

**A SUMMARY OF THE MINUTES OF THE GLEN RIDGE  
BOARD OF ADJUSTMENT HELD IN THE MUNICIPAL BUILDING  
JANUARY 12, 2017**

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**Open Public Meeting Act & Roll Call**

Mr. Zichelli called the meeting to order at 8:00 p.m. and read the Sunshine Act Notice.

Mr. Zichelli called the roll.

PRESENT: Mahoney, Chair  
Ashenfelter, Vice Chair  
Berger  
Bergmanson  
Napoli  
Scott  
Seeman  
Shalini  
  
Secretary Zichelli  
Trembulak, Esq.

ABSENT: Johnson  
Krien

**Welcome Members**

Chair Mahoney welcomed the members to the 2017 organizational meeting of the Board of Adjustment.

**Election of Officers**

On motion by Mr. Ashenfelter, seconded by Ms. Berger, Hugh Mahoney was unanimously appointed as Chair.

On motion by Chair Mahoney, seconded by Mr. Seeman, James Ashenfelter was unanimously appointed as Vice Chair.

**Appointment of Professional Staff**

Chair Mahoney appointed Michael Rohal as Engineer to the Board and Michael Zichelli as Planner and Secretary. Chair Mahoney appointed Alan Trembulak, Esq. as Board Attorney.

On motion by Vice Chair Ashenfelter, seconded by Mr. Seeman, the appointments were unanimously confirmed.

**Adoption of By Laws**

On motion by Chair Mahoney, seconded by Ms. Berger, the 2017 By-Laws were adopted.

**Adoption of 2017 Schedule of Regular Meetings**

On motion by Ms. Berger, seconded by Vice Chair Ashenfelter, the following schedule of meetings was unanimously adopted:

February 9, 2017  
March 9, 2017  
April 13, 2017  
May 11, 2017  
June 8, 2017  
July 13, 2017  
September 7, 2017  
October 12, 2017  
November 9, 2017  
December 14, 2017  
January 11, 2018

**Adoption of Minutes of November 10, 2016**

On motion by Ms. Shalani, seconded by Vice Chair Ashenfelter, the Minutes of the November 10, 2016 meeting were adopted, Mr. Seeman abstaining.

**Adoption of the Memorializing Resolution**

**Vincent Cusumano**

**297 Ridgewood Avenue**

On motion by Ms. Shalani, seconded by Vice Chair Ashenfelter, the following Memorializing Resolution was adopted, Mr. Seeman abstaining:

WHEREAS, Vincent Cusumano, owner of property located at 297 Ridgewood Avenue in the Borough of Glen Ridge, and designated as Block 82, Lot 1 on the Glen Ridge Borough Tax Maps, filed an application with the Board of Adjustment of the Borough of Glen Ridge to construct an addition and make alterations to the exterior of his home located at the corner of Ridgewood Avenue and Wildwood Terrace.; and

WHEREAS, the applicant submitted drawings prepared by Vincent Cusumano Architect, dated July, 13, 2016, a revised set of plans dated October 27, 2016, a property survey prepared by Pronesti Surveying, Inc. dated July 15, 2016 and photographs of the site.

WHEREAS, the Board of Adjustment conducted a public hearing on this application at a regular meetings on October 13 and November 16, 2016, at which time it was established

that notice of this application had been published and that property owners within 200 feet of the subject property had been served with notice; and

WHEREAS, the Board carefully reviewed and considered the applicant's plans and the testimony and other evidence presented by the applicant, and made the following findings of fact:

1. The property is located in the R-1 Single-Family Residential Zone and contains a single-family dwelling
2. A variance is requested from Glen Ridge Code 17.12.020.G.3. in that 25 foot rear yard setback is required and a lesser setback is provided. A variance is requested from Glen Ridge Code 17.12.020.G.2 in that a six foot side yard setback is required and a setback of 2.5 feet is provided. A variance is also requested from Glen Ridge Code 17.12.020.H in that a maximum building area of 20% is permitted and 23.8% is proposed.
3. The corner lot is irregularly shaped and the original home is built in a nonconforming manner on the property. Constructing a conforming addition would be difficult.
4. Due to the position of the structure on the lot, the proposed addition will not have a negative impact on passing vehicles' visibility when navigating the corner, nor a negative impact on the streetscape.
5. Upon considering the testimony of the applicant and evidence submitted, the Board finds that the proposal is reasonable and will not have any detrimental impact upon neighboring properties.

