



Graham Petto, P.P., AICP
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MINUTES OF THE BOARD OF ADJUSTMENT October 25, 2017

ORDER: The meeting was called to order at 7:35 p.m. by Graham Petto. Mr. Petto read the notice of compliance with the New Jersey Open Public Meetings Act and indicated that appropriate notice was forwarded to the officially designated newspaper of Montclair and posted in the Municipal Building. The schedule of meetings is also posted on the Township website.

ROLL CALL: Mr. Petto called the roll. Present were Mr. Harrison, Mr. Fleischer, Ms. Baggs, Mr. Reynolds, Mr. LaVail, Mr. Sullivan and Mr. Petto. Mr. Moore, Mr. Allen, Ms. Chowaneic, Mr. McCullough and Ms. Daye were excused.

OLD BUSINESS:

Resolution for App. 2526: Robert Ruberton. 98 Clinton Avenue. *Bulk variance for accessory structure side yard setback & height.*

Mr. Harrison introduced the resolution for review by the Board. A few amendments to the resolution were discussed by the Board. A motion to approve the resolution as amended was offered by Mr. Fleischer, seconded by Ms. Baggs. The resolution was approved unanimously, with Mr. LaVail abstaining.

Resolution for App. 2515: 237-249 Lorraine Avenue. NJ Metro Group LLC t/a Keller Williams. *Use variance to locate professional office (real estate) on first floor in the N-C zone district.*

Mr. Harrison introduced the resolution for review by the Board. A motion to approve the resolution as presented was offered by Mr. Fleischer, seconded by Mr. Reynolds. The resolution was approved unanimously, with Mr. LaVail abstaining.

Resolution for App. 2506: 19-23 North Willow Street. Redeemer Church of Montclair. *Final site plan approval for expansion of a church in the R-2 zone district.*

Mr. Harrison introduced the resolution for review by the Board. A motion to approve the resolution as presented was offered by Mr. Fleischer, seconded by Mr. Baggs. The resolution was approved unanimously.

NEW BUSINESS:

App. 2527: 68 Pleasant Avenue. Jason & Tracey Santarcangelo. *Bulk variance of front and side yard setback for addition to dwelling; bulk variance of side yard setback for accessory structure; bulk variance for driveway setback.*

Mr. Harrison introduced the application for the Board. Present for the application was the applicant Jason Santarcangelo.

Mr. Santarcangelo summarized the application for the Board. He noted that the dwelling has been vacant for some time and experienced a fire in January 2015. He stated that he intends to rehabilitate the dwelling and will construct a small second floor addition above an existing first floor single story area of the dwelling. He also noted that the garage will be rehabilitated and the driveway to the garage restored.

Questions from the Board were then accepted.

Mr. Fleischer asked about the rehabilitation of the garage. He asked for clarification of the addition and reuse of the existing concrete slab. Mr. Santarcangelo stated that the full condition of the garage was not yet known and that some additional footings may be needed to support the garage. He stated that the addition to the rear of the garage would be small and only about 6 feet from the existing rear of the garage.

Mr. Santarcangelo introduced Exhibit A-1, an updated plot plan to review the proposed modifications to the garage. He stated that the proposed rear addition would be about 6 feet and that the garage would be extended up to 2 feet in width towards the interior of the lot, not towards the side yard setback.

Mr. Fleischer asked if a new garage would be built if the existing structure could not be salvaged. Mr. Santarcangelo replied yes.

Mr. Fleischer asked about the tree in the rear yard, shown in the submitted photos by the applicant. Mr. Santarcangelo noted that the tree has since been removed.

Ms. Baggs asked about evidence of a previous driveway on the property. Mr. Santarcangelo stated that there is worn down macadam in the rear yard and along the side where the garage was located. He stated that over time the driveway has worn away, but evidence of its existence remains.

Ms. Baggs asked about the proposed exterior finish as the existing dwelling is stucco and the renderings depict siding. Mr. Santarcangelo stated that he developed the renderings himself and the finish was not accurate. He stated that the dwelling would remain stucco.

