

Minutes for the Zoning Board of Adjustment

November 28, 2012 8:00 pm

Coach McLaughlin opened the meeting at 8:02pm with the following announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

ROLL CALL

Richard McLaughlin-present	Stephen Martinez-absent
Michael Roth-present	Councilman Napolitano-absent
Marilyn Simpson-present	Reverend Marilyn Peoples-present
Mark Antonucci-absent	Jin Cho-present
Karen Brady-present	Lynnae Psaras (Planning Board member)-present
Arnie Seymour-Jones (Planning Board member)-present	

Also Present: Marti Francis, Board Clerk
John Schettino, Board Attorney

Minutes Approval: October 24, 2012. Mr. Roth moved to approve, second Reverend Peoples. All in favor. Ms. Psaras and Mr. Seymour-Jones abstain; Ms. Brady unable to vote.

Invoice for Approval: Invoices for John Schettino in the amounts of \$275, \$250, \$250. Ms. Simpson moved to approve, second Mr. McLaughlin. Roll Call Vote:

Richard McLaughlin-yes	Michael Roth-yes
Marilyn Simpson-yes	Reverend Marilyn Peoples-yes
Jin Cho-yes	Lynnae Psaras-yes
Karen Brady-yes	Arnie Seymour-Jones-yes

Carried.

Old Business:

NOTE: Ms. Simpson has listened to the tapes from the 10/24/12 Board of Adjustment meeting.

Our Lady of Victories Church, 81 Lynn Street, Harrington Park, NJ, Block 1304, Lot 1, seeks a variance to build an addition. Proposed addition would violate the maximum allowed lot coverage, the maximum allowed improved lot coverage, and the maximum height allowance of 35 feet. Mr. Stamos, attorney, Mr. Elkin, architect, and Mr. Hubschmann, engineer/planner (263 South Washington, Bergenfield) were sworn in and accepted. Mr. Stamos confirmed that the site plan was prepared at Hubschmann Engineering. Mr. Hubschmann explained that 2.6 acres are surrounded by 4 streets. There are only front yards. The footprint of the school is 2900 square feet. Two small additions are planned. A photographic rendering was marked A3. Two covering variances are requested—With the addition there will be 26.8% coverage; as to impervious coverage, it is now 51.8% and will change to 55.1% after the addition. A parking variance is also requested. When the parking was calculated the number of employees was believed to be 100. It is now 75. With 75 employees, 114 parking spaces are required. There are now 83. The church addition increases the requirement by 12; the rectory increases it by 43. The existing site requires 99 spaces. The two uses (school and church) are not at their peak at the same time. The church itself requires 1 parking space per 7 seats (thus 26). Mr. Hubschmann stated, in response to Mr. Stamos' question, that there was not really anywhere else on the property to put parking. An aerial photo was marked A4. Mr. Stamos asked about traffic, and Mr. Hubschmann stated that 11 buses are used to transport the majority of the students. The addition is intended to promote health, open space, and a good structural environment. Ms. Psaras asked about the note to relocate a sign. Mr. Hubschmann answered that the handicapped sign in the parking lot will be changed to Van Accessible. The meeting was opened to the Public. Robert Carr (Community Church Treasurer) asked about the current seating and was told 102 and that 85 were being added but that people were already standing in the aisles and basement. Mr. Carr asked whether there was a plan for parking; Mr. Hubschmann is not aware of any. Dennis Novak, 1st VP of the Community Church Governing Board noted a document stating that there were 85 spaces—Mr.

Hubschmann listed the spaces. Mr. Stamos stated that Father Bryan has asked parishioners not to park at the Community Church and that the church itself is compliant in parking. Ms. Psaras brought up the close proximity of the Borough Hall and OLV. Discussion of the possibility of overflow there and at the Harrington Park School. The Public portion was closed. Ms. Simpson moved to approve, second Mr. Cho. Ms. Psaras specified that the variances are front yards, bulk (improved coverage and lot). D6 height, and parking (114 spots). She also stipulated that overflow must occur in legal street spots. Mr. Schettino pointed out that was a legal issue. Mr. Roth stated that the Board wanted to help and that the parking was a problem that could not be ignored.

