

**Borough of Kinnelon**

**Board of Adjustment**

**September 5, 2017**

The regular monthly meeting of the Kinnelon Board of Adjustment was called to order by Chairman John Carpenter at 8:00p.m., Tuesday, September 5, 2017 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 2017 and by sending the meeting date to the Daily Record and Herald News on January 2017.

Present and answering roll call were Mr. Carpenter, Mrs. Minett, Mrs. Canale, Mr. Diani and Mrs. Maletsky. Mr. Ruocco was absent from this meeting.

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

Mr. Carpenter stated that the board needed to make a motion to dismiss application #1419 Carolyn Chrisman (CC's Canine Care, LLC), 235 Kinnelon Road. A motion to dismiss this application was made by Mrs. Maletsky, second by Mrs. Minett with the affirmative "yes" vote of all on roll call.

Mr. Carpenter stated that if anyone was here for application #1458 Gail Gilvey, 10 Arrowhead trail that the applicant has withdrawn the application.

Mr. Carpenter stated that if anyone was here for application #1464 Mr. & Mrs. Driscoll, 13 Carl Place that this application will be heard at the October meeting.

**Application #1470 Mr. & Mrs. Bowblis, 27 Dogwood Trail.** The applicant is asking for a front and rear yard variance to construct an addition.

A motion to deem the application complete was made by Mrs. Maletsky, Second by Mrs. Minett with the affirmative "yes" vote of all on roll call.

Mr. Carpenter read the Engineer's report dated August 18, 2017 into the record.

Mr. Bacchetta swore in William and Margo Bowblis.

Mrs. Bowblis stated that they have been living in Kinnelon for 35 years in a one step up from a tiny house. Mrs. Bowblis stated that it has become challenging now due to health issues. The addition would be a good solution to age in the home with friends and neighbors.

Mrs. Bowblis stated that she has brought in 4 picture exhibits. Exhibit 1 is the side yard, exhibit 2 is where the addition will be, exhibit 3 is the end of the addition and exhibit 4 is the side view of the house.

Mrs. Bowblis stated there was a great necessity for the addition because if they needed sudden surgery they wouldn't be able to go into the kitchen or move around if they were in a wheel chair.

Mr. Bowblis stated that the bilco doors that are shown on the plan will not be there.

Mrs. Canale when the screened in porch, fence and shed was installed.

Mrs. Bowblis stated that the porch was there when the house was purchased and a permit was taken out to fix that. Mrs. Bowblis stated that the shed was also there and about 20 years ago a friend put new siding on it. The fence was installed in 2003 and put up for the protection of the dogs and the fence company installed that. Mrs. Bowblis stated that she wasn't sure if a permit was taken out because the fence company said they would handle everything.

Mrs. Canale asked if they would be installing a ramp and Mrs. Bowblis stated not at this time and if it came to that we would put in stair lifts.

Mrs. Minett stated that on the front page of the plans the house is on the wrong side of the street.

Mr. Carpenter opened the meeting to the public.

Mr. and Mrs. Conte from 16 Tobbogan Trail came forward.

Mr. Bacchetta swore in Mr. & Mrs. Conte.

Mrs. Conte asked if at any time can the back and front yard change for a variance project.

Mr. Bacchetta stated that it's up to the applicant according to the Engineers letter. Whatever they recognize as the front yard will stay with the property, they will not be able to change it for future applications.

Mrs. Conte stated that when the house was purchased they were told something else and we are now losing quite a bit of variance protection. Mrs. Conte also stated that they are concerned it will have an effect on the property value and quality of life.

Mr. Bacchetta stated that the board isn't bound by what someone told you.

Mrs. Conte asked if the mailing address would have some bearing on the front yard and Mr. Bacchetta said he has never known the front door to define the front yard.

Mrs. Conte asked what about if the property value is suddenly at risk and Mr. Carpenter asked if there was a relater's letter stating that.

Mrs. Conte stated that she has been talking with a relater and Mr. Carpenter stated that he thought it would increase the property value in the neighborhood.

Mrs. Conte asked if the application could be postponed until they hear back from the relater and Mr. Bacchetta stated that he thinks the board is going to act on the application tonight if they feel they have enough to make a decision.

Mr. Carpenter asked what kind of lighting will be added.

Mr. Bowblis stated that no additional lightening will be required only what is presently there.

Mrs. Conte asked if maybe some shrubs or pine trees could be planted and Mrs. Bowblis stated that she was allergic to pine trees and would have to be something safe for the dogs.

Ms. Laurie Krauss from 11 Wates Edge came up and stated that madden grass or abbreviates would work there.

Mrs. Canale stated that in looking at the plans the screened in porch isn't shown.

Mr. Carpenter asked if they were replacing the AC and Mr. Bowblis stated that the new unit will fit in the same spot.

Mrs. Bowblis asked when we fix the drawings how many sets are required and Mr. Carpenter asked who wanted new drawings.

Mrs. Canale stated that she couldn't see how a vote could be taken on incomplete drawings.

Mr. Carpenter stated that the Engineers report is always a conditional of approval.

Mr. Carpenter closed the public portion and opened it back up to the board.

Mr. Carpenter stated that we deal with the setbacks not enforcement.

Mrs. Bowblis stated that she would take out a permit for the fence if one is needed.

A motion to approve the application for the shed, porch, and HCAV pad and with the Engineers letter was made by Mr. Diani, Mrs. Maletsky second the motion with an amendment to add that the lighting doesn't extend the property line and some foliage be planted by the fence, with the affirmative "yes" vote of all on roll call. Mrs. Canal abstained.

**Application #1471 Mr. & Mrs. Flood, 726 Ridge Road. The applicant is asking for a side variance for an 8X8 shed.**

Mr. Carpenter stated that since the applicant didn't show the residents would have to be re noticed and it would have to be put back in the newspaper.

A motion to pay the bills was offered by Mrs. Maletsky, second by Mrs. Minett with the affirmative "yes" vote of all on roll call.

A motion to approve Resolution #1402 & 1469 was offered by Mrs. Maletsky, second by Mrs. Minett with the affirmative “yes” vote of all on roll call.

A motion to adjourn at 9:29 p.m. was offered by Mrs. Maletsky, second by Mrs. Minett with the affirmative “yes” vote of all on roll call.

Submitted by:

Jennifer Highers  
Board of Adjustment

Cc: All Board Members  
Board Attorney