

## **MINUTES OF THE JANUARY 23, 2018 ZONING BOARD OF ADJUSTMENT REORGANIZATION & REGULAR MEETING**

The following are the Minutes of the January 23, 2018 Reorganization and Regular Meeting of the Zoning Board of Adjustment of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 8:00 P.M.

Mayor Michael Serra read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

Mayor Michael Serra administered oath of office to Mr. Willie Hunt, Mr. Adam Kent and Mr. Michael Simone.

The following members were present: Mr. Frank Abate, Mr. Michael Coss, Mr. Willie Hunt, Ms. Cindy McNamara, Mr. Peter Roos, Mr. Frank Russo, Ms. Maureen Bernstock, Ms. Mary Curran and Mr. Adam Kent.

Also present were Andrew Brewer, Board of Adjustment Attorney and Brinda Kostro, Secretary.

### **APPOINTMENT OF CHAIRMAN:**

Motion moved by Ms. McNamara, seconded by Mr. Roos for the appointment of Frank Russo as Chairman of the Board. **All voted in favor.**

### **REORGANIZATION APPOINTMENTS:**

**Vice Chairperson:** Motion moved by Mr. Hunt, seconded by Mr. Coss for the appointment of Cindy McNamara as Vice Chairperson of the Board. **All voted in favor.**

**Secretary:** Motion moved by Mr. Russo, seconded by Mr. Hunt for the appointment of Brinda Kostro as Secretary of the Board. **All voted in favor.**

**Attorney:** Motion moved by Mr. Russo, seconded by Mr. Simone for the appointment of Andrew Brewer, Esq. as Board Attorney. **All voted in favor.**

**Engineer:** Motion moved by Mr. Russo, seconded by Ms. McNamara for the appointment of Maser Consulting as Board Engineer. **All voted in favor.**

**Official & Alternate Newspaper:** Motion moved by Mr. Russo, seconded by Mr. Coss for the Trends as the official Newspaper of the Board, and the Herald News as the alternate legal newspaper. **All voted in favor.**

**Meeting Date & Time:** It is noted by Mr. Russo that the December Meeting falls on Christmas. After discussion amongst the members it decided to remove that date from the schedule and reschedule a December meeting if needed when that date approaches. Motion moved by Mr. Simone, seconded by Mr. Roos: The Pompton Lakes Zoning Board of Adjustment meets on the fourth Tuesday of each month at 8:00 P.M. in the Municipal Building, 25 Lenox Ave, Pompton Lakes, New Jersey. Unless otherwise noted. **All voted in favor.**

Motion moved by Ms. McNamara to adjourn the Reorganization meeting at 8:09pm, seconded by Mr. Abate. **All voted in favor.**

### **REGULAR MEETING:**

The following members were present: Mr. Frank Abate, Mr. Michael Coss, Mr. Willie Hunt, Ms. Cindy McNamara, Mr. Peter Roos, Mr. Frank Russo, Mr. Michael Simone, Ms. Maureen Bernstock, Ms. Mary Curran and Adam Kent.

### **MINUTES:**

Regular Minutes dated November 28, 2017: Motion moved by Mr. Hunt, seconded by Mr. Coss to approve. All eligible voted in favor.

**Roll Call: Mr. Abate, Yes, Mr. Coss, Yes, Mr. Hunt, Yes, Ms. McNamara, Yes, Mr. Roos, Yes, Mr. Russo, Yes, Mr. Simone, Present, Ms. Bernstock, Yes, Ms. Curran, Yes, Mr. Kent, Present.**

### **CORRESPONDENCE:**

### **APPLICATIONS:**

1. BOA18-01  
Kenneth Irizarry  
Re: 110 Jamlin Street

Mr. Kenneth Irizarry comes forward and is sworn in by Mr. Brewer. Mr. Russo refers to the Zoning Officers' denial dated November 2, 2017 for setback deficiencies in regard to his front porch application. He asks Mr. Irizarry to explain to the Board why he thinks his proposed application is a better alternative to the zoning plan. Mr. Irizarry says they would like more room, to sit on the porch. Mr. Russo points out an error on the plan clarifying with Mr. Irizarry that the porch will be 24 ft. not 24 inches and 7 ft. not 7 inches. Mr. Russo asks how far the existing porch extends from the house, Mr. Irizarry states 6'4". Mr. Russo confirms that the proposed porch will be 7 ft. Mr. Russo asks how the proposed porch relates to the other buildings on the block. Mr. Irizarry says currently 3 other houses have the same and one extends further. He adds it would be an improvement to the house. Mr. Russo asks if the Board has any questions. Mr. Simone asks about the design of the porch, what material it will be and what will be on the porch. Mr. Irizarry explains the deck will be Treks, will have an overhang and three posts. He says the steps are staying in the same location. Mr. Russo if there are plans to show the Board what they are voting on. Mr. Irizarry says only what he drew on the survey. He then tries to explain the porch. Mr. Roos asks if he has any building plans or architectural renderings, Mr. Irizarry says no. Mr. Abate asks about the overhang for the porch and what the drawings show, Mr. Irizarry tries to explain the location and the pitch. After discussion between the Board and Mr. Irizarry, Mr. Russo says that the Board does not have a whole lot to go on based on the documents provided. He states they need to know what they are going to be approving and judging by the testimony so far, Mr. Irizarry doesn't really know what it is going to look like either. He states Mr. Irizarry is asking relief for something he really doesn't know what will look like and the Board knows even less, and asks Mr. Irizarry if there is an urgency that a January decision is

needed, to which there is none. Mr. Russo asks if Mr. Irizarry could come back with something more descriptive, something from his contractor so the Board can come to an informed decision. Mr. Irizarry says he will ask his contractor. Mr. Russo points out that the letter from the Fire Prevention Officer states a 24 inch and 7 inch area as does Mr. Irizarry's plan. Therefore another report will need to be obtained. Mr. Irizarry is asked by Mr. Russo if he understands what the Board needs and if he is willing to come back on February 27<sup>th</sup> with the additional information. Mr. Irizarry says yes. Mr. Brewer states the application will be carried to the February 27<sup>th</sup> meeting and no further notice is required.

**RESOLUTIONS:** None

**NEW /UNFINISHED BUSINESS:**

**Open Space:** Mr. Kent comes forward saying Open Space did not have quorum for the meeting, therefore there is nothing to report.

**2017 Variance Report:** Mr. Russo points out there were 9 applications and explains that based on the report, the Board is to forward to the Planning Board any recommended changes or adjustments to the Zoning Ordinance. Mr. Russo feels some of the definitions really need to be addressed. Mr. Brewer says the Planning Board is currently discussing building coverage, lot coverage and impervious coverage definitions. Mr. Russo asks Ms. Kostro to add to the variance report the specific reasons and requirements for each application, such as front yard setback and the amount required and amount proposed, percentage of coverage etc., and to have these changes for the next meeting.

Mr. Ekamon Venin is introduced as the Council liaison and a "Welcome to the Board" is extended to Mr. Simone.

Mr. Russo asks the Board Secretary to look into an "Appreciation" plaque for a former member.

**PUBLIC DISCUSSION:** None

**ADJOURNMENT:**

Motion moved by Ms. McNamara, seconded by Mr. Hunt for the adjournment of this meeting at 8:33 pm. **All voted in favor.**

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Brinda Kostro, Secretary