

MINUTES OF THE JANUARY 22, 2019 ZONING BOARD OF ADJUSTMENT REORGANIZATION & REGULAR MEETING

The following are the Minutes of the January 22, 2019 Reorganization and Regular Meeting of the Zoning Board of Adjustment of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 8:00 P.M.

Mayor Michael Serra read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

Mayor Michael Serra administered oath of office to Mr. Frank Russo, Ms. Cindy McNamara, and Mr. Adam Kent.

The following members were present: Mr. Frank Abate, Mr. Michael Coss, Mr. Willie Hunt, Ms. Cindy McNamara, Mr. Peter Roos, Mr. Frank Russo, Ms. Maureen Bernstock, and Mr. Adam Kent.

Ms. Mary Curran was excused.

Also present were Andrew Brewer, Board of Adjustment Attorney and Lynnette Bradley, Secretary, Debbie Lawlor, Board Planner.

APPOINTMENT OF CHAIRMAN:

Motion moved by Ms. McNamara, seconded by Ms. Bernstock for the appointment of Frank Russo as Chairman of the Board. **All voted in favor.**

REORGANIZATION APPOINTMENTS:

Vice Chairperson: Motion moved by Mr. Hunt, seconded by Mr. Coss for the appointment of Cindy McNamara as Vice Chairperson of the Board. **All voted in favor.**

Secretary: Motion moved by Mr. Hunt, seconded by Mr. Abate for the appointment of Lynnette Bradley as Secretary of the Board. **All voted in favor.**

Attorney: Motion moved by Ms. McNamara, seconded by Mr. Coss for the appointment of Andrew Brewer, Esq. as Board Attorney. **All voted in favor.**

Board Planner: Motion moved by Mr. Russo, seconded by Mr. Coss for the appointment of Maser Consulting. **All voted in favor.**

Engineer: Motion moved by Mr. Hunt, seconded by Mr. Kent for the appointment of Maser Consulting as Board Engineer. **All voted in favor.**

Official & Alternate Newspaper: Motion moved by Mr. Hunt, seconded by Mr. Coss for the Trends as the official Newspaper of the Board, and the Herald News as the alternate legal newspaper. **All voted in favor.**

Meeting Date & Time: It is noted by Mr. Russo that the December Meeting falls on Christmas Eve. After discussion amongst the members it decided to retain that date from the schedule, and reschedule a December meeting if needed when that date approaches.

Motion moved by Ms. Bernstock, seconded by Mr. Abate: The Pompton Lakes Zoning Board of Adjustment meets on the fourth Tuesday of each month at 8:00 P.M. in the Municipal Building, 25 Lenox Ave, Pompton Lakes, New Jersey. Unless otherwise noted. Approved by 7. Motion approved.

Motion moved by Mr. Hunt to adjourn the Reorganization meeting at 8:10pm, seconded by Ms. McNamara. **All voted in favor.**

REGULAR MEETING:

The following members were present: Mr. Frank Abate, Mr. Michael Coss, Mr. Willie Hunt, Ms. Cindy McNamara, Mr. Peter Roos, Mr. Frank Russo, Ms. Maureen Bernstock, and Adam Kent.

MINUTES:

Regular Minutes dated November 27, 2018: Motion moved by Ms. McNamara, seconded by Mr. Hunt to approve. All eligible voted in favor.

Roll Call: Mr. Abate, Yes, Mr. Coss, Yes, Mr. Hunt, Yes, Ms. McNamara, Yes, Mr. Roos, Yes, Mr. Russo, Yes, Ms. Bernstock, Yes, Mr. Kent, Yes. All in favor.

CORRESPONDENCE:

1. From the Borough of Oakland amending an ordinance of accessory structure Mr. Russo asks Debbie Lawlor to look into it comparing it to our ordinance.

APPLICATIONS:

1. BOA18-08
Jennifer Gonzalez
Re: 75 Center Street

Ms. Jennifer Gonzalez comes forward and states her case. She wants to put in an addition to the front of the house to add a bathroom for a family of 4. She has aging relatives that have difficulty going upstairs to her one and only bathroom. She also wants to add a portico over the front steps to cover the front door protecting people from inclement weather.

Mr. Russo notes that there is an existing detached garage asks Ms. Gonzalez how far it is from the property line. They agree it's about a foot in half. The garage was there when she bought the house, Mr. Russo states that the board knows about the setback and asks her if she is willing to amend her application to include any variance associated with non-conforming location of the current garage. She says yes.

Ms. McNamara mentions everyone on the street has an overhang except for her.

There are no concerns from the Board Engineer or the police.

Motion to approve the amended application by Mr. Coss, seconded by Ms. McNamara

Roll Call on application: Mr. Abate, Yes, Mr. Coss, Yes, Mr. Hunt, Yes, Ms. McNamara, Yes, Mr. Roos, Yes, Mr. Russo Yes, Ms. Bernstock, Yes, Mr. Kent, Yes. **All in favor.**

RESOLUTIONS: None

NEW /UNFINISHED BUSINESS:

Open Space: Mr. Kent introduces Ms. Maria Kent. She comes forward. She is the chairwoman for environmental protection committee she is on the open space committee, she spoke on open space. She is asking the board for 1 or 2 volunteers to come to their meetings the 2nd Thursday at 7:30P.M. Mr. Kent is very busy and would like to have one or two more so they can have a seat and voice at the table. She said there are open space funds. She states it opens up a lot of recommendations for new development, new recreation and baseball fields.

Mr. Coss agrees to make himself available. Mr. Hunt and Ms. McNamara said they can also be available to be an alternate.

Email Correspondence: No changes.

2018 Variance Report: Mr. Russo points out there were 7 applications and explains that the based on the report, the Board is to forward to the Planning Board any recommended changes or adjustments to the Zoning Ordinance. Mr. Russo feels some of the definitions really need to be addressed, impervious coverage definitions, is there reason for zone change.

Debbie Lawlor states they are looking at design regulations. How they deal with manmade pools would be impervious. She asks in terms of impervious, counted or not counted. Storm water rules are impervious. That would be her recommendation. They would need to come before you with variance. She said she will go over reports.

Mr. Brewer will come up with a memo give to the secretary for next month's meeting.

PUBLIC DISCUSSION: None

EXECUTIVE SESSION: Topic Litigation

Motion to enter executive session moved by: Mr. Hunt seconded by Ms. Bernstock. **All in favor**

Motion to defend Hamway moved by: Ms. McNamara, seconded by Ms. Bernstock

Roll Call: Mr. Abate, Yes, Mr. Coss, Yes, Mr. Hunt, Yes, Ms. McNamara, Yes, Mr. Roos, Yes Mr. Russo, Yes Ms. Bernstock, Yes. Only 7 Votes needed.

Motion for Pompton Lakes Senior Housing not to defend moved by: Mr. Abate, seconded by Mr. Roos

Roll Call: Mr. Abate, Yes, Mr. Coss, Yes, Mr. Hunt, Yes, Ms. McNamara, Yes, Mr. Roos, Yes, Mr. Russo, No, Ms. Bernstock, Yes. 6 Votes

ADJOURNMENT:

Motion moved by Mr. Roos, seconded by all for the adjournment of this meeting at 10:03 pm. **All voted in favor.**

Lynnette Bradley, Secretary