

MINUTES OF THE BOARD OF ADJUSTMENT
February 14, 2001

PRESENT: Chair Harrison, Vice Chair Fleischer, Ms. Costello, Mr. Gallardo, Mr. Haizel, Ms. Rock-Bailey, Mr. Susswein; also, Michael Sullivan, Esq., Karen Kadus, Secretary and Donald Sammet, Assistant Secretary.

ABSENT: Mr. Chapman

Ms. Kadus called the roll and announced the regular meeting of the Montclair Board of Adjustment. Notice had been given in accordance with the Open Public Meetings Act.

On motion by Vice Chair Fleischer, seconded by Mr. Gallardo, the **Minutes of the January 17, 2000** regular meeting were adopted as modified, Ms. Costello and Mr. Susswein abstaining.

Secretary Kadus announced the postponement of the variance application of **Steve Lauda and Ralph LaTorocca, Murray Street** to the March 21, 2001 regular meeting of the Board. Calvin Trevenen Esq., attorney for the applicant, consented to an extension of time.

Chair Harrison announced the continuation of the variance application of **Montclair Community Church, 143 Watchung Avenue**. Grant Gille, Esq. appeared as attorney for the applicant.

Chair Harrison called for public comment.

Mr. Rob Raileigh of 29 Fairfield Street was sworn. Mr. Raileigh stated that he is concerned that the character of the neighborhood would be negatively affected by the layout and design of the proposed addition.

Ms. Nancy Pi-Sumyer of 149 Watchung Avenue was sworn. Ms. Pi-Sumyer stated that the design for the proposed addition is a visual intrusion to the neighborhood and that the proposed parking lot introduces a commercial appearance to the neighborhood.

Marked into evidence was:

O-12 Photographs and drawings on board.

Mr. David Theobald of 140 Watchung Avenue was sworn. Mr. Theobald stated that he does not support the construction of a parking lot on the site in question.

Mr. John Braun of 136 Watchung Avenue was sworn. Mr. Braun stated

that if the building were enlarged and became vacant in the future, the space would be difficult to fill.

Mr. Bob Granger of 25 Fairfield Street was sworn. Mr. Granger stated that the size and location of the proposed structure is inappropriate for the neighborhood.

Mr. Jonathan Hyman of 27 Fairfield Street was sworn. Mr. Hyman stated that the proposed addition is too massive and would be a visual intrusion within the neighborhood.

Mr. Glenn Silver of 33 Fairfield Street was sworn. Mr. Silver stated that the proposed addition should be redesigned and scaled down in size.

Mr. Alan Horowitz of 133 Watchung Avenue was sworn. Mr. Horowitz stated that there are architectural inconsistencies between the existing and proposed structures.

Mr. Jim Rogers of 26 Fairfield Street was sworn. He stated that the proposed addition, if built, would reduce property values in the neighborhood and discourage owners from investing in their homes.

Ms. Susan Hoffbaum of 31 Fairfield Street was sworn. She stated that if the proposed addition was built, she would not make any improvements to her home in the future.

Ms. Susan Herman of 135 Watchung Avenue was sworn. Ms. Herman stated that she believes that the proposed addition would have a negative impact on the historic character of the neighborhood.

Mr. Paul DeKoninck of 134 Watchung Avenue was sworn. He stated that the proposed driveway is too large as compared to other driveways in the neighborhood and that the proposed lighting fixtures are too high.

Mr. Carl Herman of 135 Watchung Avenue was sworn. Mr. Herman stated that he is concerned that the proposed addition would not meet the church's needs in 5 years and that they would leave a vacant building behind when they left.

Ms. Barbara Ruglio of 82 Woodland Road, Bloomfield was sworn. Ms. Ruglio stated that a parking lot on the site is needed to accommodate handicapped parishioners.

Mr. Louis Latoor of 131 Watchung Avenue was sworn. He stated that the church has tried to be a good neighbor by modifying plans to reflect neighbors' concerns.

Ms. Jessica DeKoninck of 134 Watchung Avenue was sworn. Ms.

DeKoninck stated that the proposed parking lot is a poor alternative to the green space that exists on site and that the proposed design of the addition is not in keeping with the historic character of the neighborhood.

Ms. Jessica Black of 87 Brookdale Gardens, Bloomfield was sworn. She stated that a church has the ability to attract new residents to Montclair.

Mr. Neal Bruun of West Orange was sworn. He stated that there are other stucco covered buildings in the neighborhood.

Ms. Gina Brosolara of Hasbrouck Heights was sworn. Ms. Brosolara stated that the church has made a positive difference in her life and that the proposed parking lot is needed for handicapped parishioners.

Mr. Gille summarized the application.

The Board discussed the application.

On motion by Vice Chair Fleicher, seconded by Ms. Rock-Bailey, it was resolved to approve the request for a use variance subject to the following conditions:

1. As stipulated by the applicant, no outside group shall be allowed to use the property.
2. As part of a redesigned site plan, the addition shall be compatible with the scale and character of the neighborhood.
3. Any connection between the existing building and the addition shall be a one story relatively narrow connector.

Mr. Gille requested that the Board not vote on site plan approval tonight. The site plan will be revised and resubmitted and a new notice given. Mr. Gille granted an extension of time for site plan approval and other variances requested.

The Board took a short recess.

Chair Harrision called the variance application **Omnipoint, 5 Roosevelt Place**. Richard Schkolnick, Esq. appeared as attorney for the applicant. Mr. Schkolnick described the application. He stated that 6 new antennas are proposed and 6 existing antennas will be relocated. Mr. Schkolnick also stated 10 antennas would exceed the height of the structure on which they are mounted.

Mr. Schkolnick called Ms. Lisa Harley, Radio Frequency Engineer, she was sworn. Mr. Harley stated that the additional antennas on site are needed to handle the greater volume of customers and customer phone calls in the area. Ms. Harley continued by addressing the conditions in the telecommunications ordinance that

pertain to the application.

Ms. Harley further explained that 4 of the antennas on site would exceed the height of the penthouse by 7 feet and 6 would exceed the height of the penthouse by 1 foot. She described a shadowing effect or a reduction in the effectiveness of the antennas if screening were used.

Marked into evidence was:

- A-1 Coverage Overlay on Board.
- A-2 Sheet Z-2, prepared by Lulay & Illescas Associates, Inc. dated October 10, 2000 on Board.

Mr. Schkolnick called Terrence Lulay, Structural Engineer, he was sworn. Mr. Lulay described the placement of the proposed antennas.

Based on concerns raised by members of the Board, Mr. Schkolnick requested a continuance so that the applicant could revise their plans. Chair Harrison requested the applicant submit those revisions to the Board at least 10 days prior to the next hearing date.

Chair Harrison announced that the application would be carried to the March 7, 2001 special meeting of the Board and no further notice would be given.

Chair Harrison called the variance application of **Petia Morozov, 532 Highland Avenue**. Grant Gille, Esq. appeared as attorney for the applicant. Calvin Trevenen, Esq. appeared as attorney for certain objectors.

After discussion, Mr. Gille requested that the application be carried to the March 7, 2001 special meeting of the board. Mr. Gille also consented to an extension of time.

The meeting was adjourned at 11:13p.m.