

**MINUTES OF THE JULY 24, 2018 ZONING BOARD OF ADJUSTMENT
REGULAR MEETING**

The following are the Minutes of the July 24, 2018 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.

Frank Russo read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

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

Mr. Willie Hunt, Mr. Adam Kent and Mr. Rich Singer was excused.

Also present were Andrew Brewer, Board of Adjustment Attorney, Debra Lawler, Board of Adjustment Planner and Saarah Okuyan, Secretary.

MINUTES:

Regular Meeting Minutes dated June 26, 2018. Motion moved by Mr. Roos, Mr. Abate seconded by Mr. Simone. **All eligible voted in favor.**

CORRESPONDENCE: None.

APPLICATIONS:

1. BOA 18-03
P.L. Senior Housing
74 Hunter Place

Application BOA 18-03 P.L. Senior Housing was introduced Bruce Whitaker the attorney steps forward and introduces the application. He begins to discuss the history of the property and what they are seeking from the Board. He states that the applicant wants to merge Lot 16 with the current property to expand the parking lot. Senior House has 100 units which according to the applicant there is not enough parking spots for the residents along with the employees and visitors. It is stated that there are 8 – 10 Health Aides that work at the Senior Housing and it is hard for them to find parking along with anyone that wants to visit. Mr. Whitaker refers back to the minutes from May 18, 1976 which is also a labelled exhibit (Exhibit A – 3). He states that one of the Board members stated they did not want there to be street parking. Mr. Whitaker states the plan for Lot 16. He states that because the Lot is a Residential Zone they would demolish the house on the property and create additional parking. Andy Brewer begins to talk about the variance and states that parking is not a principal use. He states that it is a D Variance with either an expanding non-conforming use or an accessory use. Debbie Lawlor states that in the report created by Maser, which it is spelled out both ways. She states that

looking at consolidation of both lots she sees a benefit that it will help over flow problem. She states that in her opinion she would look at the easement or ROW and dealing with that as part of the D Variance and looking at it as two different lots. Mr. Russo states that they should appeal the denial. The board takes a vote, Ms. McNamara makes the motion and Mr. Roos seconds.

Roll Call: Mr. Abate Yes, Mr. Coss Yes, Ms. McNamara Yes, Mr. Roos Yes, Mr. Russo Yes, Ms. Bernstock Yes, Ms. Curran Present.
All in Favor.

Mr. Whitaker continues to explain the reasons for having the lot converted and merge. He states that they will placing a board on board fence on the property line then adding landscaping on the neighbors side. He then describes the lighting and calls on the first witness, Raymond Marzulli. Mr. Marzulli was sworn in and states his background. He states that he has been managing for about 10 years and manages about 28 building with affordable housing. Mr. Marzulli states that he is in charge of hiring maintenance and takes in applications for possible residents. He states that there are 64 tenants with vehicles that park in the parking lot of the Senior Housing along with a bus and a truck that the applicant owns. He states that the parking lot has 62 parking spots and that they need to accommodate not only the residents, but 3 employees, health aids and visitors. Mr. Marzulli states that the overflow parking occurs on the cul-de-sac of Hunter Place. He shows Exhibit A-5 (Photos of parking on Hunter Place and in cul-de-sac of Hunter Place). He states that the street parking is a problem during the winter when the road has to get plowed, so to not have any cars in the cul-de-sac they have to Double Park in the parking lot.

The discussion is opened to the Board for any questions or comments. Mr. Russo asks Mr. Marzulli if he is on site at night and he replies that he is not, but he is aware of the open spots in the parking lot but there is still parking in the cul-de-sac. Mr. Russo states that there are at least 8-10 spots available at night but they are the farthest and the most inconvenient. He then asks if there was a parking study done to help the Board to understand the parking requirements throughout the day. Mr. Whitaker confirms that Mr. Russo is out of the 200ft. area and states that there are 64 residents with cars and sometimes they go away on vacation or sometime they stay with family for a night and adds that they have no objections for a parking study. Mr. Russo asks Mr. Marzulli if they are at full capacity and he states that they are. Mr. Russo then asks how long they were at full capacity. Mr. Marzulli states that there are 4 new residents moving in on the first of September and it is a 30 day turn over from the application. He states that 3 of the 4 new residents own vehicles and out of the 4 residents that have moved out only one of the 4 had vehicles. Ms. McNamara asks if the parking spot are marked. Mr. Marzulli states that they are not assigned because there are not enough spots, but states that if they are able to merge the 2 lots then they will assign the spots. Ms. McNamara asks how it would be assigned in the spots and if they would consider marking them. Mr. Marzulli states that the residents would come first and the visitors would get the spots at the very end and that they would consider marking the spots. Mr. Russo asks Mr. Marzulli how many of the spots are taken up from the employees. He states that it is first come first serve.