WHEREAS, the Board, based upon the foregoing findings, concluded that the applicant proved peculiar and exceptional practical difficulties and exceptional and undue hardship and did prove that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and the zoning ordinance pursuant to N.J.S.A. 40:55D-70C(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicant did prove that the purpose of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and proved that the benefits of the deviation would substantially outweigh any detriment and proved that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of N.J.S.A. 40:55D-70C(2); and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Borough of Glen Ridge that the within application of Vincent Cusumano to construct an addition and make alterations to the exterior of his home is hereby granted subject to the following conditions:

1. The existing landscape buffer shall be supplemented with additional evergreen plants that will grow to an approximate height of twelve feet. The plant selection and location shall be reviewed and approved by the Borough Forester.
2. If any additional lighting is provided, it shall be downward facing or be installed in a manner so that the lighting is facing away from the adjoining structures and pointing towards the property in question.
3. The project must be built in strict accordance with the plans and testimony submitted by the applicant and the approval granted by the Glen Ridge Historic Preservation Commission.

BE IT FURTHER RESOLVED that a true copy of this Resolution be transmitted to the applicant, the Borough Administrator, the Borough Clerk, the Borough Engineer and the Construction Code Official.

### **Adoption of the Memorializing Resolution**

**Bart DeGregorio & Trisha Krusman**

**69 Woodland Avenue**

On motion by Ms. Berger, seconded by Ms. Shalani, the following Memorializing Resolution was adopted, Mr. Seeman abstaining:

WHEREAS, Bart DeGregorio & Trisha Krusman, owners of property located at 69 Woodland Avenue in the Borough of Glen Ridge, and designated as Block 52, Lot 6.02 on the Glen Ridge Borough Tax Maps, filed an application with the Board of Adjustment of the Borough of Glen Ridge to construct a masonry cooking structure in their rear yard.; and

WHEREAS, the applicants submitted a landscape sketch of the property, photographs of the site, a property survey prepared by Richlan Lupo and Associates, dated October 21, 2014, and a copy of the property survey with the dimensions of the proposed structure and proposed setbacks drawn on by the applicants; and

WHEREAS, the Board of Adjustment conducted a public hearing on this application at a regular meeting on November 16, 2016, at which time it was established that notice of this application had been published and that property owners within 200 feet of the subject property had been served with notice; and

WHEREAS, the Board carefully reviewed and considered the applicants' plans and the testimony and other evidence presented by the applicants, and made the following findings of fact:

1. The property is located in the R-1 Single-Family Residential Zone and contains a single-family dwelling and a detached garage.
2. Glen Ridge Code 17.20.020.B states that any detached accessory building within ten feet of the principal building or in the side yard of the principal building shall not be closer to a

side lot line than the width of the side yard required on that side for said principal building. The proposed structure will be within ten feet of the primary structure. A variance is required from Glen Ridge Code Section 17.12.020.G.2 in that a side yard setback of six feet is required and only six inches is provided.

3. Due to the narrowness and depth of the property, erecting the proposed structure elsewhere on the site would impede the flow of pedestrian movement between the house and the detached garage.

4. Due to the size, scale and position of the proposed cooking structure on the lot, it will not have a negative impact on adjoining properties light, air and open space, nor a negative impact on the streetscape.

WHEREAS, the Board, based upon the foregoing findings, concluded that the applicants proved peculiar and exceptional practical difficulties and exceptional and undue hardship and did prove that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and the zoning ordinance pursuant to N.J.S.A. 40:55D-70C(1); and

WHEREAS, the Board, based on the aforementioned findings, concluded that the applicants did prove that the purpose of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, and proved that the benefits of the deviation would substantially outweigh any detriment and proved that the variances could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan and zoning ordinance pursuant to the requirements of N.J.S.A. 40:55D-70C(2); and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment of the Borough of Glen Ridge that the within application of Bart DeGregorio & Trisha Krusman a masonry cooking structure in their rear yard is hereby granted subject to the following condition:

1. The structure must be setback a minimum of twelve inches from the eastern property line and a new 48 inch or taller fence be erected along said property line in order to screen the new accessory structure.

BE IT FURTHER RESOLVED that a true copy of this Resolution be transmitted to the applicants, the Borough Administrator, the Borough Clerk, the Borough Engineer and the Construction Code Official.

### **Public Comment**

Chair Mahoney called for public comment. No comments were made.

### **Adjournment**

On motion by Vice Chair Ashenfelter, seconded by Ms. Berger, the meeting was adjourned.

Respectfully submitted,

Michael P. Zichelli, AICP / PP  
Secretary