

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
BOROUGH OF ORADELL
APRIL 18th, 2022**

Chairman Michelman called the Zoning Board of Adjustment meeting to order at 7:30 p.m. Notice of this meeting was published in the official newspapers, prominently posted in the Borough Hall, and filed with the clerk in accordance with the requirements of the Open Public Meetings Act.

ROLL CALL:

Present: Mr. Barrows, Mr. Bartlett, Mr. Degheri, Ms. Odynski, Mr. Santaniello, Ms. McGrinder, Ms. Cobb, Mr. Michelman

Absent: Mr. McHale

Also Present: Mr. Regan, Esq.
Mr. Depken, Zoning Administrator
Mr. Atkinson, PE, PP, CME Board Engineer

Correspondence

- a. Architectural drawings prepared by Stanley J. Kufel Jr. of Kenia Lama Design in connection with 887 Midland Road – Block: 502, Lot: 9 – Jason & Eileen Hahn
- b. Property survey prepared by Lantelme, Kurens & Associates, PC dated May 22, 2007 in connection with 887 Midland Road – Block: 502, Lot: 9 – Jason & Eileen Hahn
- c. Review letter prepared by David R. Atkinson, P.E., P.P., C.M.E. of Neglia Engineering last dated April 13, 2022 in connection with 887 Midland Road – Block: 502, Lot: 9 – Jason & Eileen Hahn
- d. Soil moving and drainage calculations prepared by Lantelme, Kurens & Associates, PC dated April 15, 2022 in connection with 887 Midland Road – Block: 502, Lot: 9 – Jason & Eileen Hahn

Appointment

Mr. Barrows was administered the oath of office by Mr. Regan in connection with his reappointment.

Approval of Minutes

Approval of the March 21, 2022 meeting minutes

Ms. Cobb motioned to approve the minutes and was seconded by Ms. McGrinder.

ROLL CALL:

AYES: All in Favor

Memorialization of Resolutions

CAL# 856-21

66 Kinderkamack LLC

66 Kinderkamack Road – Block: 113, Lot: 5

Ms. McGrinder moved to adopt the denial resolution and was seconded by Ms. Odynski.

ROLL CALL:

AYES: Ms. McGrinder, Ms. Odynski

Applications

CAL. # 859-22

Block 502, Lot 9

Jason & Eileen Hahn

887 Midland Road

Mr. Regan swore in the applicants Jason and Eileen Hahn, along with their Architect, Stanley Kufel, and their designer, Kenia Lama. Mr. Regan confirmed that Mr. Kufel has testified as a professional before the Board in the past and asked that Ms. Lama provide history regarding her professional background. Ms. Lama stated that she has a degree in architecture from the University of Buenos Aires, she is currently teaching at Berkley College for the interior design department, and added that she has served as a member of the Oradell Zoning Board in the past. Mr. Regan confirmed that Ms. Lama can be accepted as an expert witness. Mr. Kufel began by stating that the project involves an addition on the rear of the structure within a non-conforming lot. Mr. Kufel referred to the architectural plans and underscored the areas of the lot which do not conform with setback requirements. Mr. Kufel added that the proposed floor area ratio is over the maximum permissible by 524.5 feet. Mr. Regan marked the architectural drawings as Exhibit A-1 through Exhibit A-7. Ms. Lama stated that the addition will address the family's need for space by providing an extra bedroom, a full basement, and renovations to the family room and kitchen. Ms. Lama stated that the home will remain cohesive with the look of other homes in the area since the roof height will be maintained. Ms. Lama moved on to display the exterior renderings of the front, sides, and rear of the home. Mr. Degheri asked who delineates the drawings, Ms. Lama indicated that she prepares the design while Mr. Kufel prepares the construction drawings. Ms. Cobb asked Ms. Lama to elaborate on the excavation for the basement since Oradell experiences flooding issues. Mr. Kufel stated that the applicant has provided a soil test and per David Atkinson's recommendation in his review letter, a seepage pit will be installed. Mr. Atkinson asked if the proposed basement will be deeper than what is existing, Mr. Kufel confirmed that depth of the basement will increase by 1 foot. Mr. Barrows asked how the building coverage is going to be reduced, Ms. Lama indicated that existing decks will be removed. Mr. Atkinson asked if upgraded utilities are being proposed based on the new building footprint. Mr. Kufel stated that a generator is being installed and an air conditioning condensing unit will be in the side yard. Mr. Atkinson noted that the proposed project requires a soil movement approval which is typically granted by the Planning Board, but in a case where a variance is being requested the Zoning Board has the authority to grant such approvals. Mr. Atkinson asked if the proposed patio is at grade to which Mr. Kufel replied yes. Mr. Regan asked Mr. Kufel if he believes that the property can accommodate the additional 524.5 square feet. Mr. Kufel indicated that the property can accommodate the additional square footage and no issues will result from it. Mr. Atkinson asked if any existing trees in the rear yard will need to be removed. The homeowners confirmed that there are no existing trees. Mr. Kufel concluded by stating that many of the homes on Midland Road have not been updated for over 25 years and that the proposed addition for the Hahn's will be a positive contribution for the neighborhood. Mrs. Hahn thanked the Board members for their consideration, and emphasized the need for more livable space for her family. Mr. Michelman asked the Board members to provide their thoughts.

