

BOARD OF ADJUSTMENT
MINUTES OF THE MEETING

JUNE 5, 2014

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: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli, Mr. Toronto, Mr. Frankel, Robert Davies, Board Attorney, Marisa Tiberi, Board Engineer

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

ORAL COMMUNICATIONS

There were no comments or question from audience members.

NEW BUSINESS

Cal.#2014-1 Application of O'Connor, 667 Navaho Trail Drive, Block 2101.16, Lot 4, Dimensional Variance, which is in violation of the following Section of the Ordinance:

<u>TYPE</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>VARIANCE</u>	<u>CODE</u>
Total Coverage	25%	24.99%	27.43%	2.43%	300-102

DATE DEEMED COMPLETE: May 5, 2014

DETERMINATION DATE: 9-2-14

Mr. Joseph Basralian, the attorney for the applicant stated that this is a request to install a pool and apron on the O'Connor property. The property is 48,337 square feet or 1.0 acres and the proposal would increase the total coverage to 27.43%. This increases the existing coverage which is presently 24.99%. The proposed pool is relatively small and will add 11,030 square feet of new coverage.

Robert Weissman, engineer, of Weissman Engineering, 686 Godwin Ave., Midland Park was sworn by Mr. Davies. He testified that he submitted a plan entitled "Pool Plan, 667 Navaho Trail Drive, Lot 4, Block 2101.16, Borough of Franklin Lakes, New Jersey," dated January 17, 2014. The Plan was marked as Exhibit A-1. Mr. Weissman indicated that he will revise the plan to indicate tree removal. Mr. Weissman stated that this is a nominal increase in coverage for a home in Franklin Lakes. He added that the pool area has been reduced from the original plan which included a waterfall that has now been eliminated. The patio around the pool was also eliminated. There will be no impact on buffers or setbacks. Mr. Weissman noted that the Planning Board had granted a variance for air conditioning units in the past. These units were screened with arborvitae that have grown since that time and are not depicted on the plan. The actual location of these trees must be noted on a revised plan to be submitted to the Board Engineer. Photos of the area were examined and Ms. Tiberi said the trees should be left as is because the location allows for good circulation around the home and the property as well as allowing for ease of access to the air conditioning units for service.

The applicants are willing to replace the trees that are outside of the tree removal limits. The Board discussed a Beech tree that the plan indicates will be removed. Mr. O'Connor, 667 Navaho Lane, was sworn and stated that the tree was in good shape and he would prefer to save it. Mr. DiFlora suggested that some arborvitae trees be added to screen the pool equipment on east side.

A motion was made and seconded to open the meeting for questions of this evening's testimony. No one came forward and a motion was made to close the public portion of the meeting.

Mr. Davies recited the following conditions of approval:

1. Revise the plan to show the arborvitae in their current location.
2. Revise the plan to show protective fencing around the existing septic field to be installed.
3. Revise the plan to show that the 12 inch Beech tree will not be removed.
4. Revise the plan to show the arborvitae screening around the pool equipment scattered and staggered to the east of the pool equipment to the satisfaction of the Board Engineer.
5. Comply with drainage calculations noted in the Board Engineer's letter of March 13, 2014.

Mr. Toronto made a motion to approve the variance request based on the above conditions. The motion was seconded by Mr. Frankel.

Roll Call

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli, Mr. Toronto, Mr. Frankel
Nays: None

A resident asked about the possibility of installing a fence in excess of 7 feet to keep the deer out of wooded areas where they eat any new growth. Mr. DiFlora recalled that the Board recently granted a variance for this type of fence.

MINUTES

The Minutes of May 1, 2014 were presented for approval. Mr. Bavagnoli made a motion to approve the minutes as presented, seconded by Mrs. Gerber.

Roll Call

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Bavagnoli
Nays: None

On a motion made by Mr. Toronto and seconded by Mr. Frankel, the meeting was adjourned at 8:43 P.M.