

RAMSEY ZONING BOARD OF ADJUSTMENT
Minutes of the Regular Meeting
May 20, 2020

REGULAR MEETING

Chairwoman Strollo called the regular meeting of the Board of Adjustment of the Borough of Ramsey to order at or about 7:30 P.M. **Chairwoman Strollo** announced that the meeting is being conducted telephonically.

PLEDGE OF ALLEGIANCE

Chairwoman Strollo led the Pledge of Allegiance.

Chairwoman Strollo read the Open Public Meetings Law notice.

ATTENDANCE	PRESENT	ABSENT
Mr. Crimmins	X	
Ms. Fisher Poppe	X	
Mr. FitzPatrick	X	
Ms. Jarvis, Alt. 1	X	
Mr. Mooradian	X	
Mr. Scuderi	X	
Chairwoman Strollo	X	
Matthew Rogers, Board Attorney	X	
Mr. Hals, Board Engineer	X	
Ms. Lupo, Board Admin. Secretary	X	

APPROVAL OF MINUTES

A motion to approve the minutes of 2/19/20 was made by **Mr. Scuderi**, seconded by **Mr. Crimmins**. All eligible members voted in favor. **Carried.**

CONSENT RESOLUTIONS

Vouchers/Performance Bonds/Letter of Credit:

A motion was made by **Mr. Scuderi**, seconded by **Mr. Crimmins**, to approve the 5/20/20 **CONSENT RESOLUTION** recommending to the Mayor & Council the payment of vouchers. All eligible members voted in favor. **Carried.**

BOARD COMMENTS

Chairwoman Strollo stated that she regretted to inform the Board that **Judge Cerame** passed away last month and wanted to express her condolences to his family and how she appreciated him and the warmth he infused at these meetings.

PUBLIC COMMENTS - None

PUBLIC HEARING:

V-12-29-ZBA-14-**William Kanwisher**, Block 3510, Lot 7; 122 Forest Avenue. Variance to allow building coverage at 16.9% where 15% is allowed.

Mr. Rogers stated the meeting should proceed as normal and verified that the applicants had noticed properly and that the hearing could proceed.

TESTIMONY OF THOMAS ASHBAHIAN AND WILLIAM KANWISHER

Mr. Ashbahian, architect, 39 Spring St, Ramsey, NJ and **Mr. William Kanwisher** of 122 Forest Avenue, Ramsey, N.J. were sworn in.

Mr. Ashbahian stated that they were present to request a residential variance to construct a free standing garage of the dimensions 20 x 30 at 122 Forest Ave. **Mr. Ashbahian** stated the property is in the R-3 zone, the variance is being sought for the building coverage. **Mr. Ashbahian** continued that they are in conformance with the impervious coverage; building coverage is a maximum of 15 percent of the land; currently the residence which has a single car garage is at 13.2 percent coverage and they are proposing with the free standing garage to increase that to 16.9 percent. **Mr. Ashbahian** said the first thought was to build a garage attached to the existing garage but found that they would need a significant variance on the eastern side of the property; as a consequence of moving the garage they would be removing an existing non-conformity in the moving of a shed. **Mr. Ashbahian** stated the additional garage is to be used for a boat and trailer.

Chairwoman Strollo asked **Mr. Ashbahian** for clarification of the property to the rear of the garage. **Mr. Ashbahian** stated that to the rear of the property is a property that will not be developed located in Mahwah; in the plans he indicated two houses with very deep properties that are virtually undevelopable.

Mr. Ashbahian said as to the hardship they have both C-1 and C-2 criteria, the garage itself has a benefit in that it will be able to enclose the boat and trailer. **Mr. Ashbahian** stated the exceptional circumstance is that there is undevelopable land to the south; the variance request will not cause substantial detriment to the public good as the public can't visualize the variance and the streetscape of Forest Ave will not be affected. **Mr. Ashbahian** concluded by stating the variance is small in size at 1.9 percent and can be granted without detriment to the public good or zoning plan.

