

Harrington Park
ZONING BOARD OF ADJUSTMENT
REORGANIZATION & REGULAR MEETING MINUTES
Wednesday, January 23, 2019 @ 7:00PM

REORGANIZATION MEETING

Open Public Meeting Act Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

ROLL CALL

Roll Call	PRESENT	ABSENT
Chairman Richard McLAUGHLIN	X	
Vice Chair Michael ROTH	X	
John POWERS	X (7:08PM)	
Jin CHO		X
Steve LOTT	X	
Stephen MARTINEZ		X
Todd CANNAO	X	
Robert BUDINICH (alternate a)	X	
Gail ZACCARO (alternate b)		X

Also present: John Schettino, Board Attorney
Carolyn Lee, Land Use Secretary

Mr. McLaughlin explained that they precede the regular meeting in January with a re-organization meeting where different officers of the board are chosen.

BOARD NOMINATIONS

Nomination for Chairperson: Richard McLaughlin	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN					X	
Vice Chair Michael ROTH	X		X			
John POWERS						X
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)						X

Nomination for Vice-Chairperson: Michael Roth	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH					X	
John POWERS						X

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Jin CHO						X
Steve LOTT	X		X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)						X

Nomination for Secretary:	Motion	Second	Yes	No	Abstain	Absent
John Powers						
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS						X
Jin CHO						X
Steve LOTT	X		X			
Stephen MARTINEZ						X
Todd CANNAO		X	X			
Robert BUDINICH (alternate a)			X			
Gail ZACCARO (alternate b)						X

ADMINISTRATION OF APPOINTMENTS (consent resolution approval)

Board Attorney – John Schettino
Board Engineer – Anthony Kurus, Neglia Engineering
Board Planner – Richard Preiss - Phillips Preiss Grygiel
Recording Secretary – Carolyn Lee

	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN	X		X			
Vice Chair Michael ROTH			X			
John POWERS						X
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)						X

ADOPTION OF ANNUAL MEETING SCHEDULE

Zoning Board of Adjustments Meeting are held the fourth Wednesday of the month at the Municipal Center at 7pm.

* meeting dates changed due to holidays and schedule conflicts.

+ meeting time changed to 8pm due to schedule conflicts.

January 23

February 27

March 27

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April 24 May 22 + June 26
 July 24 + August 28 September 25
 October 23 November 27 * December 18 (3rd Wednesday of the month)

Mr. McLaughlin requested that the June 26th and August 28th meeting start at 8pm due to schedule conflicts.

Adopt meeting schedule as modified	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			
John POWERS						X
Jin CHO						X
Steve LOTT		X	X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)			X			
Gail ZACCARO (alternate b)						X

REGULAR MEETING

MINUTES FOR APPROVAL

Approval of December 19, 2018 minutes	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS						X
Jin CHO						X
Steve LOTT		X	X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)	X		X			
Gail ZACCARO (alternate b)						X

INVOICES FOR APPROVAL

No invoices.

HEARINGS

1. 63 First Street – Garage and 2nd floor addition – Wojciech Bednarz

Mr. Powers arrived at 7:08PM.

Mr. Wojciech Bednarz, 63 First Street, Harrington Park, was sworn in to testify truthfully concerning the application. Brian Callahan, 333 Fairview Ave, Westwood, NJ 07675 was sworn in. He is a licensed architect and prepared the drawings for the plan. He has a Bachelor of Architecture from the University of the Arts in Philadelphia, PA and a Masters of Architecture from the University of Houston, Houston, Texas. He has been licensed since 1997 in New Jersey and 2002 in New York. He has testified for

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several Planning Boards and Board of Adjustments in Bergen County. He as testified in Harrington Park about 2 years ago. Mr. McLaughlin accepted him as an expert.

