

GLEN ROCK ZONING BOARD OF ADJUSTMENT
Minutes of the September 15, 2016 Meeting

The regular meeting of the Zoning Board of Adjustment was called to order by Chairman Bruce Beal at 7:30 p.m. In attendance: Diane Herrlett, William Mitchell, Janet Chen, Barbara Schineller, Denley Chew (arrived late), Robert Bourne, Kay Tuite and Al Tarleton. Also in attendance was Spencer Rothwell, Esq., Board Attorney. The Secretary called the roll and read the Sunshine Statement from the Open Public Meetings Act.

The Board reviewed the minutes of the June 1, 2016 work session and June 9, 2016 regular meeting. A motion was made by Mrs. Herrlett and seconded by Mrs. Chen and passed unanimously with Mr. Tarleton abstaining. Mr. Chew was not present yet.

At the request of the applicant, the application of Mr. and Mrs. Todd Finkenstadt will be postponed until next month.

Old Business:

Block 175, Lot 1.03

5 Romary Court

Applicant: Mr. & Mrs. Tedd Kochmann

Memorializing resolution granting variance to construct one story addition which will cause the dwelling to exceed the permitted effective gross floor area.

A motion to approve the memorializing resolution of Mr. and Mrs. Tedd Kochmann, 5 Romary Court was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

AYES: Mrs. Herrlett, Mrs. Chen, Mrs. Schineller, Mr. Chew, Mrs. Tuite, Mr. Tarleton,
Mr. Beal

NAYS: None

Mr. Mitchell and Mr. Bourne abstained. The resolution is attached to these minutes.

Block 195, Lot 15

384 Boulevard

Applicant: Ms. Debra Varney

Memorializing resolution granting variance to construct second story addition which will, if constructed, encroach into the required front and side yard setbacks, exceed the permitted total side yard and exceed the permitted stair width.

A motion to approve the memorializing resolution of Ms. Debra Varney, 384 Boulevard was made by Mrs. Schineller and seconded by Mrs. Chen. The voice vote was as follows:

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AYES: Mrs. Herrlett, Mr. Mitchell, Mrs. Chen, Mrs. Schineller, Mr. Chew, Mr. Bourne,
Mr. Beal

NAYS: None

The resolution is attached to these minutes.

Block 135, Lot 1

739 Harristown Road

Applicant Mr. David Lindley

Memorializing resolution for partial approval and partial denial of variances to construct a driveway which, if constructed, would exceed the permitted width and convert an unfinished attic to habitable space which would cause the Effective Gross Floor Area to exceed the permitted square footage.

A motion to approve the memorializing resolution of Mr. David Lindley, 739 Harristown Road was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

AYES: Mrs. Herrlett, Mr. Mitchell, Mrs. Chen, Mrs. Schineller, Mr. Chew, Mr. Bourne,
Mr. Beal

NAYS: None

The resolution is attached to these minutes.

Block 188, Lot 2

161 Harristown Road

BSREP II Simply Storage Acquisitions, LLC

Memorializing resolution for Zoning Interpretation of §230-70 of the Glen Rock Zoning Ordinance (Permitted Uses – D Industrial Zone) for a self-storage facility in the D Industrial Zone.

A motion to approve the memorializing resolution of BSREP II Simply Storage Acquisitions, LLC, 161 Harristown Road was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

AYES: Mrs. Herrlett, Mr. Mitchell, Mrs. Chen, Mrs. Schineller, Mr. Chew, Mr. Bourne,
Mr. Beal

NAYS: None

The resolution is attached to these minutes.

Block 115, Lot 15
216-220 Rock Road

Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless

Applicant seeks site plan approval and use variance for installation of a network wireless communications facility atop the Glen Rock Inn - *Postponed at the request of the applicant.*

New Business:

Block 18, Lot 15
412 Maple Avenue

Applicant: Mr. Mark O'Neill

Applicant constructed patio in the front yard and seeks relief from Borough Ordinance 230-14(A)(3) which does not permit patios in the front yard or the front side yard in the case of a corner property and any other variances or waivers that are required in connection with this application.

Mr. Rothwell swore in Mark O'Neill, 15 S. Highwood Avenue, Glen Rock. Mr. Gary Newman, Esq. also noted his appearance on behalf of the applicant.

Mr. Newman stated this property is a triangular corner lot with essentially no right side yard. The rear yard has an existing driveway, which would be difficult to change due to the proximity to Maple Avenue. Mr. Newman noted there is no place on the right side or in the rear for a patio. Consequently, the applicant has proposed a patio on the secondary front yard (pavers and gravel have been laid, with no permit).

Mr. Beal noted in August 2011 the homeowner also did work without obtaining the necessary permits.

Mrs. Schineller commented she noticed an area that was also had pavers.

Mr. O'Neill stated this area was there prior to his purchasing the home, which consisted of broken pavement extending a portion of the driveway.

Mr. Beal commented if this application were approved he would like to see additional shrubbery planted for shielding.

