiyo, Ms. Hembree, Mr. Kaufman, Mr. Maniscalco, and Ms. Picinic voted in favor of the motion.

Mr. Del Vecchio had a follow up request to the Board. The Alenick's daughter will be graduating with a PhD in September. Mr. Del Vecchio requested that either a Special Meeting be held to adopt the Resolution of Approval or if the Board's decision could be conveyed to the Construction Official so that construction could be allowed before the necessary time constraints for approval and appeal. This would allow the patio to be available for the graduation celebration.

Mr. Princiotta stated that the Board could have a special meeting or could advise the Construction Official that the Board has approved this request.

Mr. Kaufman noted that the appeal would still be 45 days from the date of publication.

Mr. Del Vecchio stated that this application only involved patio pavers and not a structure and that he believed the risk of appeal to be low. Mr. Del Vecchio stated that the landscaping did not require approval.

A motion was made by Vice Chairman Dhawan and seconded by Ms. Hembree to advise the Construction Official of this approval prior to Resolution of Approval and appeal period. All board members were in favor of the motion.

Chairwoman Malley noted the current time at 9:36pm and stated that two applications were still on the agenda and both could not be addressed tonight.

Mr. Princiotta announced that the application for 24 Hunter Ridge Road would be carried to the next meeting on September 27th and that no further notice and publication would be required.

Mr. Stamos, attorney for the application at 24 Hunter Ridge Road, stated that he was disappointed that the application could not be heard tonight as it is a matter of litigation. Mr.

Stamos wanted to ensure that he would be first on the agenda for the September meeting.

Mr. Princiotto asked the board secretary, Claisses what applications are on for the next agenda.

Claisses stated the next meeting would consist of the resolutions for 15 West Hill Rd. and 1 Dimino Court, the application for 75 Carnot would be continued and 24 Hunter Ridge would be carried.

**75 Carnot Avenue
Sascha Kreideweis**

**Block: 1906 Lot: 1
R-22.5**

Requesting variances to construct a two-story stairway addition and a second story addition over the existing garage which will require two variances for setbacks of 16 ft. and 6.92 ft. where 20 ft. is required. Variances of 4 ft. and 13.08 ft. would be needed.

Mr. Kreideweis, owner and applicant, addressed the board and is requesting two setback variances.

Mr. Princiotto asked Mr. Kreideweis how many witnesses he would be calling to testify.

Mr. Kreideweis stated that he had 3 neighbors and the designer, Mr. Sugrue, to testify on his behalf at this meeting.

Mr. Kreideweis was sworn in.

Mr. Princiotto reviewed the Exhibit List and marked documents and reports.

Mr. Kreideweis stated that he purchased the property in 2016 and moved in to the home in 2018. Mr. Kreideweis stated that when purchasing the home he had 2 children but has since had another child. Mr. Kreideweis is trying to provide space to host visiting relatives. Mr.

Kreideweis noted that his family is very active outside and is cultivating a garden and composting to provide nutrients for the garden.

Mr. Princiotto reviewed the plans with Mr. Kreideweis to include closing in the existing breezeway from the house to the garage, expanding dormers for head room and proposed stairway to access an addition above the garage. Mr. Princiotto questioned if the proposed breezeway would be a mudroom.

Mr. Kreideweis confirmed that it would be a mudroom.

Mr. Princiotto reviewed the additional space to include a bedroom, bathroom and hallway.

Mr. Princiotto asked if there would be any direct access from the house to the new space.

Mr. Kreideweis stated that there would be no direct access from the house to the proposed addition above the garage.

Chairwoman Malley stated that this would be a separate unit or an apartment.

Mr. Kreideweis stated that it would not have a kitchen.

Mr. PrinciOTTO questioned if there would be doors to the proposed mudroom from the driveway.

Mr. Kreideweis stated that there would be a door to the mudroom from the driveway and the kitchen would be to the left upon entering from that mudroom door. Mr. Kreideweis stated that he is trying to keep the look of the existing property and the intent is to keep the design light and bright with large windows to the floor.

Mr. Barbara stated that the project proposed was to open the kitchen to the mudroom and add four feet.

Mr. Kreideweis stated that this was mostly correct.

Chairwoman Malley questioned why the applicant would not continue second floor access.

Mr. Kreideweis stated that to continue second floor access would require a major renovation through the existing master bedroom and bathroom. Mr. Kreideweis stated that he is also trying to maintain the lower profile of the house. Mr. Kreideweis stated that he is trying to add one extra room to host family when visiting and to keep a minimal footprint.

