

BOROUGH OF RIVER EDGE

LAND USE BOARD

MEETING MINUTES

COUNCIL CHAMBERS

September 18, 2019

MEMBERS PRESENT: Chairman, James Arakelian
 Vice Chairman, Dick Mehrman
 Lou Grasso
 Thomas Papaleo
 Ryan Gibbons
 Chris Caslin
 Michael Krey
 Acting Mayor Ellen Busteded

 Maryann Grohl, Attorney

MEMBERS ABSENT: Eileen Boland
 Alphonse Bartelomi

ALSO PRESENT: Thomas Behrens, Planner

Pledge of Allegiance.

Chairman Arakelian- Adequate notice of this meeting is provided by posting on the bulletin board at Borough Hall to the news, the record into submissions by all parts of the town, the same as provided by law scheduling, including the date and time of this meeting. I would like to remind all members of the public that we have three fire exits, one here behind me, over there and one behind you. In addition, we're being recorded both audio and video for purposes of creating a record during the public portion, any member of the public wishing to speak, all they need to do is identify themselves for the record and give their name and address and you can make a formal statement.

Roll call please:

Chairman, James Arakelian - Here

Vice Chairman, Dick Mehrman - Here

Lou Grasso - Here

Thomas Papaleo - Here

Ryan Gibbons - Here

Chris Caslin - Here

Michael Krey – Here

Acting Mayor, Ellen Busteded

Acting Mayor Ellen Busteded is sworn in as the newest member of Land Use Board.

Chairman Arakelian – Approval of minutes. Motion to approve – Councilman Papaleo, Second Mr. Gibbons; all in favor – aye- any opposed any abstained? Minutes approved.

Chairman – Arakelian – First order of business we have the Bergen County Historical Society – so these folks had appeared, gotten their approval from here, they do have to come back because there are some changes to the plan from the folks in Bergen County so, they will be coming back to our next meeting. They are on the schedule tonight just so we can carry them forward and they don't have to be noticed. Do I have a motion to carry them to the next meeting? Mr. Mehrman – so moved; second – Mr. Krey. All in favor – aye. Any opposed any abstained?

Completeness review Dimitrios Ntarlagiannis, 258 Berkeley Road, Block 902, Lot 26- proposed additions to existing dwelling. The proposed improved lot coverage exceeds the R-1 Zone's maximum permitted improved lot coverage. Variance requested.

Mr. Behrens – the Board has enough information to proceed. They're requesting one variance from the maximum improved lot coverage. Ms. Grohl– and proper notice has been given so there's jurisdiction over the application. Chairman Arakelian – can I have a motion to deem this complete? (conversation relating to the application not being signed. Everyone is checking – all seems to be good. There is a fully signed application) Chairman Arakelian – with that do I have a motion to deem this complete? So Moved – Mr. Caslin, second – Mr. Merhrman. Roll Call – Councilman Papaleo – yes; Mr. Gibbons- yes; Mr. Grasso – yes; Chairman Arakelian – yes; Mr. Mehrman- yes; Mr. Caslin – yes; acting Mayor Busteded -yes and Mr. Krey – yes.

Chairman Arakelian – next up is – Jin Ok Kim, 228 Madison Avenue, Block 508, Lot 19, proposed addition to existing dwelling. Front yard setback, side yard setback and height variances requested. Mr. Behrens – so the applicant is proposing a number of additions to existing dwelling requiring a front yard setback side yard setback and height variances and just for clarification, the applicant has actually prepared the plans himself which he is entitled to do and we received a certification indicating that he himself prepared the plans. Everything appears normal. Ms. Grohl – proper notice has been given so you have jurisdiction. Chairman Arakelian – any questions, any concerns? Okay can I have a Motion to deem this complete? So moved –

Councilman Papaleo, second acting Moor Busted. Roll Call - Councilman Papaleo – yes; Mr. Grasso – yes; Chairman Arakelian – yes; Mr. Mehrman- yes; Mr. Caslin – yes; acting Mayor Busted -yes and Mr. Krey – yes. Mr. Gibbons – I am going to have to recuse myself from this as I mentioned to the Chairman, I live across the street from Mr. Kim. Chairman Arakelian – okay. Thank you sir and we will call you back up in a bit.

