

**RAMSEY ZONING BOARD OF ADJUSTMENT**  
**Minutes of the Regular Meeting**  
**August 19, 2020**

**REGULAR MEETING**

**Acting Chairman Scuderi** called the regular meeting of the Board of Adjustment of the Borough of Ramsey to order at or about 7:30 P.M. **Acting Chairman Scuderi** announced that the meeting is being conducted via teleconferencing due the COVID-19 restrictions.

**PLEDGE OF ALLEGIANCE**

**Ms. Jarvis** led the Pledge of Allegiance.

**Acting Chairman Scuderi** read the Open Public Meetings Law notice.

ATTENDANCE	PRESENT	ABSENT
Mr. Crimmins	X	
Ms. Fisher Poppe	X	
Mr. FitzPatrick	X	
Ms. Jarvis	X	
Mr. Mooradian	X	
Mr. Scuderi	X	
Chairwoman Stollo		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 7/15/20 was made by **Mr. FitzPatrick**, seconded by **Ms. Fisher Poppe**. All eligible members voted in favor. **Carried.**

**CONSENT RESOLUTIONS**

Vouchers/Performance Bonds/Letter of Credit:

A motion was made by **Mr. FitzPatrick**, seconded by **Ms. Fisher Poppe**, to approve the 8/19/20 **CONSENT RESOLUTION** recommending to the Mayor & Council the payment of vouchers. All eligible members voted in favor. **Carried.**

**BOARD COMMENTS** - None

**PUBLIC COMMENTS** - None

**PUBLIC HEARING:**

V-06-03-ZBA-4-**Nicholas & Nicole Stefanow**, Block 4910, Lot 8, 51 Morton Drive; Variances to allow Side Yard Setback of 7 feet where 10 feet is required, Rear Yard Setback of 11.1 feet & 19.5 feet where 25 feet is required, Building Coverage at 32.5% where 20% is allowed and Impervious Coverage at 45.3% where 40% is allowed.

**Mr. Rogers** had previously verified that the applicants had noticed properly and that the hearing could proceed.

**TESTIMONY OF NICHOLAS AND NICOLE STEFANOW**

**Mr. and Mrs. Stefanow** of 51 Morton Drive, Ramsey, N.J. were sworn in. The following exhibits were presented and entered into the record:

Exhibit A-1 - Architectural Plans dated May 4, 2020

Exhibit A-2 - Photos (a-f)

Exhibit ZBA-1 - Dave Hals review letter dated July 14, 2020

**Ms. Stefanow** said that they are before the Board to request a C-1 Hardship Variance for their undersized lot. **Ms. Stefanow** stated they are proposing to replace their existing patio with a deck that will be partially covered and to extend their existing driveway which is funnel shaped. **Ms. Stefanow** said that they are requesting four variances: the rear yard setback at 19.5 feet where 25 feet is required, the side yard setback at 7 feet where 10 feet is required, maximum building coverage is currently 28.5% and they are requesting 32.5% and lastly the impervious coverage to be 45.3% where 40% is allowed. **Ms. Stefanow** described the existing conditions and why the changes are beneficial referencing photos. **Ms. Stefanow** continued by stating the deck would be in a similar location to the existing patio and therefore felt it would not be a detriment to the public good or impair the intent of the Zoning Code. **Ms. Stefanow** concluded by stating their anticipation of spending more time at home and they want the space to be safe and useful.

**QUESTIONS FROM THE BOARD**

**Mr. Scuderi** asked **Ms. Stefanow** to tell the Board about their lot and how it compares to other lots in the zone. **Ms. Stefanow** replied the lot is undersized. **Mr. Scuderi** asked **Ms. Stefanow** about the tree line that screens their property from the neighbors and if it were to be affected. **Ms. Stefanow** replied it would not. **Mr. Scuderi** asked **Ms. Stefanow** if this changed with the seasons. **Ms. Stefanow** stated that the trees were evergreens and did not. **Mr. Scuderi** asked **Ms. Stefanow** to describe the overhang. **Ms. Stefanow** stated that there would be an overhang as a part of the deck as seen on the

survey, to provide shade; it extends 11.7' from the recessed back of the house. **Mr. Hals** clarified that the rear yard setback of 19.5' was to the edge of the deck; because they are replacing the patio with a deck it is considered a part of the house and building coverage. **Mr. Rogers** asked **Ms. Stefanow** if the stairs down from the deck were to be toward the side yard. **Ms. Stefanow** replied yes. **Mr. Rogers** asked **Ms. Stefanow** how high off the ground is the deck proposed to be. **Ms. Stefanow** replied about 30 inches. **Mr. Rogers** asked **Ms. Stefanow** how far up the property line did the buffer extend. **Ms. Stefanow** stated the trees ran up the entire back.

#### **QUESTIONS FROM THE PUBLIC**

**Steven Mendelsohn** of 206 Canterbury Drive, Ramsey, NJ asked **Ms. Stefanow** if the plans were to keep the buffer. **Ms. Stefanow** said yes.

