

Harrington Park  
**ZONING BOARD OF ADJUSTMENT**  
**REGULAR MEETING MINUTES**  
 Wednesday, May 27, 2020 @ 7:00PM

**Chairman McLaughlin called the meeting to order at 7:00PM.**

**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.

Based on the executive orders from the state, this meeting will be conducted via Zoom. The meeting details were published in the Record.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(RM) Chairman Richard McLAUGHLIN	X	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X	
(RB) Robert BUDINICH	X	
(JC) Jin CHO	X (arr. 7:04pm)	
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ		X
(GZ) Gail ZACCARO (alternate a)	X (arr. 7:42pm)	
(RF) Robert FRANK (alternate b)	X (arr. 7:04pm)	

Also present: (JS) John Schettino, Board Attorney  
 (EL) Elizabeth Leheny, Board Planner (Phillips Preiss)  
 (EJ) Evan Jacobs (Neglia Engineering)  
 (CL) Carolyn Lee, Land Use Secretary

**MINUTES FOR APPROVAL**

February 26, 2020 minutes

RB and RM have listened to the February 26, 2020 meeting recording and have sent in certification.

<b>Vote to approve February 26, 2020 minutes</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH	X		X			

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John POWERS			X			
Robert BUDINICH			X			
Jin CHO			X (7:04)			
Steve LOTT		X	X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)						X
Robert FRANK (alternate b)			X(7:04)			

**INVOICES FOR APPROVAL**

Unavailable.

**HEARINGS**

1. 4 Park Street – 4 additional residential apartments in Industrial zone (Glenn and Jamie Quantmeyer)

RM noted at the end of the February meeting the applicant was going to address some questions from the planner and engineer. Revised plans were submitted. The engineer submitted a revised letter this afternoon. RM noted that Mr. Quantmeyer is still under oath. Mr. Quantmeyer has not seen the letter. There were 4 issues at the end of the February meeting that Mr. Quantmeyer had addressed.

1. Rooms were labeled.
2. Lot coverage was included in the site plan (existing is 70.3% and proposed is 62% with the removal of the drive-thru).
3. Handicap Parking Lot has been revised with current standards.
4. Refuse area. Mr. Quantmeyer wanted to discuss tonight.

Mr. Evan Jacobs, Neglia Engineering was sworn in.

EJ reviewed the revised letter from Neglia Engineering (dated 5/27/2020). There is discrepancy between the number of units and bedrooms on each floor. This would determine the number of parking spaces. Because the building is fully residential it would need to comply with the residential parking standards and would supersede the Borough's parking ordinance. The parking layout must comply with residential site improvement standards. There is a lot of parking on this site. They generally recommend sacrificing parking spaces to provide a fully compliant parking lot. EJ noted they received an architectural site plan (A-2 dated 3/6/2020) and the revised letter addresses the site plan dated 3/6/2020. There was discussion about the handicap parking lot and compliance with RSIS. Mr. Quantmeyer received the first letter and complied with the letter. He had not received the revised letter from the engineer. A site plan was not submitted with the application. Mr. Quantmeyer is not ready at this time to make a decision about the parking. EJ noted that the site plan indicates that there are three 1-bedroom units on the first floor, one 3-bedroom unit on the lower floor and 2 existing studios on the second floor. The plan (A-2) shows 2 dwellings on the first floor in the parking requirements.

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The table will need to be revised. EJ, Mr. Quantmeyer and his architect will discuss before the next meeting.

RM asked CL that the exhibits submitted be labeled Exhibit A-1, Exhibit A-2, and Exhibit A-3.

The board was asked if there were questions. SL asked if the fire department needed to comment on the plan because of the number of windows in the apartment. Mr. Quantmeyer noted that there are 2 forms of egress as per state code and the building has a sprinkler system. JS noted that the building department reviews the fire code.

The questions from the planner, EL, were addressed in the February meeting. The planner had no additional questions or comments at this time.

The members did not have any additional questions.

<b>Vote to continue the hearing until June 24, 2020 at 7pm without any further notice or advertising.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH		X	X			
John POWERS			X			
Robert BUDINICH	X		X			
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)						X
Robert FRANK (alternate b)			X			

There was discussion that documentation should be provided to the applicant ahead of time in order for them to review prior to the meeting. It was noted that these are unprecedented times.

Open to Public

Motion: RB                      Second: RF

In favor, all said “aye”. None opposed.

RM asked if there were any members of the public who had questions about the Park Street application. There were none.

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Closed to Public

Motion: RB                      Second: RF

In favor, all said “aye”. None opposed.

2. 99 Kline Street - extension of approval of variance from June 26, 2019 (Melissa and Irfan Buddha)

RM reminded Mrs. Buddha is still under oath from the first application. Mrs. Buddha explained that these are exceptional times (COVID-19) and has delayed their ability to access resources necessary to move forward with their plan. They are asking for an extension for until September 30, 2021.

There were no questions from the Board.

There were no questions or comments from the Public. The meeting was closed to the public.

<b>Vote to extend the approval of the variance for 99 Kline Street addition to September 30, 2021</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH	X		X			
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)						X
Robert FRANK (alternate b)			X			

Mrs. Buddha asked CL to forward her the resolution. JS will prepare the resolution.

