

GLEN ROCK ZONING BOARD OF ADJUSTMENT
Minutes of the May 14, 2015 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, Janet Chen, Barbara Schineller, Robert Bourne and Kay Tuite. Also in attendance was Spencer Rothwell, Esq., Board Attorney and Mark Berninger, Zoning Official. William Mitchell, Denley Chew and Al Tarleton 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 March 4th work session and March 12th regular meeting. A motion was made by Mrs. Schineller and seconded by Mrs. Herrlet and passed unanimously with Mrs. Chen and Mrs. Tuite both abstaining from the March 4th meeting.

Mr. Beal announced that at the request of the applicant the application for 432 Grove Street will be postponed until the July 1st work session and July 9th regular meeting.

Old Business

Block 194, Lot 6

361 Boulevard

Applicant: Lucas and Anna Kovalcik

Memorializing resolution approving variances to construct two one-story additions, which will, if constructed, encroach into the required front and side yard setbacks.

A motion to approve the memorializing resolution of Lucas and Anna Kovalcik, 361 Boulevard was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

AYES: Mrs. Herrlett, Mrs. Schineller, Mr. Bourne, Mrs. Tuite, Mr. Beal

NAYS: None

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

Block 144, Lot 5

72 Delmar Avenue

Applicant: Ms. Orlee Goldfeld and Mr. Marc Wolfe

Memorializing resolution approving variances to construct new front stoop that will, if constructed, encroach into the required front yard setback.

A motion to approve the memorializing resolution of Ms. Goldfeld and Mr. Wolfe, 72 Delmar Avenue was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

AYES: Mrs. Herrlett, Mrs. Chen, Mrs. Schineller, Mr. Bourne, Mrs. Tuite, Mr. Beal

NAYS: None

The resolution is attached to these minutes.

Block 134, Lot 26
841 Harristown Road
Applicant: Jason and Cristal Whalen

Memorializing resolution approving variances to construct second story addition and one story addition which will, if constructed, encroach into the required front and side yard setbacks and exceed the permitted total side yards.

A motion to approve the memorializing resolution of Ms. Goldfeld and Mr. Wolfe, 72 Delmar Avenue was made by Mrs. Schineller and seconded by Mrs. Herrlett. The voice vote was as follows:

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

The resolution is attached to these minutes.

New Business:

Block 65, Lot 12
157 Greenway Road
Applicant: Mr. & Mrs. Brian Sulborsky

Applicant proposes to construct two one-story additions, which will, if constructed, encroach into the required front and side yard setbacks. Applicant seeks relief from Borough Ordinance 230-54(B), where a 50' front yard is required, 37.87' (addition) and 32.12' (steps) are proposed, a difference of 12.13' and 17.88' respectively and 230-54(C) where a 8.67' side yard is required, 3.3' (side addition) and 6.33' (rear addition) are proposed, a difference of 5.37' and 2.34' respectively and any other waivers or variances that are required in connection with this application.

Mr. Rothwell swore in Laura Sulborsky, 157 Greenway Road

Mr. Rothwell also swore in Brian Callahan, currently licensed architect in New Jersey since 1997. Mr. Callahan has a Masters in architecture and has testified before numerous Boards throughout the State of New Jersey.

GLEN ROCK ZONNING BOARD MINUTES

Meeting of May 14, 2015

Page 3 of 6

Mr. Beal noted that the lot is parallelogram in shape and undersized at 7,326 square feet instead of the required 11,200, approximately 35% to small. The house doesn't really line up with either property line.

Mr. Callahan stated currently the house has one bedroom on the first and one bedroom on the second floor. Mr. Callahan noted there are four pre-existing non-conformities on the lot; the lot size in addition the front and both side yard setbacks are too small. The resident is proposing second story dormers which will allow the resident to create a second story floor plan which will include a bath and three bedrooms. This would all be within the existing footprint of the house. Additionally, the resident is proposing a covered porch in the front of the house. There currently there is a slab there, which the porch would be built on the footprint of this slab. The second floor addition will add 271.4 square feet to the home.

Mr. Beal asked that the applicant agree to not enclosing the front porch area.

Mr. Callahan replied there are no plans to enclose the porch area.

Mrs. Schineller commented that it appears the dormers will be in line with the neighbors.

Mrs. Tuite noted the permits state the applicant will be relocating a wood-burning stove. Mrs. Tuite asked where this stove is located and is it a heat source.

Mrs. Sulborsky replied it is a heat source and is located in the living room.

Mr. Berninger asked how high the slab is that the front porch would be located on.

Mr. Callahan replied it is approximately two feet.

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

A motion to approve the application of Mr. and Mrs. Brian Sulborsky, 157 Greenway Road was made by Mrs. Schineller and seconded by Mr. Bourne. The applicants have agreed not to enclose the front porch. The voice vote was as follows:

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

The resolution will be memorialized at next month's meeting.

