

**MINUTES OF THE APRIL 25, 2023 ZONING BOARD OF ADJUSTMENT
REGULAR MEETING**

The following are the Minutes of the April 25, 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 pm.

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

OATH OF OFFICE: None.

A roll call indicated that the following members were present: Mr. Willie Hunt, Mr. Frank Abate, Mr. Michael Coss, Ms. Maureen Bernstock, Mr. David Rowan, Mr. Stephen Baig, Mr. Norbert Wnuk, and Mr. Jared Luciani.

Absent was Ms. Mary Curran and Mr. Mark Figula.

Also present were Mr. Andrew Brewer, Board Attorney; Mayor Mike Serra, Councilman Erick DeLine, Council Liaison and Mrs. Carmelina Fusaro, Board Secretary.

MINUTES:

Regular Meeting Minutes dated March 28, 2023.

Motion to accept Regular Meeting Minutes with changes 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; Mr. Baig, Yes; Mr. Wnuk, Yes; and Mr. Luciani, Yes.

CORRESPONDENCE:

1. **Introduction of Ordinance No. 15-2023** AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING", ARTICLE XII "SCHEDULE OF REGULATIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE
2. **Introduction of Ordinance No. 16-2023** AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 "ZONING", ARTICLE XI "DEFINITIONS" OF THE CODE OF THE BOROUGH OF BLOOMINGDALE

APPLICATIONS:

1. BOA# 23-01
Brian Zimmermann
75 Durham Street,
Pompton Lakes, NJ 07442
Block 3600 Lot 16 Zone R-4

Mr. Brian Zimmermann was sworn in by Board Attorney, Mr. Andy Brewer. Mr. Zimmermann explains his application and requested a variance for a two car garage.

Mr. Zimmermann will be removing the one car garage currently standing and replacing it with a two car garage for additional space needed.

Mr. Hunt had two questions not stated on the plans –

1. That no dimensions listed on the plans for the side yard property of the house
2. The Overhang from the roof from the back of the house with no dimensions listed but are illustrated on page 3 of the plans.

The Board asks about the 4.83' side yard setback and to what point is it measured from. As this question and concerns was repeated several times from the Board.

Mr. Abate questioned the placement of the garage shown on the left side yard when the right side yard has more area space and will then meet the side yard setback.

Mr. Zimmermann replies that if he changes the plans and moves the two car garage to the other side this will affect the bed rooms and layout change in the house and also on the outside of the house. It will then cause the need for a new driveway and roadway concerns that will make additional cost which is not feasible to do at this time.

Ms. Bernstock ask when looking at the floor plan of the garage with the added mudroom and new staircase if maybe this layout plan can be changed to a better fit and then meet the 10' side yard setbacks.

Mr. Zimmermann explains that with the new garage with two doors will then accommodate to fit two cars and workspace needed while the current single garage door will not fit two cars.

The Board asked if maybe removing the two garage doors and to one larger door making the garage smaller to clear the 10' side yard setback. The Board also has concerns if a fire was to happen for example that the new garage is so close to the neighbor's property line which not make this safe.

Mr. Abate reviews the plans and notices the rear yard setbacks are listed as 35' and not to the conformance of the 40' rear yard setback for this zone.

Mr. Brewer explains to the applicant by expanding the new two car garage the rear yard setbacks is less than the 40' from the property line and that an additional variance will be needed for this application.

There was extensive discussion amongst the Board regarding the setbacks and additional variance needed for this application.

Mr. Hunt ask again if the Board has any further questions for the applicant. No further comments was made.

Mr. Hunt explains to Mr. Zimmermann with the options he has for this application:

1. Accept this application as it is and have the Board take a vote.
2. Go back to the Architect and go through the plans with the concerns that was discussed tonight and see what changes can be done so that it will meet the setbacks required.

Mr. Zimmermann asks if the issue is only the soffit to be changed.

Mr. Hunt said it is not just the soffit but the setbacks are incorrect or not listed on the plans and the additional variance that is needed for the rear yard setback. He says that this is your decision in what you would like to do. It was encouraged that he thinks about what was

discussed tonight and make requested updates to his application and have this continued at next month's meeting.

Mr. Zimmermann asks if the Board votes No tonight then what will happen.

Mr. Brewer explains once the vote is made and is voted No, he then cannot use the same plans again. He will have to start all over and re-apply with a new application and new set of plans.

Mr. Zimmermann had decided to carry this application to next month's meeting and will discuss with the Architect on what changes can be done to have this application approved.

Application BOA 23-01 will be continued to the next BOA meeting on May 23, 2023.

RESOLUTIONS: None.

NEW/UNFINISHED BUSINESS: None.

PUBLIC DISCUSSION:

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

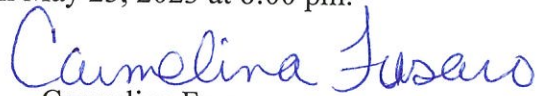
Mr. Hunt addressed Mr. Luciani on the Open Space Committee.

Mr. Luciani reported with the updates, changes and quotes to the upcoming scheduled projects that was discussed at the Open Space Committee meeting for our town parks, recreational fields, and roadways.

Mr. Hunt closed public session.

ADJOURNMENT:

Motion to adjourn by Mr. Rowan, second by Ms. Bernstock. **All voted in favor.** Meeting adjourned at 8:42 pm. Next meeting to be held on May 23, 2023 at 8:00 pm.


Carmelina Fusaro
Board Secretary