

The Special Meeting of the North Caldwell Board of Adjustment was held at Borough Hall, Gould Avenue on Tuesday, July 28, 2020 starting at 5:03pm.

Chairman Wangner announced that 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: Mr. Salan, Mr. Curcio, Mr. Michelotti, Mr. Sceppaguercio, Mr. Rentzis and Chairman Wangner. Also present were Lisa Thompson, Esq., Board Attorney, and Tami Michelotti, Zoning Board Secretary.

Mr. Wangner asked Mr. Michelotti to lead the Pledge of Allegiance.

## **APPLICATIONS**

### **Mr. and Mrs. Keith Schultz – 4 Vale Place, Block 800, Lot 15**

Mr. and Mrs. Keith Schultz and Mr. Angelo Onello were sworn in. Mr. Angelo Onello, a licensed professional engineer since 2011, provided his credentials and was accepted by the Board as an expert witness.

Mrs. Jenkins joined the meeting at 5:10pm.

Mr. Onello referred to the site plans and stated that the total lot area is 22,641 square feet with an atypical layout. He noted that the back of the property cascades from the southeast side to the west corner and the house is centralized on the lot making the south corner the only place to locate the pool. He added that the lot coverage includes steps that are required to access the deck as well as a retaining wall that splits the yard with a walkway to the driveway.

Mr. Onello referred to the design layout and explained that the pool will be a standard kidney shape measuring 750 square feet. He explained that the patio area measures seven (7) to nine (9) feet to allow for lounge chairs and a patio table. He added that there will be a rock waterfall feature in the deep end. Mr. Onello described a stone boulder retaining wall to level out the area for the pool. He noted that the circular area for seating in the back corner will be removed completely to reduce the impact of adding coverage and explained that non-contiguous stepping stones will be added to minimize storm water runoff. Mr. Onello explained that the pool includes six (6) inches for freeboard between the coping and the water surface to prevent overflow. He further explained that the proposed non-continuous stepper walkways will allow water to flow onto the grass areas which will minimize erosion. He noted that the deck has gaps between the wood for water to go through to the soil below. Mr. Onello stated that the deck is 17 feet by 50 feet which is 866 square feet.

Mr. Onello stated that there is a drainage ditch along the southwest perimeter of the property to help with drainage. He noted that the proposal includes two (2) 1,000 gallon drywells to accommodate drainage from the additional pervious areas. He added that the patio will be completely wrapped in drainage with perforated perimeter drains through crushed stone or a series of catch basins. He further added that the proposed levels on the property and vegetation will also help with the water runoff. He noted that they have Certification from the Hudson-Essex-Passaic Soil Conservation District and added that there were no objections from the Police and Fire Departments.

Mr. Curcio asked if the installation of the drywells will improve the current runoff. Mr. Ferriero explained that coverage not only considers the amount of impervious surface on a property, but also considers the placement of objects on that property. Mr. Ferriero stated that, in his opinion, all the surfaces should be designed as impervious to allow for future changes.

Mr. Wangner asked Mr. Ferriero if he had any recommendations in addition to what was included in his report. Mr. Ferriero stated that Mr. Onello addressed all his initial recommendations in his first report and added that the plan was revised with his recommendations from his second review and report. Mr. Onello stated that he understand and agrees with Mr. Ferriero and noted that everything on the plan is accounted for as if it were impervious. He added that the two (2) 1,000 gallon drywells will account for the current coverage in addition to the overage.

Mr. Wangner asked if there have been any past variances for the property. Mr. Shultz stated that there have not been any variances on the property since they purchased the home in 2012 and confirmed that they are

unaware of any variances before that time. Ms. Thompson confirmed that she was not aware of any prior variances for the property.

Mr. Onello referred to the photographs and key map to explain the proposed plan to the Board.

Mr. Wangner asked Mr. Ferriero if the six (6) inches of freeboard on the pool is realistic from a design perspective. Mr. Ferriero stated that the design is done properly and assumes a sheet of glass with no freeboard. He confirmed that the six (6) inches of freeboard is discounted based on the storm water ordinance.

Mr. Wangner opened the meeting to the public for any questions or comments. No one from the public came forward.

Mr. Wangner opened that meeting to the Board for any questions or comments. Mr. Curcio expressed his appreciation for the proposed drywells to accommodate any potential additional runoff. Mr. Salan referred to page 3 of the plans and asked if the proposed drywell will replace the existing sitting area. Mr. Onello confirmed that the proposed drywell will replace the current paver stone sitting area. Mr. Salan asked if there was any discussion to make the walkway around the pool narrower to reduce the coverage. Mr. Onello stated that the walkways were discussed during the planning stages. Mr. Shultz stated that they are willing to work with the Board to accommodate their needs. Mr. Salan asked if the playground area is included in the impervious coverage calculations. Mr. Shultz stated that the playground is on mulch and noted that they are willing to remove it.