Mr. Callahan and the applicant are proposing an addition to an existing family dwelling at 63 First Street. A portion of the property is in Old Tappan. Currently, there is a single 1 ½ story dwelling. There is a wood deck on the north side. There is no garage. The property is in an R-1 Zone, 50ft wide x 200ft deep and meets the minimum lot area, but deficient in lot width. There are 3 pre-existing non-conforming conditions. 75ft width is required, front yard setback, currently the house is 12.8ft from the front property line where 25ft is required. The house is 8.1ft from the property line on the east side where 15ft is required. They propose a 2-story addition on the west side to accommodate an attached garage on the first floor and kitchen behind it. A family room is on the north side. They propose a new full 2nd floor for 3 bedrooms and 2 full baths. They are seeking 2 variances relating to the situation of the house. They are seeking a variance for front yard setback of 12.8ft and garage.

Exhibit A-1 Garage plans

The house is angled and they are asking for relief from side yard set back. The rear portion of the garage is closest to the side property line at 6.2ft.

Mr. Callahan said there are currently 3 bedrooms on the 2nd floor and one on the 1st floor, but they are almost unusable because of the layout and size. There will be 3 larger bedrooms on the 2nd floor when it is completed. A-2 has the 2nd floor plans. There will be a master suite in the back and 2 bedrooms in the front. It is a single car garage. The front is not expanded. The variance is the existing variance for the front. The covered entry is new. The front step will be about 6ft to the property line and about 7-8ft from the street. There is no sidewalk.

On the west side of the house there is a proposed 6.2ft setback. It is 7.1ft closer to the street. The southeast side 8.1ft side setback is existing. The 10.5ft northeast corner is the new structure. The cross hatch is the original building. The proposed deck is 12.5ft on the easterly side from the property line. Each would require a variance.

The reason for the variance and expansion is for a garage on the property. It is Mr. Callahan's opinion that the room layouts are not to 2019 standards. The rooms are small with little closet space in the bedrooms. The reason is that it is a deficient lot, which is driving the variances.

Mr. Callahan was not sure how close the proposed addition would to the west side neighbor's house. Mr. Bednarz said there is landscaping (large bushes) between the houses that would be taken down. He is proposing putting up a fence. There won't be any trees removed on that side and not necessarily anywhere.

Mr. McLaughlin asked if there were any additional questions from the board. He asked if there were any members from the public who have questions or comments.

Vince Forma, 55 First Street, Harrington Park, was sworn in. He lives on the east side of the property. He had an issue with how the size of the property was conveyed to the board. The property in Harrington Park is 50ft wide by 164ft deep and not 200ft deep. It may require an additional variance. Mr. Schettino said that the board can take into account the survey of the application that was submitted that states the dimensions of the property are 50ft x 200ft because he is allowed to include in the calculations. If the addition were to be constructed on Old Tappan property, the owner would need to get approval from Old Tappan. The other concern is that the proposal is for a relatively large house at 3,200sf. What kind of

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precedent would it set for larger houses on smaller lots? It is a dead end street and is restricted to parking on one side of the street. It is a small lot on the street. The house has been vacant for a number of years; he would love to see some neighbors and revitalization, but doesn't know how he feels. The neighbor on the other side is 12ft from the property line and would be less than 20ft separating the two houses. Mr. Forma recently did an addition and renovation and did not have to seek any variances. His house is 20ft from the property line about 28ft wall to wall. His concern is the addition towards the back of the house.

Adrian Cohen, 67 First Street, Harrington Park was sworn in. He lives on the western side of the proposed home. His issue is that the proposed garage will be too close to the property line. Going 7.1ft to 6ft. His house is only 12ft from the property line and the garage will be closer. His issue is that it is non-conforming to begin with and building a garage would be more non-conforming and closer than it should be. They feel it will be a privacy issue. They don't want something so close to the property line. There is an existing driveway with approximately 18ft from the existing house to property line. The applicant would take about half the driveway for the garage.

Mr. Forma asked about if the height of the chimney needed to be 10ft over the roofline or the highest part of the roofline. He is asking about the new masonry fireplace. It must be 10ft from the nearest existing structure and 3ft above that.

