

MINUTES OF THE AUGUST 27, 2019 ZONING BOARD OF ADJUSTMENT REGULAR MEETING

The following are the Minutes of the August 27, 2019 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.

Frank Abate read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

The following members were present Mr. Frank Abate, Mr. Coss, Mr. Willie Hunt, Ms. Cindy McNamara, Mr. Peter Roos, Ms. Maureen Bernstock, Ms. Mary Curran and Mr. David Rowan.

Also present were Mr. Andrew Brewer, Board of Adjustment Attorney, Lynnette Bradley, Secretary, and Mayor Mike Serra.

MINUTES:

Regular Meeting Minutes dated May 28, 2019. Motion moved by Ms. Curran, seconded by Mr. Hunt. **All eligible voted in favor.**

CORRESPONDENCE:

1. Borough of Oakland Ordinance to amend, supplement and revise the code of the Borough of Oakland, land use Section 59-49, to eliminate subsection D in order to align property owners within the RA-4 Zone with the property owners of other zones.
2. Township of Wayne Ordinance # 27, rezone certain properties from industrial I zone to residential medium density R-15.
3. Borough of Riverdale Ordinance #06-2019 amending and supplementing article III & article IV zoning ordinance establishing the requirements for an affordable housing overlay zone district in accordance with the adopted housing plan element and fair share plan.
4. Borough of Bloomingdale Ordinance amending chapter 92 "Zoning" article II "Zone Boundaries" section 92-5 "Zoning Map" of the code of the Borough of Bloomindale.
5. Borough of Oakland Ordinance#19-785 ordinance to amend, supplement and revise the code of the borough of Oakland, land use, chapter 59 entitled land use and zoning article VII entitled zoning section 59-49 entitled residential zones subparagraph D entitled conditional uses in residential zones to eliminate section 59-49D(7).

APPLICATIONS:**1. BOA#19-06**

Joe Lorenti
777 Ringwood Ave.
Block 2901 Lot 2

Ms. McNamara introduces the application

Mrs. Lorenti and Mr. Lorenti are sworn in.

Mr. Brewer asks if they are appealing the decision of the zoning officer as marked on the application, or looking for a C variance.

Mr. Lorenti states he is not appealing the decision but looking for a C variance.

Mr. Lorenti explains how they consider themselves dedicated Pompton Lakes residents. They feel they have complied with regulations in the past and have taken out the proper permits for improvements made to their home. He states we come before you today to request a C Variance to place the tent in the rear most portion of their driveway to protect their investment of the boat. They consider this a hardship because they state they have nowhere else to store the boat.

Mr. Roos asks if they have considered shrink wrap for their boat.

Mr. Lorenti says he has heard about it but feels the best protection is the tent.

Ms. Bernstock asks if the tent is up now.

Mr. Lorenti states yes.

Ms. McNamara states their property sits on a corner lot and has two front yards, one of which is a County road. It is her understanding that the County needs to give permission.

Mr. Lorenti states that he did serve notice to the County certified mail.

Mr. Brewer states that they would need approval from the County.

Mrs. Lorenti and Mr. Lorenti feel the County would see the tent, that they are observant.

Ms. McNamara asks about the setbacks.

Mr. Hunt, Mr. Roos, and Ms. Curran ask about the structure and ordinance.

Mr. Brewer goes over the definitions of structure, accessory structures, boats and recreational vehicles. He states they are here for a variance for the structure not the boat.

Mr. Roos asks where the boat is now.

Mr. Lorenti states it is docked on Greenwood Lake for a few weeks.

Mr. Hunt asks Mr. Brewer to explain the letter from Maser.

Mr. Brewer goes over the letter and gives definitions of boats in relationship to recreational vehicles, and trailers. He feels boats don't fall into those categories.

Ms. McNamara states this application is for the structure not the boat.

Ms. McNamara opens to the public.

Michael Serra states he would rather see the tent than the boat.

Ms. McNamara closes public comments.

Motion to approve the application #19-06 motion made by Mr. Coss, seconded by Ms. Curran.

Roll Call: Mr. Abate Yes, Mr. Coss Yes, Mr. Hunt No, Ms. McNamara No, Mr. Roos No, Ms. Bernstock No, Ms. Curran Yes. 4 Votes denied.

RESOLUTIONS:

1. BOA#19-03
Craig Borduin
317 Lakeside Avenue
Block 5900 Lot 4

Motion to approve the resolution made by Mr. Hunt seconded by Mr. Abate

Roll Call: Mr. Abate Yes, Mr. Coss Present Mr. Hunt Yes, Ms. McNamara Yes, Mr. Roos Yes, Ms. Bernstock Yes, Ms. Curran Yes, Mr. Rowan Present. All Eligible voted in favor.

NEW/UNFINISHED BUSINESS:

1. Mr. Kent has moved out of town and has resigned.
2. Open Space – Mayor Serra would like one volunteer per month to come so they can have a vote. The Board will rotate one person each month. Mayor will contact the secretary and she will notify the members.
3. December meeting the 24th needs to be canceled.

Motion to go into Executive Session made by Ms. Curran seconded by Ms. Bernstock.
All in Favor.

EXECUTIVE SESSION

Motion to approve resolution to authorize execution of a stipulation of dismissal without prejudice in the litigation captioned Michael Hamway v. Borough of Pompton Lakes Zoning Board of Adjustment made by Mr. Hunt, seconded by Mr. Roos.

Roll Call: Mr. Abate Yes, Mr. Coss Yes Mr. Hunt Yes, Ms. McNamara Yes, Mr. Roos Yes, Ms. Bernstock Yes, Ms. Curran Yes, Mr. Rowan Yes. All voted in favor.

PUBLIC DISCUSSION:

Ms. McNamara asks if there are any comments or questions from the public. Seeing there is none she closes public discussion.

ADJOURNMENT:

Motion moved by Mr. Hunt, seconded by Ms. Bernstock for the adjournment of this meeting at 8:57 pm. **All voted in favor.**

Lynnette Bradley, Secretary