Mr. Beal noted the pitch of S. Highwood comes down to Maple Avenue which the patio would be shielded by shrubbery.

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A concern was expressed that the impervious coverage be under 50% as this was not indicated on the plan.

Mr. Newman believes the coverage is less than 50% and if it isn't they would reduce the patio accordingly.

At this time, calculations were conducted and it was determined the impervious coverage is at 40%.

Mr. Beal commented the location of the patio is really the only place a patio could be placed.

Mr. O'Neill agreed, adding there is also an entry to the house off of the patio.

Mr. O'Neill also agreed to plant and maintain additional shrubbery.

Mr. Beal asked if there were any questions or comments from anyone in the audience.

Mr. Rothwell swore in Catherine Grieve, 366 Highwood Avenue. Ms. Grieve expressed concern over gridlock at this location. Ms. Grieve also asked for clarification as to what is going in and what is staying. Mrs. Schineller explained what is currently there is what is staying. The only upgrade would be the addition of shrubs.

There were no further questions from the audience or anyone on the Board.

A motion to approve the application of Mr. Mark O'Neill, 412 Maple Avenue was made by Mrs. Herrlett and seconded by Mrs. Schineller with the condition the patio stays at ground level and shrubbery is added. The voice vote was as follows:

AYES: Mrs. Herrlett, Mr. Mitchell, Mrs. Chen, Mrs. Schineller, Mr. Chew, Mr. Bourne,
Mr. Beal
NAYS: None

The resolution will be memorialized at the next meeting.

Block 136, Lot 13
802 Harristown Road
Applicant: Mr. & Mrs. Rosario Patane

Applicant proposes to construct second story addition and two one story additions which will, if constructed, encroach into the required front and side yards, exceed the permitted width of front steps and exceed the permitted Effective Gross Floor Area (EGFA). Applicant seeks relief from Borough Ordinance 230-54(B), where 50' front yard is required, 41.20' (garage) and 43.70' (porch) are proposed, a difference of 6.3' and 3.62' respectively, 230-54(C) where a side yard of 8.52' is required, 4.9' is proposed, a difference of 3.62', 230-20(D), where a 7' wide step is permitted, 8' is proposed, a difference of 1' and 230-54(J) where a EGFA of 3,36.76 square feet is permitted, 3,666 square feet is proposed, a difference of 329.24 square feet and any other variances or waivers that are required in connection with this application.

Mr. Rothwell swore in Edward Sherman, licensed architect for this application. Mr. Sherman has been licensed for 29 years, primarily residential homes and has appeared before numerous Boards before; however, not this one.

Mr. Rothwell also swore in Rosario Patane, 802 Harristown Road. Mr. Patane stated they would like to expand their home by constructing a second story addition, as well as change the look of the exterior of their home.

Mr. Sherman noted that this home currently sits on a non-conforming undersized lot at 9,551 square feet instead of the required 11,200 square feet, approximately 15% deficient. Mr. Sherman commented if the lot were sufficient the EGFAR would be approximately 30%.

Mr. Sherman stated the side yard setback would remain the same. The garage and front porch would encroach into the front yard setback and were designed as such to add depth to the home. Mr. Sherman also noted most towns do not include the garage and front porch in the EGFAR, where Glen Rock does.

Mrs. Schineller asked if any alternative options were looked at to eliminate, or lessen, the EGFAR, perhaps not go as deep with the garage.

Mr. Patane commented their intention is to keep the same look and feel of the neighboring homes, which the majority of have been renovated and expanded in the last few years.

Mrs. Herrlett noted many of those homes referred to are on a different sized property.

All members of the Board commented how seriously the EGFAR is adhered to.

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Mr. Bourne noted in looking at the plans he sees numerous locations where the renovation could be “trimmed”.

Mrs. Schineller asked Mr. Patane if they would be willing to try and reduce the EGFAR before a vote is taken, particularly since a large variance is being requested.

Mr. Sherman asked the Board if the EGFAR is the primary obstacle or if the front setback is also a concern.

Mrs. Spiller asked if a front yard setback study has been conducted.

Mr. Chew expressed concern with the second addition creating a “wind tunnel” with the neighbor to the right.

After considerable discussion by all, the applicant agreed to postpone this application until the next meeting.

Block 125, Lot 8

43 Central Avenue

Applicant: Mr. & Mrs. Todd Finkenstadt

Applicant proposes to construct one story addition, which will, if constructed, encroach into the required front side yard setback. Applicant seeks relief from Borough Ordinance 230-22(B), where a front side yard of 37.5’ is required, 28.5’ is proposed, a difference of 9’ and any other variances or waivers that may be required in connection with this application. *At the request of the applicant this application has been postponed.*

As there were no further residents wishing to be heard, a motion to adjourn the meeting was made by Mrs. Schineller, seconded by Mrs. Herrlett and passed unanimously. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Nancy Spiller
Board Secretary