**Maureen Clark** of 212 Canterbury Drive, Ramsey, NJ asked **Ms. Stefanow** if anything had been reviewed regarding the increase of potential runoff onto Canterbury Drive. **Mr. Hals** stated he had looked at the site; the driveway in the front continues to runoff to Morton Drive, the side yard and the rear yard slope to the back and the grading would continue to go in this direction. **Mr. Hals** continued that he did not see any concerns in this location for drainage improvement.

**Carolyn Johnson** of 205 Canterbury Drive, Ramsey, NJ asked **Ms. Stefanow** if there had been a study of the impact of stormwater drainage and the need for increased drainage. **Mr. Hals** responded stating that the increase in impervious area from 43.2% to 45.3% is relatively small in nature; they have several roof drains which are already connected to some kind of an underground seepage system. **Mr. Hals** continued that the size of the improvement was so small he did not feel there was a need for increased drainage; he considers the impact on each application. **Ms. Johnson** asked **Ms. Stefanow** if they would consider a permeable driveway like gravel. **Mr. Stefanow** said no.

**Carol Mendelsohn** of 206 Canterbury Drive, Ramsey, NJ asked **Ms. Stefanow** when the project would start. **Ms. Stefanow** replied they were waiting for approval before they scheduled it. **Acting Chairman Scuderi** clarified that any approved application must wait until the resolution of approval is memorialized.

#### **COMMENTS FROM THE PUBLIC**

**Steven Mendelsohn** of 206 Canterbury Drive, Ramsey, NJ was sworn in. **Mr. Mendelsohn** stated that the runoff of water from Morton to Canterbury is a significant issue for us on Canterbury; if this project should add to that then some consideration should be given to remediation.

#### **COMMENTS FROM THE BOARD**

**Mr. FitzPatrick** stated as for the C-1 hardship the lot is undersized for that district, the tree line is not being affected and there is no detriment to the public good. **Mr.**

**Mooradian** agreed with **Mr. FitzPatrick**. **Mr. Crimmins** also concurred and reiterated that as **Mr. Hals** had stated, it is a revision of the current footprint; it is a modest change that code and town desires. **Mr. Crimmins** said if there is a lack of drains on Morton Drive that is an issue for the town to address; this project shouldn't negatively impact any drainage on that street and he would be in favor of the application. **Ms. Jarvis** agreed with previous statements and stated the improvement to the deck is positive. **Ms. Fisher Poppe** agreed improving the back condition is a benefit; keeping the shading between the two properties it would not affect the neighbors. **Ms. Fisher Poppe** would be in favor of the application. **Acting Chairman Scuderi** was also in favor of the application; the applicant has met their burden of a C-1 hardship with the undersized nature of the lot.

A motion to approve the application was made by **Mr. Crimmins**, seconded by **Ms. Fisher Poppe**.

**Roll call:**       **Ayes:**               **Mr. Crimmins, Ms. Fisher Poppe, Mr. FitzPatrick, Ms. Jarvis, Mr. Mooradian, Acting Chairman Scuderi**  
                           **Nays:**  
                           **Abstain:**  
                           **Absent:**           **Chairwoman Stollo**

**Carried.**

**PUBLIC HEARING:**

V-06-22-ZBA-5-**Arnold & Janeine Bunagan**, Block 1202, Lot 9, 317 Grove Street; Variances to allow Front Yard Setback (Grove Street) of 34.45 feet (existing & proposed) where 50 feet is required, Front Yard Setback (Manor Drive) of 12.4 feet (existing & proposed) where 50 feet is required and Side Yard Setback of 15.47 feet (existing & proposed) where 25 feet is required.

**Mr. Rogers** had previously verified that the applicants had noticed properly and that the hearing could proceed.

**Mr. David Becker, Esq.** appeared on behalf of the applicant. **Mr. Becker** stated the owners will be reconstructing the first floor down to the foundation, adding a second floor, a small addition to the rear, adding a two-car garage with an expanded driveway and adding a new rear patio. **Mr. Becker** said there are five non-conformities existing on the property: one is the lot size which is 20,064 sq. ft. where 40,250 is required, the front width is 81.27 feet where 100 feet is required, the front yard setback on Grove St. is 34.45 feet which will remain, where 50 feet is required. **Mr. Becker** continued that it is a corner lot which borders on Manor Drive, it is 12.4 feet from Manor Drive and the addition will be the same, where 50 feet is required, a side yard setback of 15.47 feet existing where 25 is required is not changing. **Mr. Becker** said they are requesting variances for all five of these nonconformities under the C-1 Hardship because of the

undersized lot; it is also a narrow lot and a corner lot and the location of the house on the lot is a hardship itself. **Mr. Becker** said additionally a C-2 Flexible variance could also be warranted; they are promoting the idea of Municipal Land Use, they are not exacerbating any of the existing nonconformities. **Mr. Becker** stated that as to the negative criteria there are substantially no detriments to this property; it is a modest addition staying within the coverage and the height. **Mr. Becker** introduced the following exhibits:

Exhibit A-1 - Architectural Plans last revised July 23, 2020

Exhibit A-2 thru A-5 – Photographs of the dwelling

Exhibit ZBA-1 - Dave Hals review dated July 29, 2020

**Mr. Rogers** clarified there are only three variances required: the minimum front yard setback on Grove St., the minimum set front yard setback on Manor Drive and the minimum side yard; they are all staying the same, but those are the three areas that are impacted.