Ms. Baggs asked if the existing windows would be replaced. Mr. Santarcangelo replied yes.

Mr. Fleischer suggested that a turnaround area be considered as the proposed width of the driveway along the house would be very narrow to back a car out of the driveway.

Mr. Fleischer also noted that if the existing garage cannot be salvaged or reused in part, the existing side yard setback should not be continued.

Mr. Harrison asked for clarification about the additions to the garage. Mr. Santarcangelo stated that an addition to the width of the garage would be to accommodate new footings. Mr. Harrison stated that it is likely that a new garage would need to be constructed given the current condition of the garage. Mr. Santarcangelo agreed.

Mr. Fleischer stated that if a new garage is constructed the setback should be 3 feet, not the existing 2.8 feet.

Questions and comments from the public were then accepted.

Guy Slatcher, 70 Pleasant Avenue, stated that he was in support of the proposed changes to the garage. He noted that the existing garage is in poor condition and needs to be addressed.

Elise Genao, 64 Pleasant Avenue, stated that she was pleased that the dwelling would be repaired and updated. She stated support for the application.

Denise Young, 25 Enfield Street, stated that she was in favor of the proposed modifications. She stated that she hoped the construction would be sound and not impact any utilities in the area.

Final comments from the Board were then accepted.

Mr. LaVail stated that he would be in favor of the application. He stated that he was also in favor of the condition as discussed regarding the setback of the garage in the event of new construction.

Ms. Baggs stated that she was in favor of the rehabilitation of the dwelling. She stated that the proposed addition would modernize the facilities of the home. She stated that it would be a benefit to the neighborhood to improve the condition of the home. She stated that she agreed with Mr. LaVail regarding the condition for the garage setback.

Mr. Fleischer stated that he would also be in favor of the addition to the house as the existing setbacks are maintained. He stated that if the applicant can retain the existing garage, the setback can remain. He stated that if the garage could not be salvaged that a new garage should have a 3 foot setback. He also recommended that the applicant consider a turnaround area in the rear yard.

Mr. Reynolds stated that he would be in favor and noted agreement with the comments regarding the garage by Mr. Fleischer.

Mr. Harrison stated that he would be in favor of the application. He stated that the proposed addition is justified and that the requested variances for the driveway and garage are justified due to the narrow lot.

Mr. Harrison summarized the conditions as discussed by the Board:

1. The 2.8 foot side yard setback of the existing garage is to be maintained if the southern wall of the existing garage is retained as part of the rehabilitation of the garage. If the southern wall cannot be retained, the side yard setback of any newly constructed garage is to be 3 feet.
2. The garage is to be no greater than 26 feet in depth.
3. The driveway is to maintain a one foot setback from the southern property line, except for a portion of the property line parallel to the southern façade wall of the existing dwelling and 10 feet forward from the southeastern corner of the dwelling. In this area, the setback of the driveway shall be no less than 6 inches.

A motion was made by Mr. Fleischer, seconded by Mr. Reynolds to approve the application with the conditions stated by Mr. Harrison. The application was approved unanimously.

App. 2533: 493 Bloomfield Avenue. The Bar Method Montclair. *Bulk variance for sign location and material on rear of building.*

Mr. Petto announced that a correspondence was received from the applicant requesting to adjourn the application to the December 20, 2017 meeting of the Board. The Board carried the application with no further notice.

App. 2520: 532 Highland Avenue. Petia Morozov. *Bulk variance for minimum lot width and height of principal structure.*

Mr. Petto announced that a correspondence was received from the applicant requesting to adjourn the application to the December 20, 2017 meeting of the Board. The Board carried the application with no further notice.

ADJOURNMENT

A motion to adjourn was offered by Mr. Fleischer, seconded by Ms. Baggs. The meeting was adjourned at 8:30pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Graham Petto".

Graham Petto, P.P., AICP
Assistant Secretary
Zoning Board of Adjustment