The fireplace is in the living room.

Mr. Cohen noted that there is a water drainage run off problem along the property line. He is concerned that building a new structure would cause more runoff on his yard. There is no drainage plan in the application. Mr. Schettino said there is town ordinance for construction that the applicant would be required to address drainage. The applicant would need to improve the drainage if approved. The pits could be put in the back yard and run the lines to the front. There are options. This would be part of the building permits.

Linda Cohen, 67 First Street, Harrington Park, was sworn in. The issue is that the addition is 7.1ft from the property line and then her house is less than 12ft. It is too close.

The Board had no other questions.

Mr. McLaughlin explained that there are two hearings. The first hearing is where the applicant explains the basis for request. That meeting is continued to the following month. In the interim, the board members separately look at the property and neighborhood and makes separate evaluations based on that. The applicant is asked to safely outline the limits of the proposed application. Mr. McLaughlin asked for the west side to show the footprint of the proposed addition, the back as well as the deck. This would include the covered entry and stairs. The members will knock on the door to let the applicant know they are there.

Mr. Bednarz said the house is empty. Mr. McLaughlin said that they won't wait long after they knock.

The stake out should be done by next week. The next meeting is Feb.27th at 7pm.
(time - 7:35PM)

2. 76 Kline Street – Expansion of an existing front and rear addition – William Falkenstern

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Mr. William Falkenstern, 76 Kline Street, Harrington Park was sworn in. Douglas A. Radick, 243 West St., Closter, NJ, licensed architect in New York and New Jersey for 30-35 years and has testified before this court before, was sworn in.

Mr. Radick described the house as small on a small lot. It is 5,112sf where 10,000sf is required. It is in violation just sitting there. Mr. Falkenstern proposes to add 3ft section going 17ft across for 34.9sf addition in the front. There is an 11ft deep living room with a 3ft corridor, leaving 8ft which is hardly usable. He would like more space by aligning it with the front setback 16.1ft of the porch. There is another issue in the kitchen. There is minimum of 80in headroom from the riser to the tread of the open space. There is about 50in. He can't configure the stairs otherwise it would take too make space out of the house. He wants to take an existing stairway in the back, take it out and make it a stairway that wraps to the back and ties to the basement. The two additions are about a total of 204sf. The front elevation is on A-2. He would like to put in a bay window. The bay window is 10sf. Mr. Radick didn't know if it is calculated into the building. It projects out of the building face. If it calculated in, it raises to square footage coverage to 30.41%. The applicant has lived here for 7 years and added a fireplace before that required a variance. He would like to stay in town and wants to make it more livable.

Mr. McLaughlin asked if the board members had any questions. There were no additional questions. Mr. McLaughlin asked if members of the public had any questions or comments concerning the application. Public portion was closed.

A member asked if the steps in the back make it closer to the garage. Mr. Radick said that the garage is not attached to the house. This house is old and the house was separate. Someone had put the stairway that went near to the garage. The applicant is not attaching the garage.

Mr. McLaughlin explained that the next meeting scheduled is February 27th. Between now and then, the members will look separately at the neighborhood and property and see how things relate to each other. On the February 27th, they hope to make a decision.
 (time – 7:43PM)

RESOLUTIONS

1. 32 Deal Street – 2nd floor addition - Judy Jones

Adoption of the Resolution for 32 Deal Street – 2nd Floor addition (Judy Jones)	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS	X		X			
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)						X

2. 160 Bogerts Mill Road – Pool House, Michael Kopel

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Adoption of the Resolution 160 Bogerts Mill Road – Pool House Reconstruction (Michael Kopel)	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS	X		X			
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)						X

MEETING OPEN TO THE PUBLIC

No questions from the public.

MEETING CLOSED TO THE PUBLIC

ADJOURN

Motion: Mr. Powers Second: Mr. Lott

All in favor said “Aye”. None opposed.

Meeting adjourned at 7:46PM

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT
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Wednesday, February 27, 2019 at 7pm