The discussion is opened to the Public for questions. Michael Geib from 64 Hunter Place steps forward and confirms some of the information that was said by the applicant. He asks how many units there are and it is said that there are 100 units and out of the 100 units there are 64 people that own vehicles. He asks how many people come in and out throughout the day and it is said that there are about 15 people being the employees, health aids and visitors. He asks how many spots there would be if the lots were to merge it is said that there would be between 23-24 available spots with the new property. Mike Serra from 41 W Lenox Avenue asks if they can discuss more about the easement on how they would move forward with it. Mr. Russo states that he believes that the next witness will discuss more on the physical property. Being that there are not more questions the public session is closed and the first witness is excused.

Mike McGowan steps forward, is sworn in and states his professional background. Mr. McGowan refers to Exhibit A-4 (Site Plan prepared by McGowan Engineering dated 5/15/18) Sheet 2 (existing Senior Center). He states that Lot 16 would be turned into more parking by taking down the residential structure and merging it with the Senior Center lot. He states that all of the work would be done on lot 16 they would develop a parking area of 19 parking spaces with drive aisles into existing drive aisles. He states that they would have 19 new spaces with an additional 5 more spaces that would occur on the Senior Center lot which would bring the parking spaces up to 86. He states that they would want to have a buffer between the Senior Housing and the resident neighbors by leaving a 10ft area with a board on board fence which would block any visual to the property and on the opposite side of the fence they would put evergreens to provide landscaping on the neighbors side. Mr. Whitaker asks Mr. McGowan if the evergreens are a good buffer and if they grow a good height he states that they are and they can get up to 7-9ft. Mr. Whitaker asks Mr. McGowan if the headlights from the cars can be seen from the board on board fence and he states that they will not be able to be seen. Mr. Whitaker asks Mr. McGowan about the lighting he states that there will be 12ft high light fixtures and refers to Sheet C5 on Exhibit A-4. He states that the lighting would be adjacent to the residents and that the lights would have back shielding. Mr. Whitaker asks Mr. McGowan what does back shielding accomplish he states that it shields the lights. Mr. Whitaker states that there will be no spillage of light and Mr. McGowan confirms his statement and then goes into detail about the drainage and explains it more in depth. Mr. Russo asks if the parking spaces comply with the front yard setback requirements. Mr. McGowan states that there is a 5ft setback except for when the property curves with the cul-de-sac which would be a 2 ½ft setback. Mr. Russo asks if any of the current spaces violate the setback and it is stated that there is not. Mr. Russo states that under existing lots there are currently spaces that do not meet the 5ft setback from the property and Mr. Whitaker confirms the statement. Mr. McGowan discusses the drive aisles and the dimensions of them and discusses a 2 way traffic drive aisle.

The discussion is opened to the Board. Ms. Lawlor asks if the new lot that they are proposing if the employees/ visitors would park there. Mr. Whitaker states that the residents would come first so they would park closer to the building. Ms. Lawlor asks about signage and it is said that they have no objection to signage. She then states that they need to have 10% of the parking area must be for open space. Mr. McGowan states that there will be over 20% with the new lot. Mr. Russo asks if they will have the calculations for the next meeting and it is said that they will have 2 calculations (one with

the new lot included and one without). Being that the Board has no more questions or comments it is closed.

The discussion is opened to the public. Mr. Geib from 62 Hunter Place steps forward and asks if they had looked at the site as a whole to reconfigure as a whole for the parking spaces. Mr. McGowan states that they did look at it as a whole to consider the amount of spots. Being that there are no more questions the public session is closed. Mr. Russo suggests a parking study to be done on the property to give a better understanding of the applicant's actual needs.

Application BOA 18-03 P.L. Senior Housing has been carried to the next meeting no further notice is needed.

RESOLUTIONS: None.

NEW/UNFINISHED BUSINESS:

1. Open Space. The Open Space meeting was cancelled.
2. Michael Simone's Resignation

PUBLIC DISCUSSION:

ADJOURNMENT:

Motion moved by Ms. McNamara for the adjournment of this meeting at 9:37pm. **All voted in favor.**

Saarah Okuyan