

June 17, 2015

The Meeting of the North Caldwell Board of Adjustment was held at Borough Hall, Gould Avenue on Wednesday, June 17, 2015 starting at 8:04pm.

The meeting was held in accordance with the Open Public Meetings Law and notice of this meeting was provided in accordance with the requirements of Chapter 231, P.L. 1975

Board Members Present: Mrs. Jenkins, Mr. Wangner, Mr. Lisa, Mr. Augustitus, Mr. Ritter, Mr. Salan, Mr. Schwartz, Mr. Shah

Absent: Ms. Tanelli

Also present were Lisa Thompson, Attorney, and Nancy Pravata, Secretary.

APPLICATIONS

MATTER OF SAAED PAYDAR, 55 GRANDVIEW AVENUE, BLOCK 1900, LOT 14

Mr. Schwartz announced that this application has been postponed until the next meeting. Mrs. Thompson stated that this was at the request of the Applicant.

MATTER OF MARIA PEREIRA, 707 MAIN STREET, BLOCK 2103, LOT 8

Mr. Fausto Simoes, Attorney for the Applicant, Jeff Serfaty, proposed tenant and Ms. Maria Pereira, property owner, were sworn in. Mr. Simoes stated that he seeks to rent space in the existing building for an office use. Mr. Fausto explained that this building has always been a mixed-used property. The building owner purchased the property in 2006. At the time of purchase, there was a small deli occupying the commercial space. Currently, there is a dog groomer who is not using the entire space. The unoccupied space is approximately 375 square feet.

Mr. Schwartz asked if there were three apartments and two commercial spaces in the building. Mr. Schwartz asked how many bedrooms were in the apartments. The Board was advised that there is a 1 bedroom, a 2 bedroom and a 3 bedroom apartment. Two apartments are on the 2nd floor and one apartment is on the 1st floor, which you enter through the back of the building. The commercial entrances are in the front of the building. All apartments are currently rented. There is a driveway, which provides six parking spaces.

Mrs. Thompson explained to the Board the reason the Applicant came before the Board is to seek a variance for the proposed non-permitted use.

Mr. Serfaty testified that he is in the home improvement business. He has two employees. The office space would be used for himself and possibly in the future for a secretary. The space will be used for client meetings to view plans or sign contracts. Mr. Serfaty stated that the business hours are not set and that he may only be there one day a week as his work is mainly on-site.

Mr. Serfaty stated he would be putting a sign up that would fit within the guidelines of the municipal rules and would submit a permit for that sign.

Mr. Wangner asked about the letter from STS regarding parking there. The letter is permission from STS for use of their parking lot. Mr. Wangner asked if the letter can be notarized. Mrs. Thompson stated that if the application is approved that can be a condition of the approval.

It was asked if they have gone before the Borough Council for the parking on the side street. Mr. Gerald Novak, architect for the Applicant, said that he came before the Mayor and Council on behalf of his client regarding the parking issue and that the signage may be moved to create two non-permit parking spaces. Nancy Private, Board Secretary, stated that before any parking signage is relocated, Little Falls needs to be contacted as the beginning of the street is part of Little Falls, not North Caldwell.

Mr. Schwartz asked if anyone from the public has any questions for the witness.

No one came forward.

Mr. Augustus stated that the biggest problem he has is the parking issue. Mr. Augustus moved to accept the application with the stipulation that they receive a notarized letter from STS regarding parking, with Mr. Lisa seconding the motion. A vote was taken with all members voting in favor of approval.

MATTER OF MR. ALEXANDER ALBU, 40 FERNDALE ROAD, BLOCK 101, LOT 13

Mr. Alexander Abu, Applicant and Mr. Albert Abu, Architect was both sworn in. Mr. Schwartz asked when the Applicant purchased the home. Mr. Abu stated that they purchased the home in October 2014 and fell in love with the neighborhood and decided that they wanted to stay here. Mr. Abu stated that they originally thought that this would be a starter home.

The Applicant explained the new exhibits and described several pictures of homes in the Ferndale area that were recently renovated in the same way that he would like to expand his home.

Mr. Abu explained that the lots in the Ferndale area are undersized and the impervious coverage is much higher. The Board was presented with a map showing lots on Ferndale that have a larger impervious coverage. The Applicant and his Architect stated that the impervious coverage proposed fits in with the neighborhood.

It was asked if there would be a basement under the addition. The answer was no.

The Board could make it a condition that if the Borough Engineer states that they need a retention basin then they will have to do it.

Mr. Augustus asked if the existing garage was going to be removed and a new one constructed. The answer was yes. The question was raised regarding front facing garage doors. Ms. Thompson explained that the home is located in the R2 zone; therefore this is not an issue.

Mr. Augustus stated that he is concerned with the impervious coverage. Mr. Schwartz stated that he would be in favor of the application if the patio was made into a deck instead of a paver patio.

Mr. Gallagher, 36 Ferndale Road was sworn in. Mr. Gallagher stated that he is the next door neighbor and that he is in support of this application. He stated that there are problems with the new property that is being built behind them, specifically water run-off.

No one else came forward.

Mr. Ritter made a motion to accept the Application with the stipulation that the issue of retention shall be reviewed by the Borough Engineer and that the Applicant shall revise the plan to reflect a composite deck instead of a patio. The motion was seconded by Mr. Salan. A vote was taken with all members voting yes.

MATTER OF MR. & MRS. JASON WESCHKE, 24 GRANDVIEW AVENUE, BLOCK 1803, LOT 8

The Applicant, Jason Weschke, and his Architect, Pedraq Petric were sworn in. Mr. Schwartz asked Mr. Weschke when he purchased the home. Mr. Weschke stated that they moved in the beginning of December 2014. Mr. Weschke stated they are before the Board as they would like to increase the living space of the home.

Mr. Petric stated that the Applicant is looking to expand the house by adding an additional floor. The proposed addition will not encroach any further into the setback than the existing dwelling. A front porch will be added to the house.

Mr. Petric stated that there is a garage located in the back of the property, which is primarily being used for storage. Mr. Petric further testified that the existing lot is

June 17, 2015

undersized and a drainage channel further limits the usable area of the lot which justifies the variance relief requested.

Carport off of Grandview Avenue will become part of the house and the driveway located on Shenandoah will be the main driveway.

On a motion by Mr. Augustitus, seconded by Mr. Ritter, the Board accepted the Application as submitted. All Board members voted in favor of the Application.

MATTER OF MR. SAAED PAYDAR, 55 GRANDVIEW AVENUE, BLOCK 1900, LOT 14

This application was postponed to July 15, 2015. No further notice would be required.

MEMORIALIZATIONS

MATTER OF MR. PERKINS, 444 MOUNTAIN AVENUE, BLOCK 606, LOT 2

Tabled to July 15, 2015

There being no further matters to come before the Board, the meeting was adjourned at 9:45pm.

Respectfully Submitted:



Nancy A. Pravata, Board Secretary