

Borough of Kinnelon

Board of Adjustment

July 12, 2016

The regular monthly meeting of the Kinnelon Board of Adjustment was called to order by Chairman John Carpenter at 8:02p.m., Tuesday, July 12, 2016 in the Municipal Building.

It was posted that adequate notice of this meeting had been given in accordance with the Sunshine Law by posting a notice on the municipal bulletin board, by publication of a legal notice in the Suburban Trends on January 2016 and by sending the meeting date to the Daily Record and Herald News on January 2016.

Present and answering roll call were Mr. Carpenter, Mrs. Maletsky, Mr. Ruocco, Mrs. Canale, Mr. Diani, Mt. Ott and Mrs. Minett.

Mr. Carpenter asked if everyone would please rise for the Pledge of Allegiance.

A motion to approve the May 3, 2016 minutes was offered by Mr. Diani, second by Mr. Ott with the affirmative "yes" vote of all on roll call.

Application #1449 Mr. & Mrs. O'Neill, 8 Edgemere Terr. The applicant is asking for a side yard variance to install an A/C Unit.

A motion to deem the application complete was offered by Mr. Diani, second by Mrs. Maletsky with the affirmative "yes" vote of all on roll call.

Mr. Bacchetta swore in Mr. O'Neill.

Mr. O'Neill stated that he would like to install a central air system in his house and that he had moved to Fayson Lakes about 2 years ago. Mr. O'Neill stated that he had a young child with type one diabetes and the cooler air in the house was better for his health.

Mr. Carpenter stated that the Board needed a better survey with better dimensions on it. If the Board grants 17 feet you will be locked into that number. Mr. Carpenter said that if this is granted you would need to get a survey before you are able to get a permit.

Mrs. Canale asked what the tons were for this unit.

Mr. O'Neill stated that he knew it was 34,500 BTUH but was not sure how to convert that into tons.

Mr. O'Neill stated that he was committing to the 16.3. Feet to the edge of the unit.

Mr. Bacchetta said that if this is approved the Board wants to see a survey with the exact dimensions not something sketched in ink and the square footage of the property has to be on the survey.

A motion to approve this application being no less than 16.3 feet, updated survey, square footage and dimensions of the unit was offered by Mr. Diani, second by Mr. Ruocco with the affirmative “yes” vote of all on roll call.

Application #1450 Ms. Donovan, 47 Fayson Lakes Road. The applicant is asking for a front yard variance to enlarge the front steps.

Mr. Carpenter stated that he didn’t think that this application could be deemed complete at this time.

Mr. Bacchetta stated that a survey has to be submitted that depicts what’s on the property and the Board received an As Built from 1997 with notes drawn in and not to scale. Mr. Bacchetta stated that the request are here for a reason and if the board feels that this is enough than the application can proceed otherwise it will have to be heard another night.

Mr. Carpenter stated that he would ask the Board their opinion.

Mr. Ott stated that an updated survey needed to be submitted.

Mr. Bacchetta stated that the lot area would also need to be shown on the survey.

Mr. Diani stated that he sees the need for the new steps but if the variance was granted they would be inspected by the Construction Code Official and the rise would all have to be the same and a railing would need to be installed.

Ms. Donovan stated that she was planning on tearing them down and rebuilding them.

Mrs. Minett stated that she would like an updated survey.

Mr. Bacchetta told Ms. Donovan that she needed to submit to the Board a survey of the property of what is existing and what is proposed with the dimensions, set back from the front yard and lot area.

Mr. Carpenter stated that we can postpone so you will not be charged or have to re notice.

A motion to deem the application incomplete and carry to the August meeting or until a survey was ready was offered by Mrs. Maletsky, second by Mr. Ruocco with the affirmative “yes’ vote of all on roll call.

Application #1451 Mr. & Mrs. Bury, 3 Juniper Trail. The applicant is asking for a side yard and rear yard variance for a shed and an A/C unit.

A motion to deem this application complete was offered by Mrs. Maletsky, second by Mr. Ott with the affirmative “yes” vote of all on roll call.

Mr. Bacchetta sworn in Mr. Bury.

Mr. Bury stated that he previously was before the Board for an addition but has decided not go Ahead with it. Mr. Bury stated that he is here for an A/C unit and a 8x12 shed. He stated that he needs the shed

for storage because his house is small and has nowhere to put anything. The spot for the shed would be backing up to a large shed that's on a vacant lot about a foot off the property line. Mr. Bury stated that the A/C unit would be in the rear because that would be the most convent spot for it to run the house and you can't see it from the road.

Mr. Carpenter asked if there were any questions on the A/C unit.

Mrs. Canale asked how many tons the unit was.

Mr. Bury stated that it was 3 tons.

Mrs. Maletsky asked if this was drawn to scale.

Mr. Bury stated that it was but was not sure of that pad.

Mr. Carpenter asked if there were any questions regarding the shed.

Mr. Carpenter stated that the Board has never granted approval for a shed to be a foot off the property line.

Mr. Bury stated that he understood that and is happy to amend his application to a number the Board is happy with.

Mr. Bacchetta asked how high the shed would be.

Mr. Bury stated that it would be a standard size shed and that he is amending his application to 4 feet from the property line.

Mr. Diani stated that he visited the property and could see the need for a shed. Mr. Diani asked when the hot tub was put in.

Mr. Bury stated that it was there when he moved in.

Mr. Carpenter stated that Ms. Highers has handed me the prior resolution from his previous application addressing this issue.

Mr. Carpenter opened the meeting to the public and hearing no one from the public opened it back up to the Board.

A motion to approve this application with the right yard setback no less than 4 feet and the inspection of the hot tub and platform was offered by Mrs. Maletsky, second by Mr. Ott with the affirmative "yes" vote of all on roll call.

A motion to approve the Bills was offered by Mr. Ott, second by Mrs. Maletsky with the affirmative "yes" vote of all on roll call.

A motion to approve Resolution No.1435 and No. 1442 Urban and adjourn at 9:02 pm was offered by Mrs. Maletsky, second by Mr. Ott with the affirmative "yes vote of all on roll call.

Submitted by:

Jennifer Highers
Board of Adjustment

Cc: All Board Members
Board Attorney