

BOROUGH OF ROSELAND
BOARD OF ADJUSTMENT
MINUTES OF OCTOBER 2, 2017

1. ROLL CALL

Present on roll call were:

Mr. Santo Barretta, Chairman
Mr. Paul Aschoff, Vice Chairman
Mr. Anthony Guerino
Mr. Joseph LaRiccia

Mr. John Matheis
Mr. William Tedesco
Ms. Janet Treamont
Ms. Michelle Stefanelli, Alt. 1
Mr. Paul Jemas, Attorney

2. FLAG SALUTE

3. Mr. Barretta announced that notice of this meeting has been provided in accordance with the Open Public Meetings Act.

4. Thin Blue Line Foods LLC
33 Green Heron Drive
Hackettstown, New Jersey

178 Eagle Rock Avenue
Block 44, Lot 15
B-1 Zone District
Application #17-05

Applicant is seeking to operate a fast service restaurant (The Chicken Factory). Relief is being sought from Section 30-405.b, conditional use requirements and Sections 30-405.b.1 and 30-405.5.b.4, total floor area of all restaurant uses within a multi-use retail complex shall not exceed twenty (20%) of the gross floor area of the retail complex.

Mr. Barretta stated that the Board received notice from the applicant requesting to be carried until the November 13, 2017 meeting.

Mr. Matheis questioned why the applicant was appearing before the Board. Mr. Jemas stated that the ordinance requires the applicant to apply to the Board.

Nicholas Sciarillo, 10 Park Street, asked why the application was denied by zoning. Mr. Jemas stated that the Zoning Officer determined that the request did not comply with the ordinance; therefore, a conditional use variance was necessary.

5. Josephine and Nicolo Sorisi
45 Ridge Road
Roseland, New Jersey

Block 34, Lot 41
R-2 Zone District
Application #17-06

Applicant is seeking to construct a deck and extend the driveway. Relief is being sought from Section 30-404.1.d, side yard and Section 30-403.21, driveway cannot be constructed less than five (5) feet from the side property line.

Gerald Novack, architect for the applicant, was present with Mrs. Sorisi. Mr. Jemas swore Mrs. Sorisi and Mr. Novack in.

Mr. Barretta asked if any trees would be cut down. Mrs. Sorisi stated no.

5. Sorisi

Mr. Novack stated that he prepared the architectural plans. Chuck Stewart, applicant's engineer, prepared the engineering plans. Mr. Novack stated that there have been many issues with the grading and Chuck Stewart is working with Ralph Tango, Borough Engineer, on those problems. Midway through construction, Mrs. Sorisi envisioned a deck. The deck will be (three) 3 feet to five (5) feet off the ground and twenty five (25) feet from the side yard property line. After grading, the driveway became very steep and difficult to ingress and egress the garage. Mr. Novack stated that they are seeking to extend the driveway to the property line. He mentioned that the property that directly abuts the proposed driveway is also on the property line. Mr. Novack submitted the original and the proposed site plan which included the deck and driveway (marked A1) as well as the expert witness report (A2); four photos taken by Gerald Novack (A3) and the original driveway plan (A4). Mr. Barretta stated that the deck does not line up with the house. Mr. Novack stated that it lines up with the garage door. Ms. Stefanelli asked how high the deck will be off the ground. Mr. Novack replied not higher than six 6 feet in any area. Mr. Tedesco questioned the height of the proposed wall. Mr. Novack stated 1 ½ to 3 ½ feet. Mr. Aschoff asked what would prevent a car from jumping the wall. Mr. Novack stated that the height of the wall should prevent that from happening. Mr. Guerino stated that this was an empty lot and he questioned who graded the property. Mrs. Sorisi stated that it was necessary due to the previous fill used as well as the topography. Mr. Guerino questioned the hardship. Mrs. Sorisi stated that the topography has caused the current situation. Mr. Novack stated that the deck stairs will not be any closer than twenty-five (25) feet from the side property line. Mr. Aschoff made a motion to approve the application and Mr. Tedesco seconded the motion. All present voted yes except Mr. Guerino who voted no.

6. APPROVAL OF MINUTES

a. August 14, 2017

Ms. Treamont made a motion to approve the minutes as presented. Mr. Tedesco seconded the motion. All present voted yes except Mr. Aschoff and Mr. Matheis who abstained.

6. RESOLUTIONS

a. Artur Klawinowski - Resolution #17-11

Ms. Treamont made a motion to approve the resolution. Mr. Tedesco seconded the motion. All present voted yes except Mr. Guerino, Mr. Matheis, and Mr. Aschoff who abstained.

Mr. Barretta made a motion to adjourn at 8:20 PM. All present voted yes.