

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

The following are the Minutes of the July 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. This meeting was video recorded and will be broadcasted for later viewing for the public.

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, Ms. Mary Curran, Mr. Michael Coss, Mr. David Rowan, Mr. Stephen Baig, Mr. Jared Luciani and Mr. Mark Figula.

Not present was Ms. Maureen Bernstock and Mr. Norbert Wnuk was excused.

Also present were Mr. Andrew Brewer, Board Attorney; Mayor Serra, and Mrs. Carmelina Fusaro, Board Secretary.

MINUTES:

Regular Meeting Minutes dated June 27, 2023.

Motion to accept Regular Meeting Minutes made by Ms. Curran, seconded by Mr. Rowan. **All eligible voted in favor.**

CORRESPONDENCE:

1. **ORDINANCE NO. 29-2023** (Attached) AMENDING THE WAYNE TOWNSHIP CODE OF ORDINANCES TO REPEAL CHAPTER 134- 97 FLOODPLAIN REGULATIONS}; TO ADOPT A NEW CHAPTER 134-97.1 TO 134-97.10; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.
2. **ORDINANCE NO. 31-2023** (Attached) AN ORDINANCE TO AMEND CHAPTER 134 (LAND DEVELOPMENT) OF THE CODE OF THE TOWNSHIP OF WAYNE (Vehicle Length in Residential Districts).
3. **ORDINANCE NO. 33-2023** (Attached) AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 134, LAND DEVELOPMENT, ARTICLE III, ZONING REGULATIONS, SUBSECTION 134-27, ZONING DISTRICTS, OF THE CODE OF THE TOWNSHIP OF WAYNE (Wayne Transit District-Residential to be rezoned to be Open Space/Governmental Use).
4. **MEMO FROM MUNICIPAL CLERK – ELIZABETH BRANDSNESS – ORDINANCE 23-27 –AN ORDINANCE APPROVING AND ADOPTING THE SENIOR HOUSING REDEVELOPMENT PLAN.**
5. **MEMO FROM MUNICIPAL CLERK – ELIZABETH BRANDSNESS – ORDINANCE 23-27 (Certified) – AN ORDINANCE APPROVING AND ADOPTING THE SENIOR HOUSING REDEVELOPMENT PLAN.**

APPLICATIONS:

1. BOA 23-03
Jeff Savastano
223 Willow Avenue,
Pompton Lakes, NJ 07442
Block 10900 Lot 7 Zone R-4
(Continued from June 27, 2023 meeting)

Mr. Brewer apologies for misreading the survey which has been cleared up.

Mr. Hunt asks the applicant to continue his presentation on this project.

Mr. Savastano states he would like to put up a garage which is considered the front yard as it touches Maple Avenue and ask for a variance for a 2nd structure.

Mr. Hunt questioned about the apron onto Maple Avenue and Shade Tree Commission's response about the tree.

Mr. Randy Hinton stepped up and was sworn in. Mr. Hinton commented on the email received from the applicant to the Shade Tree Commission and stated after going to the site in his opinion the lower limbs of the tree can be elevated and that this application will be fine to be approved after taking care of this matter.

Mr. Hunt opens up to the Board.

Mr. Abate asked about the drainage which was responded by the applicant that the Building Department will take care of once permits are submitted.

The Board reviews the amendments on the plans.

Mr. Hunt opens to the public for any questions. No comments from the public and closes the public session.

Mr. Brewer explains the approval of this this application for 2 variances – 1st accessory structure (Garage) to be built 5 ft from the front yard line and location of 2nd accessory structure (shed) to be relocated and 10 ft from front yard line.

Motion to accept application BOA 23-03 was made by Ms. Curran and seconded by Mr. Baig.

Roll Call: Mr. Hunt Yes; Mr. Abate, Yes; Ms. Curran, Yes; Mr. Coss, Yes;

Mr. Rowan, Yes; Mr. Baig, Yes; Mr. Luciani, Yes; and Mr. Figula, Yes.

2. BOA 23-05
Renee Sierra
31 Orchard Street,
Pompton Lakes, NJ 07442
Block 4500 Lot 21 Zone R-4

Mr. Hunt calls next applicant to come up. Mrs. Renee Sierra was sworn in with the attendance of her attorney Ms. Lindsay Janel.

Ms. Janel explains the project that they are seeking is a “C” Variance. The property was in an electrical fire that destroyed the home and would like to rebuild. The applicant would like to rebuild to a 2 story home and the plans indicate the changes of the setbacks requested.

Mr. Abate has concerns to the placement of the new garage where the existing garage did not catch on fire. The plans now indicate that this garage will be located on the left side 3.4 closer to the property line and according to the Fire Department reports has concerns of this new location with setbacks that is requested.

Mr. Baig indicates that this may need to have a fire wall.

Mr. Hunt questions the roof and the dimensions of 3.8’ closer to the line.

The Board discusses that plans that are not easy to read and measurement are not calculated correctly on the plans.

Ms. Curran also addresses her concerns regarding the Fire Department report as to the setbacks and how close they are to the property line and adjacent home.

Mr. Hunt motioned to carry this application to next meeting and all agreed.

Application BOA 23-05 will be continued to the next Board meeting scheduled for August 22, 2023.

3. BOA 23-04

William Lawrence & Ashley Diez
132 Magnolia Avenue,
Pompton Lakes, NJ 07442
Block 11700 Lot 5 Zone R-4

Mr. Hunt moves on to next application BOA 23-04.

Mrs. Ashley Diez - applicant and Michael Capa -Architect are both sworn in.

Mr. Capa speaks about the renovation for the addition, a front porch, and the variance for the rear yard setbacks.

Mr. Hunt would like to explain the floodplain regarding this property.

Mr. Capa indicates the LOMA (Letter of Map Amendment) letter received stated that the structure is removed from the floodplain and does not require flood insurance.

Mr. Brewer raised a question on this and stated the Legal Notice did not indicate to the public to appeal the decision that was made from the Zoning Official stated on the denial letter.

Mr. William Lawrence Jr. was sworn in and explained that he sold the home to the applicants and that this property has not flooded and does not need flood insurance.

The Board discusses again that the legal notice was not properly noticed to the public for notification for an appeal.

Mr. Hunt motioned to carry this application to next meeting and all agreed.

Application BOA 23-04 will be continued to the next Board meeting scheduled for August 22, 2023

RESOLUTIONS: None.

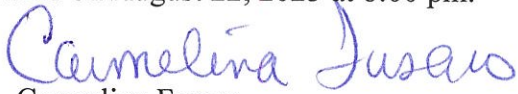
NEW/UNFINISHED BUSINESS: None.

PUBLIC DISCUSSION:

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

ADJOURNMENT:

Motion to adjourn by Ms. Curran, second by Mr. Figula. All **voted in favor.**
Meeting adjourned at 8:54 pm. Next meeting to be held on August 22, 2023 at 8:00 pm.


Carmelina Fusaro
Board Secretary