

BOROUGH OF RIVER EDGE
LAND USE BOARD
MEETING MINUTES
COUNCIL CHAMBERS
March 4, 2020

Meeting called order at 7:35 p.m.

Pledge of Allegiance.

Roll call please:

Mayor Papaleo

Chairman, James Arakelian - here

Vice Chairman, Dick Mehrman - here

Lou Grasso - here

Ryan Gibbons - Absent (Excused)

Michael Krey ó here

Eileen Boland - Absent (Excused)

Chris Caslin- Absent (Excused)

Alphonse Bartelloni - here

Dario Chinigo ó Absent (Excused)

Gary Esposito - here

ALSO PRESENT: Thomas Behrens, Planner

•Memorization of the Resolution for N.J. Property, LLC ó 297 Wales Avenue, Block 303, Lot 3. At the last meeting there was a Motion made to accept ó but same was voted down by the Board and this is the Resolution adopting that denial. Chairman Arakelian asked the Board for any comments ó no comments were made regarding this Resolution. Chairman Arakelian welcomed Mr. Esposito to the dais. Motion made by Mehrman to accept the Resolution as written. 2Nd ó Mr. Bartelloni. Roll call ó Chairman Arakelian ó yes; Mr. Bartelloni- yes; Mr. Mehrman- yes; Mr. Grasso - yes; Mr. Krey- yes; and Mr. Esposito ó yes.

Two applications this evening before the Board for Completeness Review.

1. Michael and Catherine Monopoli, 700 Millbrook Road, Block 305, Lot 39 (Proposed Deck & Porch ó requires lot Coverage, front yard setback & fence height variance).

Michael Callahan ó Callahan Architecture,LLC 268 Jefferson Avenue, Westwood, New Jersey on behalf of applicants.

- Applicants are looking to construct a covered porch and extend the (inaudible shuffling of the plans) 4 feet onto Continental Ave. (corner lot) so they are seeking variances for the front yard setbacks also an improved lot coverage variance and installation of a new 4 foot fence.

Mr. Behrens ó He has the survey, the plans and a complete application so the Board can move forward. Ms. Stinley ó advises the Board that they have jurisdiction to hear said application. Motion to accept as complete ó Mr. Mehrman, 2nd ó Mr. Bartelloni. Mr. Mayor ó yes; Chairman Arakelian ó yes; Mr. Bartelloni- yes; Mr. Mehrman- yes; Mr. Grasso - yes; Mr. Krey- yes; and Mr. Esposito ó yes.

- Mark Neidorff, 268 Jefferson Avenue, Block 506, Lot 27 (construct a shed in rear yard, improved lot coverage variance required)

- Mary Neidorff tells the Board that they want to build an 8 x 12 shed in the rear of their backyard so they can me their car and yard maintenance equipment into the garage.

Mr. Behrens ó The application is that straight forward and the Board has the complete application and they can deem it to be complete.

Ms. Stinley also reviewed all the mailings and application and the Board has jurisdiction to hear the application. Motion to accept as complete ó Mr. Mehrman; 2nd ó Mr. Bartelloni. Mr. Mayor ó yes; Chairman Arakelian ó yes; Mr. Bartelloni- yes; Mr. Mehrman- yes; Mr. Grasso - yes; Mr. Krey- yes; and Mr. Esposito ó yes.

- Michael and Catherine Monopoli, 700 Millbrook Road, Block 305, Lot 39

All parties are sworn in - Mr. Callahan, applicants architect advises the Board the property is pre-existing and non-conforming it is 70 feet wide where 75 feet is the minimum required width it is also 7,000 square feet in area wherein 7,500 is the minimum lot area. There is a single family dwelling on the property. The proposal is an open covered porch at the front door. The deck in the back because its a story above grade they are trying to get stairs to the grade they want to extend the deck and bring the step more towards Millbrook Road and create a walkway that will connect the two projects. There are two front yard setbacks since its a corner lot ó Continental Avenue is where the house situated is pre-existing and conforming 29.2 feet where 30 feet is required and they are asking for 4 feet of relief then they would be at 25.2 for the deck extension. The front yard along Millbrook they will have a 7 foot deep covered porch which result in a 27.4 setback. They also would like to create a dog run where the steps come down from the deck area.

Mr. Behrens ó Q. Is the existing shed going to be removed and replaced?