Roll Call Vote:

Richard McLaughlin-yes
Marilyn Simpson-yes
Jin Cho-yes
Arnie Seymour-Jones-yes

Michael Roth-yes
Reverend Marilyn Peoples-yes
Lynnae Psaras-yes

Application approved.

Ms. Psaras and Mr. Seymour-Jones left the meeting.

Ron and Helen Kim, 30 Bluefield Avenue, Harrington Park, NJ, Block 205, Lot 5, seek a variance to build a covering over the front steps. Proposed structure will violate the 35 foot setback. Mr. Kim (still under oath) distributed drawings and diagrams to answer questions from the last meeting. He confirmed that the portico would be no closer to the street than the existing steps. There were no public questions. Ms. Simpson moved to approve, second Reverend Peoples.

Roll Call Vote:

Richard McLaughlin-yes
Marilyn Simpson-yes
Jin Cho-yes

Michael Roth-yes
Reverend Marilyn Peoples-yes

Application approved. Mr. McLaughlin explained that people had the possibility to appeal a decision for 45 days after the resolution (to be brought to the next

meeting) was published and that work had to be started within 9 months of the date the variance is granted.

Doug and Anne Henschen, 15 Florence Road, Harrington Park, NJ, Block 1314, Lot 12, seek a variance to build an addition. The house is non-conforming, and the proposed addition would expand the nonconformity. There were no public questions. Mr. Roth moved to approve, second Mr. Cho.

Roll Call Vote:

Richard McLaughlin-yes
Marilyn Simpson-abstain
Jin Cho-yes

Michael Roth-yes
Reverend Marilyn Peoples-yes

Charles W. Mulloy, 167 Hackensack Avenue, Harrington Park, NJ, Block 802, Lot 6, seeks a variance to remove the existing structures and construct a new home. The proposed structure would violate the requirements for setback and Lot area. The new plans were submitted. Mr. Roth asked about fences. The applicant (still under oath) confirmed that new fences will be installed. Mr. Lantelme, engineer, still under oath, testified that the house was being moved 4 feet closer to Lynn (adding a variance). The setback on the new plan would be 24.8 feet. The next door setback is 18.4 feet to the covered porch. The west side yard setback to the AC will be 15 feet; to the house, 19 feet. On Hackensack, the house will be 5 feet closer on the new plan (approximately even with the house next door). There will be a fence around the AC unit. Mr. Mulloy will discuss the best fencing (if any) option with the neighbors. Bob Frank (still under oath) testified that the existing fence belongs to 167 Hackensack. Mr. Roth offered that the neighbor with small children may appreciate the fence. RE: landscaping, Mr. Mulloy likes yews. Mr. McLaughlin asked for the breakdown of deciduous vs. evergreens and the minimum height. There will be 14 evergreens (arbor vitae or yews starting at 6 feet) along the north side and 8 deciduous (a minimum of 2 ½" caliber scattered throughout the property). Mr. Waldron, architect, still under oath, stated that there will be 1872 square feet of livable space on the first floor and 911 on the second floor (excluding garage and porch and needing 8 feet height to be included).

Ms. Simpson moved to approve, second Reverend Peoples.

Roll Call Vote:

Richard McLaughlin-yes
Marilyn Simpson-yes
Jin Cho-yes

Michael Roth-yes
Reverend Marilyn Peoples-yes

Application approved.

Resolution for Approval:

Dean Borghi, 77 Bogerts Mill Road, Harrington Park, New Jersey, seeks a variance for an accessory building that has been installed. The location violates HP Code 350-10 (1)(b). The height violates Borough Ordinance 337 by 2 feet. The building violates the NJ Uniform Construction Code as it does not have a foundation. Mr. McLaughlin recused himself. Mr. Cho moved to adopt the resolution, second Reverend Peoples.

Roll Call Vote:

Richard McLaughlin-unable to vote
Marilyn Simpson-unable to vote
Jin Cho-yes

Michael Roth-yes
Reverend Marilyn Peoples-no

Resolution adopted.

Calendar of Meetings for 2013: The Board agreed that the 4th Wednesday of the month works for 2013 meetings.

Adjournment: Ms. Simpson moved to adjourn, second Reverend Peoples. All in favor. Meeting adjourned at 9:05pm.

The next Board of Adjustment meeting is scheduled for December 19, 2012.