

**A SUMMARY OF THE MINUTES OF THE GLEN RIDGE
BOARD OF ADJUSTMENT HELD IN THE MUNICIPAL BUILDING
OCTOBER 13, 2016**

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
Bergmanson
Johnson
Mohan
Krien
Scott
Seeman

Trembulak, Attorney
Zichelli, Secretary

ABSENT: Berger

Adoption of the June 9, 2016 Minutes

On motion by Mr. Bergmanson, seconded by Mr. Seeman, the Minutes of the June 9, 2016 meeting were adopted, Mr. Scott abstaining.

Adoption of the Memorializing Resolution

Michael Pensak

134 Ridgewood Avenue

On motion by Mr. Bergmanson, seconded by Mr. Johnson, the following memorializing resolution was adopted, Mr. Scott abstaining:

Michael Pensak, owner of property located at 134 Ridgewood Avenue in the Borough of Glen Ridge, and designated as Block 33, Lot 4 on the Glen Ridge Borough Tax Map, 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 Washington Street.; and

WHEREAS, the applicant submitted three sheets of drawings prepared by Andrew Podberezniak, R.A. revision dated April 18, 2016; and

WHEREAS, the Board of Adjustment conducted a public hearing on this application at a

regular meeting on June 9, 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 Codes Section 17.12.020.G.3** in that the addition will be setback 23.83 feet from the rear yard where a 25 foot setback is required. A variance is also requested from **Glen Ridge Code Section 17.12.020.G.1** in that the addition will be setback 35 feet from the Washington Street front yard and 40 foot setback is required.

3. The corner lot is irregularly shaped and the original home is set back deep into to the lot, thus providing few options for expanding the home.

2. 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.

3. 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 Michael Pensak to construct an addition and make alterations to the exterior of his home is hereby granted; and

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.

Vincent Cusumano
297 Ridgewood Avenue

Chair Mahoney called for the application. Vincent and Mary Ellen Cusumano, homeowners, appeared before the Board. Mr. Zichelli stated that the adjoining property owner at 27 Wildwood Terrace has requested an adjournment of the application in order for them to gather more information regarding the proposal. Additionally, Board members felt that additional information regarding the application is required.

With the interested neighbor present, the Board proceeded with the application.

Vincent and Mary Ellen Cusumano, homeowners, were sworn.

Mr. Cusumano described the proposal to construct a single story addition onto the rear of the house. He reviewed the floor plan and stated that the application has been reviewed and approved by the Glen Ridge Historic Preservation Commission subject to the condition that a variance is granted by the Board of Adjustment. The homeowner stated that a side yard setback, rear yard setback and building area variances are requested. The site and the addition were then described to the Board.

Mr. Cusumano stated that the house does not sit squarely on the lot and is loaded to the rear of the property. He further stated that the rear property line is heavily planted and a fence is erected both along the rear and side property lines. The homeowners stated that the proposed addition is setback behind the adjoining house on Ridgewood Avenue and that the side yard setback will have minimal impact on this property.

Marked for identification were the following:

- A-1 Three sheets of drawings prepared by Vincent Cusumano Architect, dated July, 13, 2016.
- A-2 Photographs of the site mounted on a board taken by the applicant
- A-3 Collection of photographs taken along the fence line, taken by the applicant

The fencing, landscaping and trees on site were further reviewed. The homeowners described the setbacks required and the variances requested.

The members of the Board asked the applicant to clarify the setbacks for the proposed structure from the property line. They further asked the applicants to review the lot coverage calculations. After further discussion the applicants were provided with additional information that the Board would like to see in order to evaluate the proposal.

Chair Mahoney called for questions from the public.

Dr. Ross of 27 Woodland Avenue asked about the height of the proposed pergola on the deck and asked the applicants to describe any additional lighting.

Ms. Kathryn Ross of 27 Wildwood Terrace stated her concern regarding noise from gatherings on the proposed deck.

The applicants stated that only downward directed lighting is proposed.

Mr. Zichelli stated that the application will be continued at the Board's next regularly scheduled meeting on November 10, 2016 and that no further notice will be provided.

Adjournment

On motion by Vice Chair Ashenfelter, seconded by Mr. Bergmanson, the meeting was adjourned.

Respectfully submitted,

Michael P. Zichelli, AICP / PP
Secretary