

BOROUGH OF MIDLAND PARK - ZONING BOARD OF ADJUSTMENT MINUTES

September 8, 2010

PLEASE TAKE NOTE:

ON WEDNESDAY, SEPTEMBER 8, 2010, THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M.

FORMAL MEETING

READING OF THE OPEN PUBLIC MEETINGS ACT

PLEDGE OF ALLEGIANCE

ROLL CALL:

Ms. Linda Herlihy	present	Mr. Glen Biswurm	absent
Mr. Douglas Feick	present	Mr. John Meeks	present
Mr. Richard Kroitsch	present	Mr. Richard Formicola, Alt. #1	absent
Mr. Peter Braunius	present	Mr. Matthew O = Toole, Alt. #2	present
Mr. David Zuidema	present		

D. Doyle, Esq., Zoning Board Attorney, and R. Wostbrock, Board Engineer were also present on behalf of the Board.

Minutes of the 8/11/2010 meeting were approved.

PUBLIC HEARINGS:

MUSACCHIO, MARIE - Block 15 Lot 24- 127 Highland Ave- Marie Musacchio, sworn in. Notices are in order. R. Wostbrock reviewed application; unique site as house is located to the rear of the property; 2.62' from the rear property line. Property is conforming in size however non-conforming in size within the first 125' and width where 75' is existing 100' is required. Homeowner is currently building space above garage and existing connecting space. Mr. Wostbrock questioned improved coverage. Proposed addition is replacing existing deck so coverage is not increased. Proposed addition is in front of the house but needs a rear yard set back variance because of the location of the home to the rear property line. Michael Acito, sworn in, 127 Highland Ave., son-in-law of owner. Board questioned height and location of addition. Mr. Acito confirmed that the addition will be one story with a cathedral ceiling. Atty. Doyle reviewed previous variance approved for deck built in 2001 over existing patio where a rear yard required was 48.2' and deck encroached in this area by 33'. A portion of the deck will remain. The closest point of the addition to the rear yard property line is 15.5' or a variance for 32.8' where 48.2' is required. Exhibit B-1, survey dated 6/7/99 marked up by Atty. Doyle, Exhibit B-2, Mike & Michelle Acito architectural plans dated 8/20/2010. The height of the proposed garage will remain the same but will have a mansard roof. Meeting opened to the public, with no comments, meeting closed to the public. R. Wostbrock advised that the variance would be for 32.7'. Atty. Doyle reviewed application. Motion by Mr. Feick to approve a rear yard set back variance for 32.7' where 48.2' is required and the structure is no closer than 15.5' to the rear property line for a one story addition that will match the roof line of the existing single story structure, and that the existing roof line of the garage be constructed as shown on exhibit B-2, seconded by Mr. Zuidema; all voted in favor except Mr. Kroitsch who voted no.

VERIZON / T-MOBILE- Block 6 Lot 1 & 17.01 (new 17.02)- 80 Godwin Ave- continued from July 14, 2010 meeting. Mr. Biswurm has read the transcript of the July 14th meeting, has so

certified, and is therefore eligible to vote. Atty. David Soloway, of Vogel, Chait, Collins, representing applicant. Mr. Murawski, sworn in, Licensed Professional Engineer, accepted as expert. Exhibit A-29, Verizon Wireless site plan, 10 sheets, rev. 3/29/10. Mr. Murawski reviewed site for proposed wireless flagless flag pole and equipment compound for Verizon and T-Mobile which is approx. 18' x 40'. A stand by generator is proposed for Verizon at the rear of the retail space and five new parking spaces are proposed at the rear of the property. Five parking spaces will be eliminated; four where the equipment compound is proposed and one for the generator. Dumpster will also be relocated to an existing parking space for a total of six lost parking spaces where five new are proposed for a net loss of one parking space. In response to the board request, the applicant agreed to research relocating the generator to the roof top. Engineer discussed reasons for location of equipment and alternate locations on site. Verizon generator proposed will be 50 kw generator; not 60 kw as stated on the application; 50kw generator will be slightly quieter and will be approx. 3' W x 7' L, set on a concrete pad. Diameter of flagpole proposed is 33" however a 36" diameter pole would accommodate 60' of canisters and additional carriers. Unipole color is white; no signage proposed however emergency signs will be located on the entrance to the compound. Board questioned generator testing; done weekly for thirty minutes, natural gas fueled; with an outdoor enclosure designed to mitigate noise. Applicant would agree to condition that all NJDEP requirements will be met and to allow, upon completion of project, the Board = s sound expert, Goodfriend and Assoc., to test for sound compliance. Board questioned pole height, pole location, co-location space and ownership of proposed generator. Variances created; max. impervious coverage permitted is 75% where 85.6% exists and 85.8% is proposed because of expansion of parking area into unpaved areas. Mr. Murawski will re-review to determine if they can maintain the parking count and existing impervious coverage. Ord.# 34-13.1b, accessory building in front yard. Accessory building set back requirement; Accessory building, both cabinets are 11' off front property where 15' set back is required. Distance from generator and principle structure is 3' 6" where 12' is required; relocation to roof would eliminate this variance. Parking space variance where 181 spaces are required; net loss of one space. Mr. Murawski described sizes of equipment cabinets and height restrictions. Atty. Doyle requested a chart showing variances applicable to each of the three site options. Separation from pole and residential lot line is 82.5' for a 110' high pole and would change if pole is 120'; proposed is 14'. Separation distance required to residential lot line is 330'; proposed is 121'. Maximum equipment gross floor area; Verizon is 99 sf and T-Mobile is 25 sf; if interpreted as a total, it is over 100 sf allowed and does not include the generator. Applicant to provide landscaping plan with as much screening as can be provided. Meeting opened to the public, with no comments, meeting closed to the public. Motion by Mr. Kroitsch to carry application to October 13th for RF testimony with Mr. Graiff, Mr. Pierson and Mr. Murawski, no further notice required, seconded by Mr. Feick; all voted in favor. Atty. Soloway agrees to the extension of time. Board noted that the Fire Dept. should be contacted for their input as to the alternate locations. Motion by Mr. Feick to retain Burgis Assoc. as board planner, seconded by Mr. Kroitsch; all voted in favor. (Copy of transcript attached.)

RESOLUTIONS:

GALLO, NICHOLAS & DAYNA- Block 25.02 Lot 5- 28 Aqueduct Ave- Motion by Mr. Kroitsch to carry resolution to October 13th meeting, seconded by Mr. Zuidema; all voted in favor.

Meeting Adjourned at 10:02 PM

Janet Giardino, Board Secretary