

Tenaflly Board of Adjustment

Regular Meeting

7:30 P.M. July 12, 2021

Minutes

Roll Call

Present: Mr. Callahan, Mr. Cho, Mr. Cytryn, Mr. Friedman, Mr. Kominsky, Mr. Steinhagen

Absent: Mr. Brensilber, Mr. Lieberman, Ms. Toro

Also present: Ms. Chalarca, Mr. Paul Gdanski, Mr. Adam Howell, Mr. Jerrg, Mr. Mark Madaio, Mr. Menon, Ms. Jennifer Prioleau, Mr. Kevin Rivara, Mr. Robert, Mr. David Spatz, Mr. Steven Taylor, Mr. Zenn

Open Public Meeting Act Statement

Approval of Minutes- June 7, 2021

A motion was made by Mr. Friedman and seconded by Mr. Steinhagen to approve the minutes of June 7, 2021. A voice vote carried the motion. All voted in favor; none were opposed.

Approved Resolutions

1. Epstein, 35 Sunderland Road - Inground pool & patio

A motion was made by Mr. Cytryn and seconded by Mr. Friedman to approve the resolution for 35 Sunderland Road. The roll was called, and the motion was carried. Voting YES: Mr. Callahan, Mr. Cho, Mr. Cytryn, Mr. Friedman, Mr. Steinhagen. Voting NO: No one. The motion was passed 5-0.

2. Feldman, 52 Churchill Road- Inground pool, slate patio & paver patio

A motion was made by Mr. Friedman and seconded by Mr. Cytryn to approve the resolution for 52 Churchill Road. The roll was called, and the motion was carried. Voting YES: Mr. Callahan, Mr. Cho, Mr. Cytryn, Mr. Friedman, Mr. Steinhagen, Mr. Kominsky. Voting NO: No one. The motion was passed 6-0.

3- Lee, 216 Jefferson Avenue – Front yard driveway

A motion was made by Mr. Cytryn and seconded by Mr. Friedman to approve the resolution for 216 Jefferson Avenue. The roll was called, and the motion was carried. Voting YES: Mr. Callahan, Mr. Cytryn, Mr. Friedman, Mr. Steinhagen, Mr. Kominsky. Voting NO: No one. The motion was passed 5-0.

Additional Comments:

Members of the board discussed a virtual versus in person meeting for August 2, 2021. Mr. Zenn recommended a virtual meeting for August 2, 2021 due to short length of time for notices for an in person meeting. Mr. Kominsky confirmed a remote meeting for August 2, 2021 following the same procedures.

New Business

1. Prioleau – 233 Engle Street – Inground pool

Ms. Jennifer Prioleau was present with Mr. Steven Taylor, Esq. and Mr. Paul Gdanski to present the application for 233 Engle Street. The application requested variance to allow the installation of an in ground pool in the rear yard. Engineer Paul Gdanski was sworn in as a witness for this application.

For the record, Mr. Cytryn recused himself from the application.

Mr. Gdanski presented the plan to members of the board. Mr. Gdanski explained the property is shaped similarly to a horseshoe and only has one spot without a street. Mr. Gdanski discussed drainage was provided to pick up any run off from the pool. Mr. Gdanski stated there will be no impact on the surrounding lots.

In response to questions from the board, Mr. Taylor explained that a side yard variance was mentioned in the application just in case. Mr. Taylor stated the application stated if needed they will seek variance for side yard variance if needed because it was unclear if building department required it denial letter only for the rear yard.

Mr. Steinhagen inquired about fence or landscaping covering the pool to remove the view from the street.

As a member of the public, Mr. Cytryn was sworn in for comments. Mr. Cytryn commented that he agreed with both the Mr. Taylor and Mr. Gdanski on the application. Mr. Cytryn stated as someone who is familiar with the property, the proposed pool and space is not visible from the street as the garage provides a majority of the screening.

Executive Session: Prioleau – 233 Engle Street

A motion was made by Mr. Steinhagen and seconded by Mr. Friedman to go into executive session. A voice vote carried the motion. All voted in favor; none were opposed.

Mr. Steinhagen stated there is a hardship including the slope of property and multiple frontages. Mr. Steinhagen stated his concerns of visibility from the street were addressed and he would support the approval of the application.