GZ joined the meeting.

3. 5 Council Place - 6ft fence (Mr. & Mrs. Dobrin)

Keith Dobrin, 5 Council Place, Harrington Park, NJ was sworn in. He has been a resident since December 2018 with his wife and two children. There was a storm in February that caused a 6ft panel of the fence to fall and damage 3 other panels leaning dangerously. They applied for a permit to replace the 6ft fence and were denied on March 17, 2020. They are asking to replace the exact structure in addition with a wrap around the house for safety purposes. Mr. Dobrin contacted the previous owners for the variance who did not have one and attempted to find the owners before them to no avail. Mr. Dobrin would purchase a well crafted and beautifully

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designed new fence that would fit in with the neighborhood. Because of a pre-existing non-conforming structure, they are being held up. Mr. Dobrin has reinforced the panels with 3 beams. They were prepared to be part of the April meeting, but the meeting was cancelled because of the pandemic. They submitted the application, paid the fees and complied with sending the notices by certified mail. They would like to replace the existing fence, not affecting the neighbors in a negative way and with their direct neighbors fully supporting them. They are law abiding citizens in their first house.

Mr. Dobrin said that the existing 6ft fence is wooden and the proposed 6ft fence is vinyl. On the left side there is a gate, but no door. Along the left side, they use the neighbor's fence. Along the north side (rear of house), there is a 6ft fence starting at the corner of the property extending close to the street. The yard is currently open to the street. A 3ft fence with a gate is proposed from the rear of the lot, along the right side connecting to the rear corner of the house.

RB asked if the fence along Blauvelt will be 15ft from the street. There is a 35ft setback. RB asked if the back section of the fence abuts the neighbor's fence on the left side is 5ft. Mr. Dobrin said it was lower than their 6ft fence. RB said that he drove in the area and this would be the only 6ft fence in the general area. Mr. Dobrin believes that the house next to their rear neighbor has a fence that looks to be the same height. RB referred to the letter is asking for the variance for a 5ft fence to a 6ft fence. If they were to go to a 5ft fence, no variance is needed. Is there a particular reason why the fence needs to be 6ft as opposed 5ft similar to the fences in the neighborhood? Mr. Dobrin likes the 6ft fence. They were naive and didn't know there were rules or regulations with the town. They bought a house with a 6ft fence, he is over 6ft tall, and likes privacy. Mr. Dobrin and his family walk around town and there are houses with 6ft fences. RB asked if Mr. Dobrin would consider natural a barrier or shrubbery to provide more privacy if the board would deny the variance. Mr. Dobrin said it is something he would consider.

MR said he appreciates the forthrightness of the applicant. He has seen the property. Lot 7 is about 2ft higher than the applicant's property. He would like to maintain what is in the ordinances which is 5ft and people can put in greenery for the height beyond it. The applicant was caught in a situation where they had no reason to think that what was there when they purchased the house was not allowed. Because of this reason MR is reluctant to vote against the variance, but may abstain because he agrees with the town ordinance that gives the town a certain look. Continuing to build fences higher than 5ft can be detrimental. There are people that build what they want and put the new owner in an awkward situation.

JS noted that the board needs to consider that there was a 6ft that needed repair. If the applicant was going to repair the 6ft fence, he wouldn't have needed a variance. He is replacing an old fence that may or may not have been an eyesore. This is not asking to put up a fence that did not exist. Because he was not aware of a 6ft fence restriction, he could've come to the board and requested to repair the fence or ask if they would replace it with a new fence.

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RM asked if the length of the 6ft fence in the rear yard will be replaced and not extend any further than the existing fence. Mr. Dobrin referred to the plan where the fence ended and agreed that it would be the extent of the 6ft fence.

SL asked if Mr. Dobrin would be putting up a 6ft fence on the left side. Mr. Dobrin said that there will be no fence, just a gate. He will not put up another fence next to the neighbor's fence.

No additional questions from the board.

RM asked if anyone from the public has any questions or comments concerning the application. RM closed the public portion of the meeting.

RM noted some members have looked at the property. He asked if the members can have a resolution concerning this application this evening. There was a motion to decline the application, but there was no second. There was no motion to approve for the application. The members would feel more comfortable taking a look at the property. RM said to Mr. Dobrin that it is normal practice that after hearing testimony, the hearing is adjourned to the next meeting. In the interim, board members take a look at the property with respect to the surrounding area and the impact on the neighbors. The application will continue to the June 24th meeting. The board members will look at the property before the next meeting. If any members will be on your property, they will ring the doorbell first. In the next meeting, the board should be in a position to offer a resolution. Mr. Dobrin said that he understands the process. He thanked the board for their time.

<b>Vote to carry the application for 5 Council Place (fence) to the June 24, 2020 meeting without further notice or advertising.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH			X			
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)			X			
Robert FRANK (alternate b)	X		X			

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**OLD/NEW BUSINESS**

No business.

**ADJOURN**

Motion: RB Second: GZ

In favor, All said “aye”.

Meeting adjourned at 8:10PM

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
**Wednesday, June 24, 2020 at 7pm**