

MINUTES OF THE BOARD OF ADJUSTMENT – February 23, 2000

PRESENT: Chair Harrison, Vice Chair Church, Messrs. Tobin, Fleischer, Ms. Freundlich, Ms. Kadus, Board Attorney Sullivan

ABSENT: Ms. O’Connell, Messrs. Williams, Spivey, Chapman

Ms. Kadus called the roll and announced the special meeting for which notice had been given in accordance with the Open Public Meetings Act.

Chair Harrison called for a continuation of the hearing of the **Montclair Art Museum, South Mountain Avenue**. Grant Gille, Esq., appeared as attorney for the applicant. Chair Harrison noted for the record that only 5 board members were present, and Mr. Gille agreed to proceed.

Marked into evidence were:

- A-36 Beyer Blinder Belle plans, revised February 18, 2000
- A-37 Landscaping Plan, Mathews/Nielson, on board, revised February 18, 2000
- A-38 Beyer Blinder Belle plan of signage, on board, February 18, 2000
- A-39 Plant list, revised February 18, 2000, Mathews/Nielson

Richard Blinder, Beyer Blinder Belle, still sworn, described his proposal to relocate the unloading deck to St. Luke’s Place as suggested by the Board at the last hearing. He noted that the new location could accommodate all size trucks completely within the site. This relocation eliminates 6 parking spaces bringing the total to 137. The proposal involves landscaping the existing unloading area, removing the curb cut, thereby improving the appearance of the building frontage along Bloomfield Avenue.

Marked into evidence was:

- A-40 Beyer Blinder Belle adjacent use plan, on board, scheme A

Mr. Blinder then described the revised parking layout and landscaping proposed near the adjacent Sampson property on St. Luke’s Place. He noted that there would be a larger landscaped buffer area. Also, Mr. Blinder explained the sizes of the two signs as 7.5 feet by 10 feet on Bloomfield Avenue and 5 feet by 3.5 feet at the corner of St. Luke’s Place.

The Board questioned the witness.

Martin Sampson, 16 St. Luke’s Place, asked about the proposed landscaping and fencing along his property line.

George Kelley, engineer, still sworn, described his meeting with the Sampsons, museum representatives and members of the Montclair engineering office on February 22. Several recommendations were made which the applicant will meet concerning improvements in drainage conditions as outlined in his memo.

Marked into evidence was:

A-41 Langan Engineering memo, dated February 23, 2000

Miriam Sampson, 16 St. Luke's Place, asked several questions about drainage.

Richard Previte, 119 Chestnut Street, asked several questions. Marked into evidence were:

- O-5 Previte presentation in written form
- O-6 Traffic Survey by M. Sampson
- O-7 Introduction by M. Sampson

Mr. Gille summarized the application and decided to proceed to a vote with 5 members of the Board.

The Board discussed the application. On motion by Vice Chair Church, seconded by Mr. Tobin, the use variance was unanimously approved.

On motion by Mr. Fleischer, seconded by Vice Chair Church, the variance for a 7 foot high fence along the house at 16 St. Luke's Place was unanimously approved.

On motion by Mr. Fleischer, seconded by Vice Chair Church, site plan approval and variances for deficient number of on-site parking spaces, front yard parking, front yard setback on Bloomfield Avenue, height, banner and free-standing signs and more than 4 parking spaces were unanimously approved.

On motion by Mr. Fleischer, seconded by Vice Chair Church, it was unanimously resolved to recommend that the Township Council adjust the zone boundary line so that the newly acquired property on St. Luke's Place is located in the R-O Mountainside Zone.

The Board took a short recess.

Upon reconvening, it was agreed that the application of **Mathew Ponzio, MD, 185 Wildwood Avenue**, be carried to a special meeting on April 5, 2000. Mr. Marzella, attorney for Dr. Ponzio, agreed to an extension of time through that date.

The meeting was adjourned at 11:30 p.m.