

**MINUTES OF THE FEBRUARY 28, 2023 ZONING BOARD OF ADJUSTMENT
REGULAR MEETING**

The following are the Minutes of the February 28, 2023 Regular Meeting of the Zoning Board of Adjustment of the Borough of Pompton Lakes that was held in the Municipal Building, 25 Lenox Avenue and called to order at 8:00 P.M.

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

The following members were present: Mr. Willie Hunt, Mr. Frank Abate, Mr. Michael Coss, Ms. Maureen Bernstock, Mr. David Rowan, and Mr. Norbert Wnuk.

Ms. Mary Curran and Mr. Stephen Baig were excused from the meeting.

Absent was Mr. Jared Luciani.

Also present were Andrew Brewer; Board Attorney, Carl O'Brien; Board Engineer, Mayor Micheal Serra, Council Liaison Eric DeLine, and Carmelina Fusaro; Board Secretary.

MINUTES:

Reorganization and Regular Meeting Minutes dated January 24, 2023.

Motion to accept the January 24, 2023 Reorganization and Regular minutes made by Mr. Rowan, seconded by Mr. Abate.

Roll Call: Mr. Hunt Yes; Mr. Abate, Yes; Mr. Coss, Yes; Ms. Bernstock, Yes; Mr. Rowan, Yes; and Mr. Wnuk, Yes.

CORRESPONDENCE:

- **RE: Adoption of Ordinance No. 1-2023**
AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING", ARTICLE V "REGULATIONS GOVERNING CERTAIN USES", SECTION 92-22 "PARKING, LOADING AND AUTOMOTIVE SERVICES" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE
- Memo from Elizabeth Brandsness; Municipal Clerk. February 8, 2023 re: Resolutions 23-55, 23-58, & 23-59 approved by the Mayor and Council.
- Invite Passaic County Cannabis Symposium Webinar
- Memo from Elizabeth Brandsness – Appointment Alternate #3
- Borough of Oakland, Bergen County Amended Land Use Plan

APPLICATIONS:

1. **BOA# 22-03**
Eric & Kenna Petruska
340 Pompton Ave,
Pompton Lakes, NJ 07442
Block 6702 Lot 2

Mr. Hunt introduced the applicant, Mrs. Kenna Petruska and Mr. David Newkirk and were both sworn in by Mr. Andy Brewer.

Mr. Newkirk of E.I C. Group, provided his qualifications and has prepared the plans for this project and the display board being presented in tonight's meeting.

Mr. Newkirk explains the area at 340 Pompton Avenue with the water issues in having a steep slope causing water in the basement and yard.

Mr. Newkirk proposes to remove the steep slope by putting in a retaining wall, building a patio to be raised, and pitch the water around the house. The request for the variance will help to flatten the area with the water issues and concerns on the steep slope.

Mr. Rowan questioned in the runoff water will go to neighbor's properties or to the street.

Mr. Newkirk answerers it will not and should run straight down the property line.

Mr. Abate asked if there is a catch basin on this street of Pompton Ave.

Mrs. Petruska replied she doesn't think that there any because the water just stays in the middle of this street not going anywhere.

Ms. Bernstock asked if there is any special footings to be put at the rear of the house.

Mr. Newkirk replied that they are raising and adding a small wall to pitch the water with French drains that will be added in the rear of the house.

Mr. O'Brien concerns was of the retaining walls over 30" height with a required fencing or guardrail and 4" drain pipe by making sure an erosion control piping is used and/or not to leave it open for rodents to enter. Mr. O'Brien concludes as an Engineer's stand point both concerns were addressed

Mr. Brewer is to add a condition in the Resolution for approval of the fence is with the Building Department's Official.

Mr. Hunt asks the Board if there is any further questions to the applicant.

Mr. Hunt then opens the session to the public. There were no comments from the public.

Mr. Hunt closed public session.

Motion to approve the Application BOA 22-03 with a condition for the Building Departments assessment of this project. Approval was made by Mr. Abate, seconded by Ms. Bernstock.

Roll Call: Mr. Hunt, Yes; Mr. Abate, Yes; Mr. Coss, Yes; Ms. Bernstock, Yes; Mr. Rowan, Yes; and Mr. Wnuk, Yes.

RESOLUTIONS: None.

NEW/UNFINISHED BUSINESS:

2022 Variance Report.

Mr. Hunt asked whether the Board has had the opportunity to review 2022 Variance Report and if there are any questions or comments.

Mr. Brewer indicated to include tonight's meeting as Granted. Mrs. Bernstock indicated that a footnote should be added to explain why the File date is from 9/27/2022 for Petruska and the reason why this application was delayed.

Mr. Hunt indicated in our next meeting Mr. Mark Figula was appointed as a new Alternate III member to this Board and will be sworn in.

PUBLIC DISCUSSION:

Mr. Hunt opened the meeting to the public. There were no comments from the public.

Mr. Hunt closed public session.

ADJOURNMENT:

Motion to adjourn by Mr. Wnuk, second by Ms. Bernstock. **All voted in favor.** Meeting adjourned at 8:28 pm.


Carmelina Fusaro
Board Secretary