Mr. Bartlett stated that he has nothing more to add.

Mr. Barrows stated that the hardship of the lot is apparent and the addition is appropriate for the neighborhood.

Ms. Odynski stated that she has nothing further to add.

Mr. Santaniello noted that he appreciates the preservation of the look of the home and the usage of the home is consistent with other construction in the neighborhood.

Ms. Cobb indicated that she is in agreement with the sentiments of her colleagues, adding that she likes the design of the house.

Mr. Degheri stated that he has nothing additional to add.

Ms. McGrinder stated that she has no additional comments.

Mr. Michelman stated that the proposed addition is a great addition to the neighborhood by bringing the house into the 21st century while maintaining the look of a 90-year-old residence

Ms. Cobb moved to adopt CAL. #859-22 with the requested floor area ratio increase and soil moving approval contingent upon Mr. Atkinson's review and was seconded by Mr. Michelman.

ROLL CALL:

AYES: Ms. Odynski, Mr. Santaniello, Mr. Barrows, Mr. Degheri, Ms. McGrinder, Ms. Cobb, Mr. Michelman application is APPROVED

Old Business

Mr. Michelman stated that he prepared a letter addressed to the Mayor and Council requesting monitors in Council Chambers per Mr. Kern's request at the last meeting. Mr. Depken added that he spoke with the OPTV coordinator, Mr. Besink, who is now coordinating with the administrator.

New Business

Mr. Michelman stated that the financial disclosure statements need to be submitted but the Board did not receive the relevant information. Mr. Michelman asked Mr. Kern to coordinate with the Borough Administrator to distribute the information for the financial disclosure submissions. Mr. Kern indicated that he will request the information, he moved on to add that he is happy to be meeting live for the first time. In connection with the updated technology, Mr. Kern stated that Mr. Besink is coordinating with the Borough Clerk to try and obtain the monitors for Council Chambers. Mr. Michelman moved on to discuss the uptick in the number of COVID-19 cases in the area and proposed the idea of utilizing Zoom if there are no new cases to discuss at upcoming meetings. Mr. Michelman asked the Board members if they have any objections to that. Mr. Degheri stated that over the course of the past few days friends and family have tested positive for COVID-19. He added that he is generally not in favor of live meetings whatsoever since looking at plans in person is more difficult than the share screen function on Zoom. Mr. Michelman recognized the benefits that Zoom has offered and emphasized his hope that monitors will be provided in Council Chambers soon. Mr. Michelman moved on to discuss a resident who appeared before Mayor and Council to express his frustration with the way CAL# 856-21 was handled. Mr. Michelman addressed some of the comments presented by this resident and emphasized the fact that all Board members are encouraged to provide their own opinions on applications. He concluded by underscoring the fact that the Mayor and Council of any municipality does not have jurisdiction over what the Zoning Board of Appeals can or cannot do.

Mr. Michelman opened the meeting to the public for any matters.

Mr. Kern added that there is a guest Wi-fi system in the Borough Hall and suggested that Board members bring their own laptops to view documents electronically. Mr. Depken advised against

the use of personal laptops because in the event of an OPRA request an individual can petition to view the entire laptop.

Mr. Michelman closed the meeting to the public.

Motion to adjourn was made by Ms. McGrinder and seconded by Ms. Cobb, all in favor.

The meeting was adjourned at 8:38 P.M.