Mr. Friedman stated he agreed with Mr. Steinhagen in regard to the application.

Mr. Kominsky thanked Mr. Taylor for his concise and professional application. Mr. Kominsky stated he was in support of the application.

A motion was made by Mr. Steinhagen and seconded by Mr. Friedman to approve the application. The roll was called, and the motion was carried. Voting YES: Mr. Callahan, Mr. Cho, Mr. Friedman, Mr. Steinhagen, Mr. Kominsky. Voting NO: No one. The motion was passed 5-0.

2. Ranawat – 248 Devon Road – Install pool, fire pit, patio and pool house

Mr. Mark Madaio was present with Mr. Paul Gadanski, engineer, Mr. Adam Howell, landscape architect and Mr. David Spatz, planner on behalf of the applicant for 248 Devon Road. The application is requesting to install pool, fire pit, patio and pool house.

For the record, Mr. Kominsky recused himself on application for 248 Devon Road. Mr. Kominsky that Mr. Cytryn will take over.

Mr. Zenn stated the application has a D Variance which requires five affirmative votes. The applicant has elected to put in its testimony and is requesting that given the full board is not present, they would like for board not to go into executive sessions. Mr. Madaio stated that applicant is requesting providing the opportunity for other board members to listen to presentation then participate in voting. Mr. Madaio stated the applicant understands there is no guarantee additional members will listen to the recorded presentation and be eligible.

Mr. Steinhagen discussed an extension on this application in advance in case there will not be a quorum the following meeting. Mr. Steinhagen stated the next meeting is in August in which there is a possibility of members being on vacation. Mr. Madaio stated that the applicant would agree to an extension if needed.

Mr. Madaio introduced the application and discussed seeking variances for building coverage where 12.5 is permitted and 13.6 is sought for a small cabana on the property for the pool. Mr. Madaio stated the applicant is seeking impervious coverage variance where 25 is permitted and 33 is sought.

Mr. Madaio stated the applicant is withdrawing the requested for a side yard setback for pool equipment as the pool equipment will be put in a conforming location.

Mr. Madaio stated there is a floor area ratio which is driving the D variance. Mr. Madaio stated it is permitted at 18.75 and 19.6 is sought. Mr. Madaio stated he would like to note the floor area ratio is adding a pool cabana and not increasing anything else.

Mr. Paul Gdanski was sworn in as the engineer of the application and presented the plan from March 11, 2021 to the board.

Mr. Gdanski confirmed the hardscape has sufficient drainage. Mr. Gdanski confirmed the existing patio will be replaced with new patio. Mr. Gdanski discussed creating a path from the side of the house to the back, adding patio around the pool and adding a cabana. Mr. Gdanski stated with the removal of the fire pit, there is credit for drainage but not impervious coverage.

Mr. Gdanski responded to questions from the board members including concerns regarding drainage.

Mr. Adam Howell was sworn in as the landscape architect of the application.

Mr. Howell discussed the proposed plan including the walkway from the driveway to the back, the extended patio, the pool, the cabana, the pergola, and outside kitchen. Mt. Howell discussed that stepping stone and planting will be added to break up the patio from house. Mr. Howell also discussed proposed shrubbery and planting around the property.

Mr. David Spatz was sworn in as the planner of the application.

Mr. Spatz discussed the surrounding properties in the neighborhood have similarities such as pools. Mr. Spatz discussed the abundance of screening surrounding the home. Mr. Spatz stated the pool is being located where there will be no impact on adjacent properties.

In response to questions from the board, Mr. Spatz stated a significant portion of the rear yard remains available.

A motion was made by Mr. Steinhagen and seconded by Mr. Friedman to carry the application to the next board meeting in August 2021. A voice vote carried the motion. All voted in favor; none were opposed.

Additional Comments

Members of the board confirmed that the 141 Piermont Road application will be heard at the August 2, 2021 meeting. The public will be notified of necessary materials posted to the borough website.

Adjournment

A motion was made by Mr. Kominsky and seconded by Mr. Friedman to adjourn the meeting at 10:18pm. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Monica Chalarca

Board Secretary