A. - Yes.

Mr. Behrens ó Q. In terms of the improved lot coverage you're going up about 400 square feet, please explain the Board where that is coming from. Obviously there is the new stairs and part of the deck and the front porch ó is that what equates the 400 square feet?

A. - and the shed -Yes

Mr. Behrens ó Q. Is it true that the front porch is going to replace an area that is already covered and impervious?

A. Yes

Mr. Behrens explains to the applicants the two tests and/or justification they must show the Board in order to have the Board grant the variance. One is the physical features test, the C1 variance test. It has to do with hardships to the property and the other test is the public benefits tests. He further requests of the applicant to explain the benefits of this application would be and why there are some extenuating circumstances.

Mr. Callahan - The first the C1 which speaks to the shape of the property. It is non-conforming in width directly impacting the amount of space they have on the south side of the property, if they had 75 feet and it was a conforming lot they wouldn't have that Continental Avenue front yard variance. As far as the benefit, he believes it is a safer condition having an exit from the back of the house. Also providing cover at the front door provides safer condition as to entry into the house.

Mr. Behrens requests clarification as to the new steps in the back and the fence for the dog run. Mr. Callahan provides the requested information. Mr. Behrens asks the Board at this point if they have any questions.

Mr. Mehrman brings up the fact that he notes that the coverage percentage above the allowable 35% exceeds the 35 by almost 10% - 9.3 however its a substandard lot in the fact that its not 7,500 square feet they only have 70 which is going to bump their percentages - it is gong to distort them. He would like to take than into account. He questions the fact that the proposed fence is on the property line. He says he thinks it should be pulled back a little bit for safety reasons.

Mayor Papaleo questions his seeing a commercial vehicle in the driveway of this property. He wants to know if this commercial vehicle is on compliance with the Boroughs rules about having commercial vehicles on residential property, The applicant responds that he has never had an issue with the Borough. He was concerned if they expand the deck it would now push the commercial vehicle onto the sidewalk and that is not allowed. The applicant explains that they are never on the sidewalk.

Motion made to open to the public- no one from the public speaks. Motion to close to the public is made. Motion on the application ó Mr. Mehrman makes a motion that the Board

accept the application with proposed lot coverage and the set backs and the new fence height of four feet with the understanding that the fence will be set on Continental one foot away from the property line and also a condition to keep the porch open - 2nd ó Mr. Bartelloni. Roll Call - Mr. Mayor ó yes; Chairman Arakelian ó yes; Mr. Bartelloni- yes; Mr. Mehrman- yes; Mr. Grasso - yes; Mr. Krey- yes; and Mr. Esposito ó yes. Application approved.

3. Neidorff, 268 Jefferson Avenue, Block 505, Lot 27 ó applicants are sworn in. The applicants are looking to construct a 8 x 12 wooden storage shed in the northeast corner the yard ó Improved lot coverage variance is required. Applicants have resided at this property for 38 years. Their letter of non-compliance state that the shed would increase the improved lot coverage to 39.8 percent. The shed 96 square feet would cover 1.2% of the applicants total property and the applicants believe that, that means that in terms of pre-exisiting improved lot coverage about 38.6% creates the non-conformance and the shed would add 1.2% to that coverage so the shed itself is not adding 4.8% percent to the coverage. The shed is going to be a wooden shed which will be painted to match the house. it will have no electricity, its not in the middle of the yard it will be in the corner of the yard. It will be on a permeable gravel bed so there should not be any drainage issues.

Mr. Behrens - The test he would apply here would be a C2 public benefits versus a detriments test. One benefit they potentially would be having is having the car parked inside the garage and not outside or on the street and the question is what would be the impact to 96 traditional square feet relative to this lot. Mr. Behrens states that he doesn't believe you would even see the shed from the street.

Chairman Arakelian goes to the dais asking if anyone has any questions. Mr. Mehrman asked what the setback was for a shed. Answer ó 4 feet from rear and side. He goes over the lot coverage with the applicant which is a difference of 3% . Motion is made to open to the public. Motion is made to close to the public. Motion is made on the application. Mr. Mehrman makes a motion that the Board approve the application which requests an increase in lot coverage by approximately 3% from what it is currently. 2Nd ó Mr. Esposito. Roll Call - Mr. Mayor ó yes; Chairman Arakelian ó yes; Mr. Bartelloni- yes; Mr. Mehrman- yes; Mr. Grasso - yes; Mr. Krey- yes; and Mr. Esposito ó yes. Application approved.

Chairman Arakelian goes over some upcoming business. Meeting is adjourned.