

**A SUMMARY OF THE MINUTES OF THE GLEN RIDGE
BOARD OF ADJUSTMENT
BOROUGH COUNCIL CHAMBERS
DECEMBER 9, 2021**

Open Public Meeting Act & Roll Call

Mr. Mahoney called the meeting to order at 7:30 p.m. Mr. DeLine read the Sunshine Act Notice.

Mr. DeLine called the roll.

PRESENT: Mahoney, Chair
Bergmanson, Vice-Chair
Berger
Johnson

Payne
Seeman
Sprong
DeLine, Sec.

ABSENT: Krien
Scott

Welcome Members

Chair Mahoney welcomed everyone to the meeting.

Adoption of Minutes – November 11, 2021

On motion by Mr. Seeman, and seconded by Mr. Bergmanson, the minutes of November 11, 2021 were adopted. Ms. Berger and Mr. Johnson abstained.

Application of (Continuance)

**Pierre Van Wayenberge
276 Ridgewood Ave**

Before the testimony continued, Chair Mahoney gave an overview of the application to date. Chair Mahoney noted the applicant provided an amended application that revised the application from a proposed 6-foot wooden fence to a 5-foot wooden fence.

Mr. Van Wayenberge was sworn for testimony. Mr. Van Wayenberge discussed the discussions that took place the previous meeting, but ultimately decided on a 4-foot solid wood fence with a 1-foot lattice on top.

Mr. Johnson asked the applicant to provide the planning reasons, and the benefit to the public, for the granting of the requested variance. Mr. Van Wayenberge stated the primary reason for the request was beautification, while simultaneously giving his property the desired privacy. Mr. Van Wayenberge did not believe there would be any detriments to the public. There was additional discussion of safety where he stated there had been trespassing in the past. Mr. Van Wayenberge also mentioned there would be two 45-degree angles at the beginning and end of the fence run to provide additional visibility for his neighbor to back out of the driveway. The applicant stated he did not plan any additional plantings.

Mr. Bergmanson expressed his concerns on the location of the fence relative to the property line. Chair Mahoney asked about the color of the proposed fence, and that it would reflect the trim of the windows on the home.

Chair Mahoney opened the meeting to the public. Ms. Zazzali at 14 Rudd Ct was sworn into the meeting. Ms. Zazzali discussed her beliefs how variances get granted and did not believe there was a hardship. Mr. Johnson explained there are two criteria for variances – a hardship related to the conditions of the property, and second, where the purposes of zoning would be advanced by approving the application. Mr. Zazzali at 14 Rudd Ct was sworn in and testified there would be no public benefit for a 5-foot fence.

Chair Mahoney then closed the meeting to the public. He asked what the main reasons why the applicant was seeking a 5-foot fence. Mr. Van Wayenberge stated it was mainly an aesthetic issue and a privacy issue. The Board discussed the merits of the application. Mr. Bergmanson discussed when the Council passed the ordinance year ago, he did not believe the Council could not have foreseen there were properties like 276 Ridgewood Ave in existence, and the effect of these large properties on Ridgewood Ave dominate the block on their secondary front yard. He stated he did not believe the threshold for the positive and negative criteria has been met. He did not he had concerns of trespassing, but that was more of a public safety issue than a zoning issue. Chair Mahoney stated he did not see how the purposes of the zoning were being advanced by the 5-foot fence. Ms. Berger stated she appreciated the attention to the aesthetics but noted the trespassing issue could be addressed through other means. Mr. Johnson stated there might need to be changes to the ordinance to allow for higher fences with additional setbacks.

Chair Mahoney asked for a motion on the application. Mr. Bergmanson made a motion to deny the application, which was seconded by Mr. Sprong. The application was unanimously denied. Mahoney, Bergmanson, Berger, Johnson, Seeman, Sprong and Payne all voted YES in favor of the motion to deny.

Adjournment

On motion by Mr. Johnson, seconded by Mr. Sprong, the meeting was adjourned.

Respectfully submitted,

Erik I DeLine, AICP / PP, Secretary