

**Borough of Kinnelon**

**Board of Adjustment**

**October 3, 2017**

The regular monthly meeting of the Kinnelon Board of Adjustment was called to order by Chairman John Carpenter at 8:00p.m., Tuesday, October 3, 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 and Mr. Bender.

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

A motion to approve the September 5, 2017 minutes was offered by Mr. Diani, second by Mrs. Maletsky with the affirmative "yes" vote of all on roll call.

Mr. Bacchetta swore in new member Mr. John Bender.

**Application # 1464 Mr. & Mrs. Driscoll, 13 Carl Place.** The applicant is asking for a rear and side yard variance to construct a deck. **Application is carried from the September 5<sup>th</sup> meeting.**

Mr. Bacchetta swore in Mrs. Driscoll.

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

Mr. Carpenter read the Engineers report into the record.

Mrs. Driscoll stated that she would like an elevated deck on the back and they wanted to put up a 20x16 deck. Mrs. Driscoll said because of the backyard and where the septic is they had to change the size to a 12.5x20. Mrs. Driscoll stated that she would like to enjoy the property with a deck in the back.

Mr. Bacchetta asked Mrs. Driscoll whose plastic shed was on the property and Mrs. Driscoll stated it was hers and it would be removed.

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

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

**Application #1475 Alice Moore, 7 Trail West.** The applicant is asking for a side yard variance to install an AC unit.

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

Mr. Bacchetta swore in Ms. Alice Moore.

Ms. Moore stated that she has lived in the house for 17 years with no AC and since she is getting older she can’t tolerate the heat anymore. Ms. Moore stated that she would put it on the side so it’s hidden and isn’t visible or close to any bedroom windows.

Mrs. Minett asked what the decibels were and Ms. Moore said 75.5. Ms. Moore also said she spoke with all the neighbors before filling the application.

Mr. Bacchetta asked how it would be hidden and Ms. Moore said by the foliage and fence.

Mr. Carpenter asked if it would be even with the garage and Ms. Moore said it wouldn’t be any closer than garage because of a pipe that comes out from the house.

Mr. Carpenter said that the demission to the back yard was missing and that there is also a deck on the back of the house that isn’t shown in the survey.

Ms. Moore said that she would get the survey updated and also have the proper demission.

The board agreed to carry this application to the Nov 14<sup>th</sup> meeting to get the survey updated and the proper dimensions.

**Application #1476 Mary Mullaney, 15 Stonybrook Trail.** The applicant is asking for a side and rear yard variance to install an AC unit.

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

Mr. Bacchetta swore in Mrs. Mullaney.

Mrs. Mullaney stated that the window AC units are not doing much in the house and with two people living there with asthma need to have the central air. Mrs. Mullaney stated that AC would be in the backyard behind the fence.

Mr. Diani asked what the size of the pad was and Mrs. Mullaney didn’t have that answer.

Mr. Carpenter also pointed out that the dimension on the plan for the set backs are incorrect.

The board agreed to carry this application to the Nov 14<sup>th</sup> meeting for Mrs. Mullaney to get the correct dimensions.

**Application #1439 Mr. Schwab, 26 Waters Edge.** The applicant is asking for a rear yard variance to construct a deck and an addition.

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

Mr. Carpenter read the Engineers report into the record.

Mr. Bacchetta swore in Mr. & Mrs. Schwab.

Mr. Schwab stated that they have been living there for 14 years and the original construction was in 1970. The house is a small bi-level with minimal closet space. Mr. Schwab stated that with a 15 year old daughter it’s getting a little tight. Mr. Schwab said they would like to enlarge the kitchen, bedrooms, closet and have an extra family room. Mr. Schwab stated that he would like to enlarge the garage to put two cars in it and that the shed would also be removed.

Mr. Carpenter asked Mr. Schwab if he was ok with getting all the permits needed from DEP and Mr. Schwab stated that he has already started.

Mrs. Minett asked if your adding a bathroom is the septic ok and Mr. Schwab stated that they are just enlarging the bedrooms and the septic is made for a three bedroom house.

Mr. Carpenter asked if any lightning will be added and Mr. Schwab stated only the lights that are there now.

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

A motion to approve this application subject to the Engineers letter was offered by Mrs. Maletsky, second by Mrs. Minett with the affirmative “yes” vote of all on roll call.

**Application #1468 Michael Feinberg, 61 Green Hill Road.** The applicant is asking for variances to reconstruct decks, sidewalks, stairs and HVAC Unit.

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

Mrs. Maletsky read the Engineers report into the record.

Mr. Bacchetta swore in Mr. Steven Carrozza and Mr. Feinberg.

The Board recognized Mr. Carrozza as an expert witness in the field of architecture.

Mr. Carrozza stated that he agreed with Mr. Boorady that there is a typo on the plans the zone should be changed to “R” for residential. Mr. Carrozza stated that this house is an existing CA ranch home and decks surround much of the house. Mr. Carrozza said that they will not be adding any floor space just renovating the interior, reducing one deck and enlarging another. They will be removing the north and south side deck and one small deck added on the south side, the overhang will extend over the driveway

and pavement will be added to the lower door to the East wing. Mr. Carrozza stated that there is only one primary rear variance needed and that all the other parts are conforming. Mr. Carrozza stated that the AC will set within the setbacks.

Mr. Feinberg stated that he has done a septic replacement and that the light will be under the overhangs so no one will be able to see it.

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

Mrs. Maletsky stated that she liked the fact they were reducing the impervious coverage.

A motion to approve this application subject to the Engineers report was offered by Mrs. Maletsky, second by Mr. Diani with the affirmative "yes" vote of all on roll call.

**Application #1471 Mr. & Mrs. Flood, 726 Ridge Road.** The applicant is asking for a side yard variance for an 8x8 shed.

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

Mr. Bacchetta swore in Mrs. Flood.

Mrs. Flood stated that the garage is full and the house doesn't have a basement so we would like a shed to store some things in. Mrs. Flood stated that it's not the best place but no trees would need to be cut down and would be hidden. Mrs. Flood stated that the log pile and boat have been removed.

Mrs. Canale asked since the survey was done in 1990 have any new structures been added to the property and Mrs. Flood said no.

Mrs. Maletsky asked what kind of shed and Mrs. Flood stated it would be a John Brady wood shed with one door. There will be a frame with gravel and the shed would sit on that and there will also be no lighting.

Mr. Carpenter opened the meeting to the public.

Ms. Jen Moore from 6 Undercliff Road came up.

Ms. Moore stated that she was not given a site plan so she is at a disadvantage.

Mr. Carpenter said that she is required to do that only to notify the residents within 200 feet and that resident can come to the Borough Hall and look at the survey.

Mrs. Flood said there will be no trees removed, no grass removed, no digging, only gravel put down.

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

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

A motion to approve the bills was offered by Mrs. Maletsky, second by Mr. Diani with the affirmative “yes” vote of all on roll call.

A motion to make Mrs. Maletsky the Vice Chair of the board was offered by Mr. Carpenter, second by Mr. Diani with the affirmative “yes” vote of all on roll call.

Mr. Carpenter stated that the board’s liaison Mrs. Carol Seventy resigned from the council and that she will be greatly missed.

A motion to approve resolution No. 1470 Bowblis and adjourn at 9:29 p.m. was offered by Mrs. Maletsky, second by Mr. Bender with the affirmative “yes” vote of all on roll call.

Submitted by:

Jennifer Highers  
Board of Adjustment

Cc: All Board Members  
Board Attorney