#### **TESTIMONY OF ARNOLD BUNAGAN**

**Arnold Bunagan** of 317 Grove St, Ramsey, N.J. was sworn in. **Mr. Becker** asked **Mr. Bunagan** to tell the Board his relationship to this application. **Mr. Bunagan** stated that he is the owner and resides at the residence with his wife and four children. **Mr. Becker** asked **Mr. Bunagan** the reason for the renovations. **Mr. Bunagan** stated to allow for more livable space. **Mr. Becker** asked **Mr. Bunagan** if he felt the changes would be consistent with the neighborhood. **Mr. Bunagan** said yes. **Mr. Becker** asked **Mr. Bunagan** if he had spoken to his neighbor(s) about the application. **Mr. Bunagan** said yes.

#### **QUESTIONS FROM THE BOARD**

**Mr. Crimmins** asked **Mr. Hals** to clarify about the side yard setback to Manor Drive and the Right of Way on the plans, there is 12.4 ft to the lot line but is the reality that it is 52 ft to the pavement. **Mr. Becker** stated it appears further from the road but it would still need a variance. **Mr. Hals** said when they developed Manor Drive they took an existing lot for the access into the larger track behind for the development, making the access on the northerly side of the lot which left the extra right of way on the right. **Mr. Hals** continued that when looking at it from Grove Street it looks like there's a substantial side yard setback. **Acting Chairman Scuderi** asked **Mr. Bunagan** to describe the increase in the number of bedrooms and bathrooms. **Mr. Bunagan** stated that it was a two bedroom, 1 and ½ bath cape cod style house and they are proposing a 5 bedroom, 3 and ½ bath house. **Acting Chairman Scuderi** asked **Mr. Bunagan** for the approximate square footage change. **Mr. Bunagan** said about 1,300 sf to about 2,300 sf.

#### **TESTIMONY OF ALBERT MARTORANO**

**Albert Martorano** of 22 Smoky Ridge Rd., Ringwood, N.J. was sworn in and deemed an expert in Architecture. **Mr. Martorano** described the existing and proposed conditions.

**Mr. Martorano** stated they were using the existing foundation for the renovations; he continued to describe the renovations and noted there would be no living space above the new garage. **Mr. Becker** asked **Mr. Martorano** if the overall coverage of the structure would stay within the limits of the zone. **Mr. Martorano** said yes. **Mr. Becker** asked **Mr. Martorano** to take the Board through the variances. **Mr. Becker** did so referring to the **Exhibits A-1** through **A-5**. **Mr. Becker** asked **Mr. Martorano** to review the hardships of the application pertaining to the C-1 and C-2 variances. **Mr. Becker** did so.

**QUESTIONS FROM THE BOARD**

**Acting Chairman Scuderi** asked **Mr. Martorano** if the driveway expansion was not an issue for impervious coverage. **Mr. Martorano** said no.

**QUESTIONS FROM THE BOARD** - None

**COMMENTS FROM THE PUBLIC** - None

**COMMENTS FROM THE BOARD**

**Mr. Mooradian** stated that it was a solid plan and a benefit to the family and town; he would be in favor of it. **Ms. Fisher Poppe** said it will be an improvement to the town. **Mr. Crimmins** agreed and commended the applicant for maintaining what exists; it's a definite improvement and he would be in favor of the application. **Mr. FitzPatrick** would also be in favor of the application; they are dealing with a significantly undersized lot and not changing any dimensions, it's a definite improvement. **Ms. Jarvis** said the application meets the hardship requirement and does not change the existing nonconformity. **Acting Chairman Scuderi** said he was also in favor of the application; the applicant has established a significant hardship with this property, the variances are not increasing at all.

A motion to approve the application was made by **Mr. Mooradian**, seconded by **Mr. Crimmins**.

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

**Nays:**

**Abstain:**

**Absent:**           **Chairwoman Strollo**

**Carried.**

**RESOLUTIONS MEMORIALIZED** - None

**NEW BUSINESS** - None

**OLD BUSINESS** - None

**ADJOURNMENT**

A motion was made by **Mr. Crimmins**, seconded by **Ms. Fisher Poppe** to adjourn the regular meeting at approximately 9:02 pm. All voted in favor. **Carried.**