

**MINUTES OF THE BOARD OF ADJUSTMENT MEETING
Thursday June 10, 2021**

Present:

Chairman Dan McGinley

Mrs. Christy DiBartolo

Mrs. Genevieve Murphy-Bradacs

Mr. Robert Gaccione, Board Attorney

Vice Chairman Weston

Mr. Pat Liska

Mr. Paul Mathewson, Alternate #2

Mrs. Ashley Neale, Board Secretary

Meeting called to order at 7:33 P.M. by Chairman McGinley. This meeting was held via Zoom Video Conferencing due to COVID-19 pandemic.

Open Public Meetings Act Statement is read by Secretary Mrs. Neale. Roll Call is taken.

Chairman McGinley gives a brief overview of the Boards duties and responsibilities.

Approval of Minutes

Chairman McGinley asks for a motion to approve minutes from the meeting held on May 13, 2021. Mr. Liska makes the motion, Ms. DiBartolo notes for the record she had a minor adjustment, the minutes as distributed stated she voted to approve the resolution at 8 Newman, which she abstained. Mrs. Neale notes the change will be made. Ms. DiBartolo abstains. All others present vote in favor.

Resolutions

Chairman McGinley asks for a motion to approve Resolution 2021-18 for Buzzard at 91 Forest Avenue. Mr. Liska makes the motion, Ms. Murphy-Bradacs seconds. Vice Chairman Weston and Ms. DiBartolo abstain. All others present were in favor.

Chairman McGinley asks for a motion to approve Resolution 2021-19 for Quigley at 73 Franklin Street. Ms. DiBartolo makes the motion, Mr. Liska seconds. Vice Chairman Weston abstained. All others present were in favor.

Adjournments

Chairman McGinley notes that the applicants for 2019-14, 21 & 25 Grove Avenue, have requested an adjournment to the July 8th meeting. He asks for a motion from the Board to allow the adjournment. Vice Chairman Weston makes the motion. Ms. DiBartolo seconds. All present vote in favor.

Chairman McGinley asks for a motion to adjourn Application 2019-14 for 21 & 25 Grove Avenue, to a Special Meeting to be held on Thursday July 29, 2021. Vice Chairman Weston makes the motion, Mr. Liska seconds. All present vote in favor.

Mr. Mathewson joins the meeting at 7:46, as he was in the attendees section.

New Business

Chairman McGinley notes that he would like to discuss two things not on tonight's agenda. The first being an affidavit Ms. DiBartolo found from another Township's land use application, that has the applicant sign off on allowing Board members to inspect the properties. All members agreed that it would be a good idea to incorporate this into the application packet. Chairman McGinley states the second topic he would like to discuss is returning to in person meetings. There was discussion amongst the Board, and everyone agreed they would be willing to return

to in person meetings, as long as the proper safety measure were taken. Mr. Gaccione notes for the record there may have to be another virtual meeting due to noticing requirements by the applicants and timing.

Ms. Murphy-Bradacs recuses herself from hearing the application because she lives within 200 feet of the property, and leaves the meeting at 7:58 PM.

Hearing of Application 2021-15 for 33 Birdseye Glen

Chairman McGinley notes for the record that he has used Evan Scott, the architect representing the applicant, in the past, but is not currently working with him; therefore, it does not constitute a conflict of interest. Mr. Gaccione swears in Mr. Evan Scott, and Ms. Corinne Driver as the homeowner and applicant. Mr. Gaccione notes for the record that he has reviewed the legal notices and the Board as proper jurisdiction to hear this application.

Mr. Scott introduces himself and briefly explains his qualifications. He continues by stating the application is calling for the construction of an addition to replace an existing sunroom. The addition would consist of a den space and bathroom. The applicant also intends to build a deck off the new addition with a vertical lift for wheelchair access. He adds the variances requested are for exceeding the side yard setbacks. He adds the property abuts the Montclair Golf Club course and that one neighbor has done a similar addition.

Chairman McGinley clarifies that one variance is for the side yard setback, where 8 feet is required and 5.33 feet is proposed. A second variance for both side yard setbacks, where 18 feet is required and 13 feet is proposed, and the third being for side yard setback percentage of lot width where 25 percent is required and 21 percent is proposed.

Vice Chairman Weston asks Mr. Scott to describe the side of the property where the addition is proposed and the neighboring property on that side. Mr. Scott notes that there is currently some shrubbery and an existing fence. Mr. Liska asks if the addition will be setback so that no windows line up to the neighbors. Mr. Scott confirms no windows will line up. Ms. DiBartolo asks about fire rating along the side of the addition. Mr. Scott notes they are beyond the 5 feet, and notes they are keeping the existing opening from the dining room.

Chairman McGinley asks if anyone from the public has any comments or questions regarding this application. No members of the public came forward. Ms. Driver addresses the Board, thanking them for their service. She adds this addition will allow her to stay in her home as long as possible, and for which she is thankful, as she loves the neighborhood and Township.

Chairman McGinley opens Board deliberations, noting he does not see any issues with this application, as the deck is will be more in line with the house, and the addition does not significantly impact the zoning for the neighborhood. Mr. Liska agrees he does not see a problem with this application, he notes that Mr. Scott should make sure the bathroom would be wheelchair friendly for the future. Ms. DiBartolo also agrees, and thanks the applicant for a refreshing presentation.

Chairman McGinley asks for a motion to approve application 2021-15 as submitted. Vice Chairman Weston makes the motion, Ms. DiBartolo seconds. All present voted in favor, the application was approved 6 to 0.

Adjourn

There was a unanimous agreement to adjourn at 8:26 PM.

Respectfully submitted,

Ashley Neale
Board of Adjustment Secretary

PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Board of Adjustment Secretary at 973-857-4777.