QUESTIONS FROM THE BOARD

Mr. Scuderi asked **Mr. Ashbahian** what the plan was for the existing garage attached to the house. **Mr. Kanwisher** replied that it will remain as is, he had no current plan for it and it would continue to be a garage. **Mr. Scuderi** asked **Mr. Kanwisher** if it was used for storage. **Mr. Kanwisher** said yes. **Mr. Scuderi** asked **Mr. Ashbahian** regarding the coverage issue if there was a way to build a smaller garage. **Mr. Ashbahian** said they had run into 2 problems in trying to construct the garage; one was if they constructed next to the existing garage it would require a sideyard setback variance, the other problem was the size of the recreational vehicle which determined the size of the garage. **Mr. Scuderi** asked **Mr. Ashbahian** about the visual from the street if the garage would be offset and partially blocked by the house. **Mr. Ashbahian** said yes it would be offset. **Mr. Scuderi** asked **Mr. Ashbahian** how they would get to the garage; is it paved or is it gravel, will there be impervious issues. **Mr. Ashbahian** said it is currently paved and runs the length of the side yard and they would be adding some paving; they are still well under the impervious. **Mr. Crimmins** asked **Mr. Ashbahian** if the space was to be air conditioned; will there be electrical, is it meant to be just storage. **Mr. Kanwisher** said there would be electric for lighting and the garage door; it will be for storage. **Chairwoman Strollo** stated that **Mr. Crimmins** was maybe looking to see if the garage would be used for habitation at any point; it may be required to put that as a condition of approval that the use was to be as a garage. **Chairwoman Strollo** asked **Mr. Ashbahian** regarding the shed that was to be relocated, will the size of that shed remain the same. **Mr. Ashbahian** replied yes. **Chairwoman Strollo** asked **Mr. Rogers** if that needed to be included in the resolution as a condition of approval. **Mr. Rogers** said any changes would have to be in conformance with the code; you would put that in as a condition of approval that the shed be in conformance. **Mr. Hals** said the plan does show where the shed will be located and that it will be in conformance.

QUESTIONS FROM THE PUBLIC - None

COMMENTS FROM THE PUBLIC - None

COMMENTS FROM THE BOARD

Mr. Scuderi said he felt the applicant had established their burden on a flexible C-2 variance and that it was minor in nature with no negative effect on their neighbors and had a minimal view from the street. **Mr. Scuderi** continued that with the restriction of not being allowed for habitability he would be in favor of the application. **Chairwoman Strollo** agreed with **Mr. Scuderi**, it is a better planning alternative for this particular application noting she did not see any drainage issues that could arise; she would be in favor of the application as well.

A motion to approve the application with the conditions that the garage cannot be used for living purposes and that the shed comply with code was made by **Mr. Scuderi**, seconded by **Mr. Crimmins**.

Roll call: **Ayes:** **Mr. Crimmins, Ms. Fisher Poppe, Mr. FitzPatrick, Ms. Jarvis, Mr. Mooradian, Mr. Scuderi, Chairwoman Strollo**

Nays:

Abstain:

Absent:

Carried.

RESOLUTIONS MEMORIALIZED

V-12-06-ZBA-13-**Stephen and Catherine Keefe**, Block 2802, Lot 26; 33 New Street. Variances were approved to allow a front yard setback at 20.5’ where 49’ is required and a side yard setback at 4.5’ where 10’ is required.

A motion to waive the reading of the resolution was made by **Mr. Scuderi**, seconded by **Mr. Crimmins**. **Carried.**

A motion to approve the resolution was made by **Mr. Scuderi**, seconded by **Mr. Crimmins**.

Roll call: **Ayes:** **Mr. Crimmins, Mr. FitzPatrick, Ms. Jarvis, Mr. Mooradian, Mr. Scuderi, Chairwoman Strollo**

Nays:

Abstain: **Ms. Jarvis**

Absent:

Carried.

NEW BUSINESS - none

OLD BUSINESS - None

ADJOURNMENT

A motion was made by **Mr. Scuderi**, seconded by **Mr. Crimmins** to adjourn the regular meeting at approximately 8:15 pm. All voted in favor. **Carried.**