Mr. PrinciOTTO stated that the Borough Planner's report suggested an addition to the back of the existing home.

Mr. Kreideweis stated that he has an existing patio and porch to the back and side of his home and that an addition to the rear of the home would push into this outside space.

Mr. PrinciOTTO questioned the survey and asked if the property had an open porch.

Mr. Kreideweis stated that the property has an open porch and an outside kitchen to the right.

Mr. Sugrue, designer for the applicant, was sworn in.

Mr. Sugrue stated that he was not a licensed architect but that he had a degree in architecture and had designed this proposed addition. Mr. Sugrue stated that the applicant requested another bedroom suite without a kitchen and wanted it to still be connected to the house. Mr. Sugrue stated that it was limited to add to the outside without a lot of changes to the existing home.

Mr. PrinciOTTO questioned Mr. Sugrue about the layout above the garage which would include 4 closets in a hallway that then opens into the proposed bedroom.

Mr. Sugrue confirmed that this was correct.

Chairwoman Malley asked if the access panel would be in the closet.

Mr. Sugrue stated that the air handler would be in a closet.

Mr. Princiotto asked Mr. Sugrue to detail access to the proposed bedroom.

Mr. Sugrue stated that access to the bedroom could be from the door in the mudroom or from the door in the rear.

Mr. Princiotto questioned the height of the garage with the proposed addition.

Mr. Sugrue stated that it would be about 3 feet shorter than the existing house. Mr. Sugrue stated that the code allows 30 feet and this garage would be about 27 feet. Mr. Sugrue estimated the corridor height at 7 feet and noted that it would be sloped and estimated the closet height at 5 feet.

Chairwoman Malley questioned the location of the addition and asked why it was not on the existing home.

Mr. Kreideweis stated that the current bedrooms are filled with family and they need room for grandparents to visit.

Chairwoman Malley noted a concern for access to this space for older adults and suggested an elevator might be needed.

Mr. Kreideweis stated that both sets of parents are currently active.

Chairwoman Malley stated a concern that the location of this proposed addition seems to limit.

Mr. Kreideweis stated that some separation would be needed.

Mr. Princiotto questioned dormers on both sides of the garage.

Mr. Kreideweis confirmed.

Mr. Princiotto noted the door shown on the partial right side elevation, the indoor stairs and the door from the mudroom.

Public Session

The meeting was opened to the public for questions of Mr. Kreideweis or Mr. Sugrue on a motion from Mr. Kaufman, 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.

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 Ms. Hembree, seconded by Mr. Kaufman, and carried by all.

Chairwoman Malley asked Mr. Kreideweis about any other witnesses.

Mr. Kreideweis stated that he had three (3) neighbors.

Mr. Princiotta stated that the neighbors' testimony was not factual and should be heard at the end of the application.

Ms. Janowsky, neighbor, asked that she be able to speak as she would not be available for the next hearing.

Ms. Janowsky was sworn in and lives at 12 Nowak. Ms. Janowsky noted that her backyard overlooks this property and proposed structure. Ms. Janowsky stated that the Kreideweis family are caring and considerate neighbors. Ms. Janowsky stated that she had no objection to this proposed addition and believed that it will improve their property and the neighborhood. Ms. Janowsky stated that she would like this application to be approved.

Mr. Princiotta questioned if the Janowsky property abuts the Kreideweiss property.

Ms. Janowsky confirmed that the properties did abut and stated that they shared a substantial border.

Mr. Princiotta questioned distance between properties.

Ms. Janowsky stated that there was approximately 20 or 25 feet from the swimming pool to the property line.

Mr. Princiotta asked if the house was further.

Ms. Janowsky confirmed that the house was further.

Mr. Princiotta questioned if there was any landscape buffering.

Ms. Janowsky stated that there were a couple of pine trees.

Public Session

The meeting was opened to the public for questions of Ms. Janowsky 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.

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 Ms. Hembree, seconded by Mr. Maniscalco, and carried by all.

It was noted that the WCL website details the next meeting for September 23rd but the September meeting is scheduled for September 27th.

Mr. Princiotta stated that this application for 75 Carnot Avenue will be carried to the next meeting on September 27, 2022 and that no further notice and publication would be required.

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

Respectfully submitted,

Meg Smith