GLEN ROCK ZONNING BOARD MINUTES

Meeting of May 14, 2015

Page 4 of 6

Block 206, Lot 7

34 Hazelhurst Avenue

Applicant: Kayur Parekh and Namrata Palicha

Applicant proposes to construct second 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 37.5' front yard setback is required, 34' is proposed, a difference of 3.5' is proposed, a difference of 3.5' and any other variances or waivers that are required in connection with this application.

Mr. Beal commented for the sake of the applicant there are six voting members and a tie vote does not go in favor of the applicant.

Mr. Rothwell swore in Namrata Palicha, 34 Hazelhurst Avenue.

Mr. Beal commented the lot is trapezoidal in shape and undersized at 12,664 square feet instead of 14,000 for a corner lot. Brookfield is the front yard with Hazelhurst the side yard. There is a small triangle area that requires a variance. Mr. Beal noted there are two areas where the house is closer to the property line than this small area being requested.

Mrs. Palicha noted this is a small area, requiring a small variance which the previous owner elected not to address. This will square off an existing bedroom internally, as well as the outside of the home.

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

A motion to approve the application of Kayur Parekh and Namrata Palicha was made by Mrs. Herrlett and seconded by Mrs. Schineller. The voice vote was as follows:

AYES: Mrs. Herrlett, Mrs. Chen, Mrs. Schineller, Mr. Bourne, Mrs. Tuite, Mr. Beal

NAYS: None

The resolution will be memorialized at next month's meeting.

Block 64, Lot 4
102 Greenway Road
Applicant: Mark and Katarzyna Ura

Applicant proposes to construct second story addition, two story addition and front porch which will, if constructed encroach into the required front yard, side yard, rear yard and total side yards, and exceed the permitted Effective Gross Floor Area Ratio (EGFAR). Applicant seeks relief from Borough Ordinance 230-54(B), where a 47.5' front yard setback is required (average setback study), 46.44' (foundation of house) and 40.73' (porch) are proposed, a difference of 1.06' and 6.77' respectively, 230-54(C) where a side yard setback of 9.6' is required, 9.35' is proposed, a difference of .25' and a total side yard of 20' is required, 19.55' is proposed a difference of .45', 230-54(D) where a rear yard setback of 30' is required, 23.29' (foundation to house) and 20.01' (steps) are proposed, a difference of 9.9' and 6.71' respectively, and 230-54(J) where an EGFAR of .365 (3,029.5 square feet) is permitted, .3954 (3,281.78 square feet) is proposed, a difference of .0304 (252.28 square feet) and any other variances and waivers that are required in connection with this application.

Mr. Rothwell swore in Mark Ura, 102 Greenway Road and Mr. Adach, a licensed architect in the State of New Jersey. Mr. Adach has testified before numerous Boards throughout the State.

Mr. Adach reviewed the proposed plans and renovations with the Board. The property is located in the A-2 zone and undersized at 8,300 square feet, instead of the required 11,200 square feet. There are currently seven existing non-conformities of which three involve the front and side yard setbacks. The addition would remain within these existing setbacks. The second floor addition will be built over the existing walls, which will eliminate any additional encroachment.

Mr. Adach believes the applicant faces a hardship with the undersized lot in addition to the shape of the lot, which has a slight curve to it.

The EGFAR variance being requested is for approximately 252 square feet. If this lot were the proper size the EGFAR would not be an issue.

Mr. Adach commented that the proposed design scheme is practical, feasible and economical. It will be comparable to recently renovated homes in the neighborhood. The appearance will be improved and become more desirable.

Mrs. Herrlett asked if any changes could be made to conform to the EGFAR.

Mr. Adach replied it was virtually impossible and economically prohibitive. Mr. Adach noted they are trying to make the space in the back of the house functional. Mr. Adach added whatever space that is being taken away from the house is being added to the garage.

GLEN ROCK ZONING BOARD MINUTES

Meeting of May 12, 2015

Page 6 of 6

Mrs. Herrlett commented the garage is larger than normal and if it were cut down the EGFAR could be met. Often people have sheds for storage.

Mr. Beal explained the whole premise of the EGFAR. Mr. Beal stated he does not see a reason why he could vote positively for this application. The rooms and garage are quite large.

The Board expressed concern that this application is still 252 square feet over the permitted amount.

Mrs. Herrlett commented that an undersized lot is not considered a hardship.

Mrs. Schineller commented that the proposed 1,000 square foot addition (even though the net increase is approximately 400 square feet) is too large for the property.

Mr. Bourne also has difficulty approving the EGFAR variance; however, has no problem with the other three variances. Mr. Bourne believes there are numerous locations that could be cut down in size.

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

Mr. Adach conferred with his client and they have requested this application be continued until the next meeting; June 3rd is the work session and June 11th the regular 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. Tuite and passed unanimously. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Nancy Spiller
Board Secretary