

The Meeting of the North Caldwell Board of Adjustment was held at Borough Hall, Gould Avenue on Wednesday, August 19, 2020 starting at 8:00pm.

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. Floria-Callori, Mrs. Jenkins, Mr. Michelotti, Mr. Sceppaguercio, Mr. Rentzis and Chairman Wangner. Absent: Mr. Roth.

Also present were Lisa Thompson, Esq., Board Attorney; Tami Michelotti, Zoning Board Secretary; and Mr. Steve Bolio from Ferriero Engineering.

Mr. Wangner asked Mrs. Jenkins to lead the Pledge of Allegiance.

APPLICATIONS

Mrs. Renee Paladino – 711-713 Main Street, Block 2103, Lot 7

Ms. Thompson stated that the variance Application would be adjourned to the September 16, 2020 meeting at the request of the Applicant. Ms. Thompson stated that no further notice is required.

Mr. Jack Corradino – 5 Vale Place, Block 800, Lot 13

Chairman Wangner asked the Board members to confirm if they visited Mr. Corradino's property. The following members confirmed that they visited the site: Mrs. Jenkins, Mr. Floria-Callori, and Chairman Wangner.

Ms. Michelotti shared the Borough Engineer's report for consideration by Board and stated that a member of the public wished to comment on the report. Ms. Thompson stated testimony was closed at the end of the last hearing. She noted that the Borough Engineer had since visited the site and created the report for the Board's consideration. She allowed for public comment only with regard to the Engineer's report. Chairman Wangner opened the meeting to the public.

Mr. Jerry Ehrlich, who was sworn in at the last meeting, expressed his disagreement with the Engineering Report and requested corrective action regarding drainage issues on his property. He stated that since moving into his home in 2001, he had not sustained significant stormwater damage until changes were made to the property at 5 Vale Place. He stated that the water runoff from 5 Vale Place needs to be rerouted into the street instead of onto his property and the neighboring properties.

Mr. Bolio from Ferriero Engineering referred to the topographical map included with the Engineer's report and explained that the drainage area is approximately 20 acres. He noted that analysis of the area determined that only half of Mr. Corradino's property drains across the rear of the property. He explained that 1.7% of the drainage area goes towards Mr. Ehrlich's property from Mr. Corradino's property. Mr. Bolio added that Mr. Ferriero's report indicated that this would have a nominal impact on runoff and noted that the installation of a drywell is recommended to store any additional runoff. Chairman Wangner stated that Mr. Ferriero's report confirms that the drywell proposed will be adequate to accept any additional runoff and would be an improvement to what exists currently. Mr. Ehrlich expressed his disagreement that the 20 acre area drains onto his property as stated in the Engineer's report. He stated that he would seek a third-party professional review. Ms. Thompson asked Mr. Veteri if he had any comment. Mr. Veteri stated that he had nothing new to present and added that Mr. Egerian's analysis was similar to the Borough Engineer's analysis. He noted that adding the new drywell would result in an overall improvement.

Chairman Wangner opened the meeting to the Board for any questions or comments to Mr. Bolio. Mr. Floria-Callori asked Ms. Thompson to confirm Mr. Bolio's testimony in the absence of Mr. Ferriero. Ms. Thompson explained that Mr. Bolio was presenting Mr. Ferriero's report as a representative of Ferriero Engineering who is contracted as the Borough Engineer and Board Engineer. Mr. Floria-Callori asked if the location for the second proposed drywell has the ability remediate water issues raised by Mr. Ehrlich without significant impact to the Applicant's plans. Mr. Bolio stated that the question is better suited for the Applicant's Engineer. Mr. Egerian referred to the site plans and explained the location of the proposed drywell. Mr. Floria-Callori asked if the site plan properly anticipates runoff and effectively handles water discharge. Mr. Egerian confirmed this and stated that he has no objections to the Borough Engineer's report.

Mr. Veteri added that the properties are not adjacent and noted that there is one property in between Mr. Corradino's and Mr. Ehrlich's properties. Mrs. Jenkins asked if Mr. Ehrlich would have any rights if there were

negative repercussions to his property. Ms. Thompson stated that the Board does not have enforcement power but noted that conditions can be put into the resolution and any problems should be addressed to the Borough Engineer. Mrs. Jenkins asked if there is any responsibility on the adjacent property owners regarding the drainage onto Mr. Ehrlich's property. Ms. Thompson stated that the Board should be making decisions based on the Application that is before them. She added that the Applicant has presented a plan and has agreed to drywells and has addressed the Board's particular concerns related to this Application.

Mr. Salan stated that he had no comments or observations. Mr. Curcio stated that he feels that the proposed plan is a helpful solution to improve the stormwater runoff issues. Mr. Michelotti stated that he had no comments or observations. Mr. Sceppaguercio stated his agreement with Mr. Curcio's comment. Mr. Rentzis stated that he feels that the plans are a step forward in the right direction to help the situation.

Chairman Wangner summarized the conditions discussed including:

1. Ensure the current drywell is functioning properly;
2. Ensure the proposed drywell is placed in an area that will help remediate stormwater runoff as described by Mr. Ehrlich; and
3. Suggest that Mr. Ehrlich speak with the Borough Engineer about the runoff with regard to the topographic map as it is beyond the scope of the Board.

Ms. Thompson suggested the condition that the Applicant's engineer/ contractor clarify and provide documentation to the Borough Engineer that the existing storm water drainage system is functioning properly. Additionally, the plans for the additional drywell should be submitted for review and approval by the Borough Engineer with respect to stormwater runoff onto the neighboring properties. Mr. Floria-Callori acknowledged the fact that drainage is a problem in the Borough but noted that a diligent and comprehensive review of drainage systems is not in the Board's scope as he added that they rely on the Borough professionals for protection.

Mr. Floria-Callori made a motion to approve the Application in accordance with the conditions set forth by the Chairman and Board Attorney. The motion was seconded by Mr. Curcio. A vote was taken and the motion was approved with seven affirmative votes by Mr. Floria-Callori, Mr. Curcio, Mr. Salan, Mrs. Jenkins, Mr. Michelotti, Mr. Sceppaguercio, and Chairman Wangner. Chairman Wangner encouraged Mr. Ehrlich to reach out to the Borough Engineer regarding the issues related to his topographical situation.

APPROVAL OF MINUTES

Mr. Floria-Callori made a motion to accept the minutes of the Board Meeting of July 15, 2020. The motion was seconded by Mrs. Jenkins. Said motion passed with seven affirmative votes.

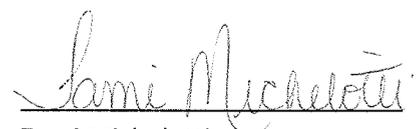
Mr. Salan made a motion to accept the minutes of the Board Meeting of July 28, 2020. The motion was seconded by Mrs. Jenkins. Said motion passed with seven affirmative votes.

Ms. Michelotti asked for a motion to add the consideration of the memorialization of the Shultz Application to the agenda. Mr. Salan made a motion to add the Shultz Application to the agenda. The motion was seconded by Mr. Curcio. Said motion passed with eight affirmative votes.

Mr. Salan made a motion to accept the memorialization of the Shultz Application. The motion was seconded by Mr. Sceppaguercio. Said motion passed with seven affirmative votes by Mr. Salan, Mr. Sceppaguercio, Mr. Curcio, Mrs. Jenkins, Mr. Michelotti, Mr. Rentzis, and Chairman Wangner. Mr. Floria-Callori abstained.

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 8:50p.m.

Respectfully Submitted,



Tami Michelotti
Zoning Board Secretary