

ZONING BOARD OF ADJUSTMENT

MINUTES OF THE MEETING

JUNE 6, 2013

CALL TO ORDER: This is a regularly scheduled meeting of the Board of Adjustment of the Borough of Franklin Lakes. In compliance with the Open Public Meetings Law, Notification of this Meeting has been sent to our Official Newspapers and Notice has been posted on the bulletin board at the Borough Hall. I direct that this announcement be entered into the Minutes of the meeting.

ROLL CALL:

Present: Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli, Mr. Toronto,
Mr. Badenhause, Mr. Frankel, Board Attorney Davies,
Board Engineer Tiberi

Absent: Mr. DiFlora, Mr. Khoury, Ms. Schoenberg

ORAL COMMUNICATIONS

There was no one who wished to come forward with questions or comments of the Board this evening.

NEW BUSINESS

Cal.#2013-7 Application for Krantz, 833 Stonewall Court, Block 2511, Lot 5, Dimensional variance, which is in violation of the following Section of the Ordinance:

| TYPE | REQUIRED | EXISTING | PROPOSED | VARIANCE | CODE |
|----------------|-----------------|-----------------|-----------------|-----------------|-------------|
| Total Coverage | 25% | 24.5% | 25.7% | .7% | 300-102 |

Attorney Scott McCarskey of McCarskey Associates introduced himself as the attorney for the applicant. Applicant Jonathan Krantz was sworn by Mr. Davies and stated that his address is 855 Stonewall Court, Franklin Lakes, New Jersey. Mr. McCarskey stated that the applicant is proposing an extension of the existing pool, patio and walkway in the rear of the property. In this instance the lot coverage is exceeded by .7% and there would be no effect on the neighbors due to the large size of the lot. Mr. Davies marked the plan entitled "Survey and Site Plan of Property at 833 Stonewall Court, Lot 5, Block 2511, Borough of Franklin Lakes, Bergen County, New Jersey, dated May 20, 2013, prepared by Kent Rigg, P.E., L.S." as Exhibit A-1.

Mr. Krantz described the property and stated that the house was purchased with the pool. There was a recent expansion to the house and Mr. Krantz said that he hopes to add beautification walkways and a patio area that would connect to the existing walkway around the pool. This expansion would have no impact on the neighboring properties. There is a masonry pit which would serve as an outdoor fireplace and Ms. Tiberi pointed out that this would affect the coverage on the property. Mr. McCarskey stated that the applicant will relocate the fireplace on already existing coverage and will submit a revised plan showing this modified location. There was a question raised as to whether the built in grill was on the left or right side of the patio when looking from the house. Mr. Krantz said that wherever the grill is located it would not change the size of the variance being sought. He assumed the grill would be located on the right side because there is a gas line already in this location. Mr. Krantz was told that his fence encroaches onto the property of the neighbor to the northwest. Mr. Krantz said that he would get a written agreement from this neighbor relative to this condition. Mr. Krantz also agreed to shift the construction access to the right in order to keep it out of the 20 foot no disturbance buffer. The Board discussed the possibility of making the driveway smaller; however, Mr. Krantz pointed out that the variance being requested is diminimus at only .7%.

Mr. Messaros made a motion to open the meeting to the public for comment seconded by Mr. Frankel, all ayes. No one from the public came forward and the public portion of the meeting was closed by a unanimous vote of the Board.

Mr. Davies recited the following conditions:

Applicant must ensure that the fire pit is partially or fully bordered by patio or gravel. Coverage to be recalculated to include any resulting coverage . Plans to show a sunken in ground pit.

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Plans to be amended to show a masonry cooking grill on the proposed patio with the appropriate coverage calculations.

Applicant to obtain either written approval by the neighbor regarding the fence or the fence must be moved to the applicant's property.

The plans must be amended to show that the construction access does not encroach into the no disturbance zone.

Applicant will obtain permits for the barbeque grill.

A total coverage amount of 26% is permitted.

Mr. Frankel made a motion to approve the total coverage at 26%, seconded by Mr. Messaros.

Roll Call Vote

Ayes: Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Bavagnoli, Mr. Toronto, Mr. Frankel

Nays: None

RESOLUTIONS

Admani, Block 2409.02, Lot 7 DENIED

Mr. Toronto made a motion to memorialize the resolution as modified, seconded by Mr. Bavagnoli.

Roll Call Vote

Ayes: Mrs. Gerber, Mr. Badenhausen, Mr. Messaros, Mr. Toronto, Mr. Bavagnoli, Mr. Frankel

Nays: None

MINUTES

The minutes of May 2, 2013 were presented for approval.

Mr. Toronto made a motion to approve the Minutes, as amended, seconded by Ms. Badenhausen.

Roll Call Vote

Ayes: Mrs. Gerber, Mr. Badenhausen, Mr. Bavagnoli, Mr. Messaros, Mr. Frankel, Mr. Toronto

Nays: None

VOUCHERS

A voucher for the meeting of May 2, 2013 was presented by Mr. Davies. Mr. Bavagnoli made a motion to approve the voucher, seconded by Mr. Toronto.

Roll Call Vote

Ayes: Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli, Mr. Frankel, Mr. Toronto, Mr. Badenhausen

Nays: None

The meeting was adjourned at 8:30 P.M.