

**MINUTES OF THE BOARD OF ADJUSTMENT MEETING
Thursday September 9, 2021**

Present:

Chairman Dan McGinley

Mrs. Christy DiBartolo

Mr. Larry Lundy

Mr. Paul Mathewson, Alternate #2

Mr. Robert Gaccione, Board Attorney

Vice Chairman Scott Weston

Mr. Pat Liska

Mrs. Genevieve Murphy-Bradacs

Mr. Mike DeCarlo, Zoning Official

Mrs. Ashley Neale, Board Secretary

Meeting called to order at 7:33 P.M. by Chairman McGinley. Open Public Meetings Act Statement is read by Secretary Mrs. Neale.

Pledge of Allegiance

Chairman McGinley gives a brief overview of the Boards duties and responsibilities. Roll Call is taken.

Approval Minutes

Chairman McGinley asks for a motion to approve minutes from the Regular meetings held on August 12, 2021. Mr. Liska makes the motion, Vice Chairman Weston seconds. All present vote in favor.

Resolutions

Chairman McGinley asks for a motion to approve Resolution 2021-23 for O'Flynn at 23 Hamilton Road. Mr. Liska makes the motion, Ms. DiBartolo seconds. All present vote in favor.

Chairman McGinley asks for a motion to approve Resolution 2021-24 for Cam Gar at 34 Linn Drive. Ms. DiBartolo makes the motion, Ms. Murphy-Bradacs seconds. All present vote in favor.

Chairman McGinley asks for a motion to approve Resolution 2021-25 for Guglielmi for 93 Lynwood Road. Mr. Liska makes the motion, Vice Chairman Weston seconds. All present vote in favor.

Adjournments

Chairman McGinley notes that Application 2019-14 for 21 & 25 Grove Avenue is requesting an adjournment to a Special Meeting on September 21 at 7:30 PM. Mr. Liska makes the motion, Vice Chairman Weston seconds. All present vote in favor.

Chairman McGinley notes that the Board has yet to receive the settlement agreement pertaining to application 2021-12 for 251 ½ Grove Avenue, and therefore they will have to be adjourned to the Board's next regular meeting on Thursday October 14.

Application 2021-14 for 261 Grove Avenue- Continued from 8-12-21

Mr. Gaccione notes for the record that Ms. Leonardo was sworn in at the last meeting and is still under oath. Ms. Leonardo notes that she had submitted additional pictures of the deck and pool area, along with a sketch that Mr. DeCarlo assisted her with. Mr. DeCarlo notes that there is a portion of the deck that could be easily removed based on the position of the joints and beams. Ms. DiBartolo notes that making adjustments on the side may require the stairs to be moved, creating a ripple effect overall on the deck. Ms. DiBartolo suggests modifying the rear of the deck, which is currently at 12 feet from the edge of the pool, to 8 feet, which would leave a 4-foot buffer between the deck and the

tree. She notes this would also lessen the impervious coverage. Chairman McGinley goes down the list of variances being requested, noting that the Board does not seem to have issues with the wall of the pool being within 10 feet of the rear lot line, or the side yard setback. There is discussion regarding requiring the deck to be no closer than 10 feet to the property line, and how that would affect the tree and variances. Mr. DeCarlo notes that the deck would still require building permits and approval from the Construction Code Department. There is discussion regarding the accessory structure exceeding the aggregate yard area covered and maximum improved lot coverage. Mr. McGinley notes that decreasing the deck area would adjust these calculations to be closer to the required coverage.

Chairman McGinley asks for a motion to approve application 2021-14 with the condition that the applicant removes materials making the deck no closer than 10 feet to the rear property line. Mr. Liska makes the motion, Ms. DiBartolo seconds. All present vote in favor, the motion passes 7 to 0.

Application 2021-19 for 69 South Prospect Street

Mr. Gaccione swears in Paul and Melissa Watkins as owners and applicants for this property. Mr. Watkins notes that they live on a corner property and are intending to put a 6-foot fence, which would require a variance because 3 feet is permitted. Mr. Watkins notes that he has three children who play in the yard and they are concerned with their safety while playing. He adds the fence would provide a barrier and keep their play equipment in the yard. He notes that there the fence would not impede any sight lines relating to the stop sign on the corner. Mr. Watkins acknowledges the review letter submitted by the Environmental Commission, noting their concern over the removal of the hedge line. He notes that those have been there for over 45 years and are damaged and unsalvageable. He adds that he has planted around 30 trees since he purchased the property 2 years ago. Mr. Watkins states that his neighbors have been notified and none has raised an objection to the project.

Mr. Liska how far off the sidewalk the fence would be placed. Mr. Watkins responds the fence would be located about 1 and a half feet from the sidewalk. There is some discussion regarding if the fencing would still be in the public right of way. Mr. DeCarlo explained that generally, property lines are about 10 feet from the curb line; there is typically a 3-foot dog run, and a 4-foot sidewalk. The Board discusses and concludes they would be agreeable to the fence being 6 inches off the property line.

Chairman McGinley asks for a motion to approve application 2021-19 for 69 South Prospect Street. Vice Chairman Weston makes the motion, Mr. Mathewson seconds. Ms. DiBartolo abstained; all other present vote in favor, the motion passes 6 to 0 with 1abstention.

Application 2021-20 for 12 Lynwood Road

Mr. Gaccione swears in Rachel Wagner as owner and applicant for this property. Ms. Wagner states that she intends to install a seven by twenty foot front porch. She notes that this would require a variance for the front yard setback, where 30 feet is required she is proposing 22.76. Ms. Murphy-Bradacs asks if any of the neighbors had an issue with the project. Ms. Wagner states that while she was delivering the notices she was able to speak to the majority of them, and none had any issues. Ms. DiBartolo asks about the stairs, noting the seven feet is just for the porch and then there would be additional steps that would encroach. Ms. Murphy-Bradacs asks if the plantings would be replaced once the porch is built. Ms. Wagner notes that the plantings currently there will be moved to the front of the porch. Mr. Lundy comments he sees not issue with the application and it would not be out of character for this neighborhood. Mr. Mathewson agrees noting that it would look strange to not extend it to the end of the house.

Chairman McGinley asks if anyone from the public would like to ask a question or make a statement regarding this application. No members of the public were present. Mr. Gaccione notes for the record that proof of service was review for all applications being heard at tonight's meeting and the Board has jurisdiction to hear them.

Chairman McGinley asks for a motion to approve application 2021-20 for 12 Lynwood Road as submitted. Mr. Lundy makes the motion, Vice Chairman Weston seconds. All present vote in favor, motion passes 7 to 0.

Ms. DiBartolo requests the Board enter into an Executive Session at 9:06 PM. The Board moves back into public session at 9:17 PM

Adjourn

There was a unanimous agreement to adjourn at 9:18 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.