

Mr. Cline recommends the submission waiver of the information within two hundred feet (200') of the subject tract. With regard to the submission waiver regarding stormwater, Mr. Cline explained that the applicant is subject to water quality requirements because the application includes a d-variance and a lot coverage variance. For the purpose of completeness Mr. Cline does not object to granting a submission requirement for the water quality portion of the stormwater design and associated maintenance manuals but they will be required to be submitted as a condition of any approval.

Mr. Lehrer said that with respect to Item #48 regarding stormwater, the applicant agrees with Mr. Cline. All the other information has been provided on the plans.

Vice Chairman Voitach opened the meeting to the public. There being no public comment, a motion to close the public hearing was made by Mr. DeRochi, seconded by Mr. Thompson and carried unanimously.

A motion to approve the submission waivers was made by Mr. DeRochi and seconded by Ms. Covello. This was carried on the following roll call vote:

Ayes: DeRochi, O'Brien, Thompson, Voitach, Covello and Kristjanson

Nays: None

Mr. Fedun returned to the dais.

IV. APPLICATION

Case BA-01-15

Applicant: Michael Foxx

Block 30003 Lot 70

Use Variance (FAR)

Expiration Date – 120 Days From Submission Waiver Approval

Affidavit of Notification and Publication Required

William Commer, the applicant's architect and Michael Foxx were sworn in.

Mr. Commer testified that a modest addition to the existing dwelling is proposed. The proposed addition is two story which will add a single car garage and one story to expand the kitchen. The one hardship is that the house has an existing garage that is constructed wide enough for two (2) cars but the house sits a little over two feet (2') above grade so there are three (3) steps into the garage which narrows the width of the garage to just over seventeen feet (17'). This makes it impossible to park two (2) cars wide. They propose to add the single car garage to the right.

Mr. Commer showed a rendering of the existing house and the proposed addition. The existing driveway will access both garages and will not have to be changed at all.

Mr. Commer noted they are seeking a use variance to exceed the permitted Floor Area Ratio (FAR).

Mr. Drollas noted that there is no issue with permitted use. There is a deviation in the maximum permitted FAR which is a d variance but it is not a use variance. It is characterized as a use variance on the application form, it was picked up as a use variance in the discussion in the Planner's letter. This may be one of those scenarios where technically it is to be treated as a use variance but in all other respects it is a bulk variance.

Mr. Sullivan agreed it is a bulk variance and the criterion for such a deviation is analogous to what is the harm and can the site accommodate the extent of deviation. There is no issue from a use standpoint.

Mr. DeRochi said the justification for the granting of the variance for the new garage is the steps stick into the 2-car garage. He wondered why the steps weren't recessed into the mud room.

Mr. Commer replied that there really is not enough room. Mr. DeRochi noted that the mud room is shown to be reconstructed completely.

Mr. DeRochi asked if the neighbors have any concerns. Mr. Commer testified that the neighbor supports the plan favorably.

Mr. Foxx noted that there is also laundry room in the mud room so it is a very tight space. They have been working on this design for about 9 months and he wants to make sure it looks like it was constructed this way right from the beginning and that it was setback. The existing landscaping buffers the view from street.

Mr. Cline said this application is also subject to stormwater quality because of the “d” variance. Due to the fact that they are not exceeding permitted lot coverage he does not object to granting a waiver from the stormwater controls. He has spoken to Mr. Commer’s office about routing the roof leaders so that they don’t end up flooding the patio. From an engineering standpoint this is an innocuous application.

Mr. Commer noted that the leaders are put right into the storm drain in the back of the property and that is what they propose to do with the addition.

Vice Chairman Voitach opened the meeting to the public. There being no public comment a motion to close the public hearing was made by Mr. Thompson, seconded by Mr. Kristjanson and carried unanimously.

A motion to approve the application was made by Mr. Fedun which was seconded by Ms. Covello. This was carried on the following roll call vote:

Ayes: DeRochi, Fedun, O’Brien, Thompson, Voitach, Covello and Kristjanson

Nays: None

V. APPOINTMENT OF PROFESSIONAL

Appointment of Professional Services under the “Local Unit Pay-to-Play Law”

Vice Chairman Voitach explained that the Board has been looking for an expert consultant to assist with certain matters related to Radio Frequencies and potential applications in that area. Interviews have been conducted and the recommendation is to appoint Dr. Eisenstein.

Chairman Voitach read the resolution to appointment RF Engineer, Bruce A. Eisenstein, Ph.D.

A motion to appoint Dr. Eisenstein was made by Mr. Thompson, which was seconded by Mr. O’Brien. This was carried on the following roll call vote:

Ayes: DeRochi, Fedun, Post, O’Brien, Thompson, Voitach, Covello and Kristjanson

Nays: None

IV. MINUTES

February 17, 2015 – Regular Meeting

The minutes were revised to delete the reference to the gazebo in the extension request for Mr. and Mrs. Hogan.

A motion to approve the minutes as corrected was made by Mr. DeRochi, which was seconded by Mr. Thompson. This was carried on the following roll call vote:

Ayes: Voitach, DeRochi, Fedun, O’Brien and Thompson

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:07 p.m.