

**GLEN ROCK ZONING BOARD OF ADJUSTMENT**  
**Minutes of the January 9, 2014 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 and Kay Tuite. Also in attendance were Andrew Kohut, Esq., Board Attorney and Mark Berninger, Zoning Official (arrived late). Mr. Peters and Mr. Bourne were absent. The Secretary called the roll and read the Sunshine Statement from the Open Public Meetings Act.

The Board reviewed the minutes of the December 4<sup>th</sup> work session and December 12<sup>th</sup> regular meeting. A motion was made by Mrs. Schineller and seconded by Mr. Mitchell and passed unanimously with Mr. Chew abstaining from the December 4<sup>th</sup> meeting and Mrs. Tuite abstaining from both meetings.

Mr. Beal welcomed Kay Tuite as the newest members of the Board. Mrs. Tuite will be replacing Mrs. Driscoll who moved out of town.

**Reorganizational Meeting:**

As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Schineller, for the following nomination to the Zoning Board for 2014:

Mr. Bruce Beal as Chairman

There were no other nominations. The voice vote was as follows:

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

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mr. Chew, for the following nomination to the Zoning Board for 2014:

Mrs. Diane Herrlett as Vice-Chairman

There were no other nominations. The voice vote was as follows:

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

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Chen, for the following nominations to the Zoning Board for 2014:

Wells, Jaworski & Liebman as Board Attorney

There were no other nominations. The voice vote was as follows:

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

NAYS: None

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Schineller, for the following nominations to the Zoning Board for 2014:

Nancy Spiller as Board Secretary

There were no other nominations. The voice vote was as follows:

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

NAYS: None

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Schineller, for the following nominations to the Zoning Board for 2014:

Mark Berninger as Zoning Official

There were no other nominations. The voice vote was as follows:

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

NAYS: None

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Chen, for the following nominations to the Zoning Board for 2014:

Ratification of Stantec Consultants as Borough Engineer

There were no other nominations. The voice vote was as follows:

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

NAYS: None

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Chen for the ratification of the Zoning Board By-Laws for 2014. There were no other nominations. The voice vote was as follows:

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

NAYS: None

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As Chairman of the Nominating Committee, Mr. Mitchell made a motion, which was seconded by Mrs. Schineller, for the following nominations to the Zoning Board for 2014:

Ms. Christine Cofone, Cofone Consulting Group as Borough Planner

There were no other nominations. The voice vote was as follows:

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

NAYS: None

**Old Business**

**Block 251, Lot 1**

**59 Andover Terrace**

**Applicant: Deepak Wadhwa and Rajesh Lulla**

Memorializing resolution to construct two rear stairways which will, if constructed, encroach into the required rear yard setback.

A motion to approve the memorializing resolution of Deepak Wadhwa and Rajesh Lulla, 59 Andover Terrace was made by Mrs. Schineller and seconded by Mrs. Chen. The voice vote was as follows:

AYES: Mrs. Chen, Mrs. Schineller, Mr. Beal

NAYS: None

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Mrs. Herrlett, Mr. Mitchell, Mr. Chew and Mrs. Tuite all abstained from voting. The resolution is attached to these minutes.

**Block 199, Lot 1**

**92 Radburn Road**

**Applicant: Teak Family LLC**

Memorializing resolution to construct second story addition and porch, which will, if constructed, encroach into the required front side yard and rear yard setbacks.

Mrs. Herrlett noted there was no explanation that the existing porch will be demolished.

Mr. Kohut replied he would make the adjustment stating “the existing porch will be demolished which will improve the rear yard setback”.

A motion to approve the revised memorializing resolution of Teak Family LLC, 92 Radburn Road was made by Mrs. Herrlett and seconded by Mr. Mitchell. The voice vote was as follows:

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

NAYS: None

Mrs. Tuite abstained from voting. The resolution is attached to these minutes.

**New Business:**

**Block 133, Lot 3**

**626 Ackerman Avenue**

**Applicant: Mr. and Mrs. David Lipsky**

Applicant proposes to construct second story addition, and front side steps which will, if constructed, encroach into the required front and front side yard setbacks. Applicant seeks relief from Borough Ordinance 230-54 (B) where a 50’ front yard is required, 41.7’ (addition) and 35.2’ (steps) are proposed, a difference of 8.3’ and 14.8’ respectively and Borough Ordinance 230-22 (B), where a 20’ front side yard is required for the addition, 10.2’ is proposed a difference of 9.8’ and a front side yard of 37.5’ is required for the steps, 15’ is proposed, a difference of 22.5’ and any other variances or waivers that may be required in connection with this application.

Mr. Kohut swore in David and Danielle Lipsky, 626 Ackerman Avenue.

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Mr. Beal noted the property is located at the corner of Ackerman Avenue and E. Gramercy. The applicant is proposing a second addition; however keeping the roof lines the same. The footprint of the home is not being enlarged.

Mr. Beal commented there are two variances required in the front of the house; one for the steps and one for the corner of the house closest to the front property line, as well as two variances for the side yard; one for the steps (which is not shown on the plans) in the rear and one for the property line.

Mr. Berninger noted on the plans it shows the steps to be 8' instead of the permissible 7'.

Mr. Lipsky replied the existing steps are 9' and their choice was to replace or repair them. Mr. Lipsky noted that 7' would be wide enough for the steps. Mr. Lipsky added the only reason anything was being done to the steps is because they were in such disrepair.

Mr. Kohut commented he believes for notice purposes the 2' step difference is irrelevant. This would be a decision for the Board if they need to re-notice.

Mr. Berninger noted that dormers are permitted to be 20' from the side yard setback instead of the required 37.5'.

Mr. Beal commented he believes a hardship exists with the location of the house on the property.

Mrs. Schineller agreed, adding E. Gramercy being a cul-du-sac is problematic.

Mr. Mitchell asked what the current living area is of the house.

Mrs. Lipsky commented she does not consider any of the space on the second floor to be livable.

Mr. Mitchell commented it appears the first floor is 1,642, which is not changing and the second floor is proposed to be less at 1,552.

Mr. Lipsky noted the proposed second floor is 1,552 with the current square footage to be approximately 1,400.

Mr. Mitchell commented he is trying to determine the magnitude of the change.

Mr. Lipsky replied the square footage is not much different; however the appearance will change considerably.

Mrs. Lipsky commented currently there is a front and rear dormer with the entire rear dormer taken up by a stairwell.

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

A motion to approve the application of Mr. and Mrs. David Lipsky, 626 Ackerman Avenue was made by Mrs. Schineller and seconded by Mrs. Chen. The voice vote was as follows:

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

NAYS: None

Mrs. Tuite abstained from voting. The resolution will be memorialized at next month's meeting.

As there were no further residents wishing to be heard, a motion to adjourn the meeting was made by Mrs. Schineller, seconded by Mrs. Chen and passed unanimously. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Nancy Spiller  
Board Secretary