Mr. Michelotti expressed agreement with the proposed drywells which he felt were sufficient for any runoff. Mr. Rentzis expressed his appreciation for the design and thorough plans. He asked about the drainage system on the south side of the property. Mr. Onello referred to the plans to explain the drainage system on that side of the property. Mrs. Jenkins noted that the drywells are important because of the drainage issues in the neighborhood. She asked if they considered making the deck smaller to reduce the impervious coverage. Mr. Shultz explained that the deck is existing with a built in grill and added that it is an integral part of the home because of the slope from the first floor. He noted that they would rather remove the horizontal steps around the deck to reduce some coverage. Mr. Sceppaguercio thanked the Schultz's for their patience and asked how the backyard will be accessed during construction of the pool. Mr. Onello referred to the plan map and explained the construction access plan. Chairman Wangner asked if the pool backwashing and drainage were considered in the plan. Mr. Onello stated that it was not considered and noted that the backwash could be put into the drywell. Mr. Wangner asked about the pool filtration system and if a separation tank would be used for the backwash. Mr. Onello stated that he is not involved in the mechanical operations of the proposed pool. Mr. Wangner asked Mr. Ferriero for his knowledge on pool separation tanks. Mr. Ferriero stated that the NJDEP has best management practices for pools and pool backwashing and noted that the preferred procedure runs across a grassy area to aerate and separate the sediment rather than directly into a drywell. Mr. Shultz noted that there is a storm drain at the end of the driveway that can be used to take away much of the water.

Mr. Wangner explained the town's concern with impervious coverage because of the increase in development and runoff issues. He asked the Applicants to consider a reduction in the lot. Mr. Shultz explained that they were conservative with the estimates and included the deck even though the Borough Ordinance is unclear. He offered to remove the fire pit and pavers and the rear walkway. He further added that they did not include pavers around the pool and noted that the driveway and some walkways were already built when they purchased the house. Mr. Onello requested a brief recess to consult the Shultz's offline. Mrs. Jenkins asked if they considered making the pool smaller. Mr. Shultz explained that the pool was made smaller and added that the objective is to make it fun for their children without being unreasonable.

The meeting was recessed 6:15p.m. The meeting resumed at 6:21p.m.

Mr. Shultz offered to remove the steppers in the back. Mr. Onello referred to the plan drawing and explained that they will remove the deck stairs which are 125 square feet and replace them with four (4) foot wide stairs which will reduce 105 square feet of coverage. He offered to remove some of the pavers between the pool and deck to reduce another 120 square feet of coverage. Mr. Onello also would decrease coverage by an additional 87 square feet by removing the stepping stones near the back of the pool. Mr. Onello noted that they would

remove a total of 315 square feet from the plan. Mr. Ferriero stated the reduction would total 1.4 percent for a total coverage of 37.3 percent. He noted that a modified plan should be submitted if the Board agreed to the revised proposal. Mr. Shultz added that they will also remove the playground in good faith even though it is not included in the impervious coverage calculations.

Mr. Salan made a motion to accept the plans with the following modifications:

- Eliminate the stairs around the deck and replace them with 4 foot stairs
- Remove the stepping stones behind the pool leaving three behind the waterfall section
- Change the pool walkway to reverse the arch and make more narrow
- Remove the playground swing set

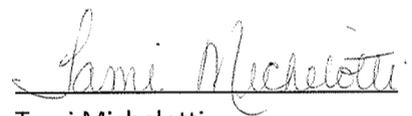
Ms. Thompson added that Mr. Ferriero suggested a maximum total impervious coverage of 37.3 percent will be permitted.

The motion was seconded by Mr. Curcio. A vote was taken and the motion was approved with seven affirmative votes by Mr. Salan, Mr. Curcio, Mrs. Jenkins, Mr. Michelotti, Mr. Sceppaguercio, Mr. Rentzis, and Chairman Wangner.

Ms. Thompson stated that the resolution will be approved at the next meeting. She explained that the Applicants can submit their plans but the permits cannot be issued until the resolution is approved at the next meeting on August 19th. Mrs. Shultz asked how soon after the meeting can they obtain the permits. Ms. Thompson noted to check with the construction officials in Borough Hall.

There being no further matters to come before the Board, Mr. Salan made a motion to adjourn the meeting, seconded by the Board. Said motion passed unanimously. The meeting was adjourned at 6:33p.m.

Respectfully Submitted,



Tami Michelotti

Zoning Board Secretary