Chairman Arakelian – this is 258 Berkeley Road, Block 902, Lot 26- proposed additions to existing dwelling. They are looking for impervious coverage. Okay now introduce yourself and tell us again what you are looking to achieve. My name is Dimitrios Ntarlagiannis and this is my wife Patty. Chairman Arakelian – and do you have an architect with you? Yes – my name is Raul Mederos. My company is Imagine Architecture. Chairman Arakelian – okay we will hear from you in a little bit. Everyone is sworn in by Ms. Grohl. Do you swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth? All three parties – yes. Ms. Grohl – Mr. Mederos – are you a licensed architect? Mr. Mederos – I am – Mr. Grohl – and what state are you licensed in – Mr. Mederos – New York, New Jersey and Connecticut. Ms. Grohl – have you ever been qualified before this Board- Mr. Mederos – yes, I have. Ms. Grohl – how long have you been licensed in New Jersey? Mr. Mederos – since 2010.

Mr. Beherens - I believe has been qualified as an expert – he submits a number of plans on a regular basis. Chairman Arakelian – okay why don't you give us a brief explanation on what you are trying to accomplish this evening. Patty Ntarlagiannis – so my husband and I have three children and we have lived in River Edge for ten years, we love the town, we've been very happy with the school district, our children its basically all that they have known and two years ago my father passed away so my mom has been living with us since – we're both full time working parents so we help each other out. She stays with us; we support her and she helps us raise our children. We've outgrown the house, grandma s sleeping on a futon, are twin boys are sharing a room that is small and we can't even fit a desk in there for them to do their homework, so they have to do their homework on the dining room table. The previous owner took space from the garage and created a very small eating area in the kitchen and basically the eating area is too small for us because we are now a family of six and the garage is useless because it is very small and the car cannot get in. We don't have a family room; we essentially squeeze into a sunroom to spend time with our family. So the love for this town – I'm battling a serious medical condition and it's important to us that we provide a comfortable home for our children while we are going through all this and we want to provide stability for them and not have to uproot their lives and move to a new house or a new town while we're going through this. So, we've outgrown our house, we need a bigger home. Mr. Ntarlagiannis – let me add – it's an older house, it's one of three or four house that has not been renovated in the neighborhood and we need to do some updates and if we don't make the improvements we like, then it's not worth the investment. So, for us – to have the extra room that we need this is the most efficient layout to have the room we need. You can see now also given the extension we are going to move some old parts and actually we are reducing the impervious coverage. It's still above the town limit but (inaudible) we want to make it up to more current standards – it's not a huge house- it's just going to be big enough to meet our needs. Ms. Ntarlagiannis – we're not looking for a mansion we just want something that it comfortable, we've worked closely with Raul, he's been very creative to provide some designs that will work for our family and give us the living space, the bedroom where my mom can stay, each boy can have their own room and we can all be much more comfortable then we are today.

Mr. Mederos – I'll quickly go through the conditions on the property. This is in the R1 residential zone, it is a conforming lot in terms of square footage and shape. It's 75 feet wide and over a 100 feet deep, its

currently a two-story home and currently as mentioned it has a one car garage that can't fit an entire car because its only 15 feet deep or so part of the proposed scope is now create a 12 ½ foot addition to the right side to accommodate a new one car garage and convert the current garage into living space, particularly that portion of the house will be a dining room which would work with the center foyer and the dining room right next to it upon entry. The addition that we are proposing is two story on the side but it will continue the same height of the existing building that is there now and as was previously mentioned the variance we are seeking now is for improved lot or impervious coverage were the requirement is 35% for their particular lot – 35% would amount to 2,748 square feet. They currently have 3,869 square feet of impervious surfaces on their property where we are proposing a slight reduction 44 square feet less of 3, 825, so we're redistributing impervious surfaces to accommodate the addition. The footprint of the building itself or in other words the building coverage conforms to the 25% requirement and we're proposing 22.8%. All setbacks are conforming so its just the fact that we are redistributing impervious surfaces to accommodate the house which is the main drive here. Chairman Arakelian – Is that it? Mr. Mederos – yes –

Mr. Behrens – does anyone know in terms of the history of what is there the extent to which any of the improvements might have received permits or how long they might have been, have they predated an ordinance anything like that? Do you have any idea? Ms. Ntarlagiannis – they've predated us – we've been in the house for about ten years. We did not expand or do anything to the house beyond the condition in which we brought it. Mr. Behrens – so the trigger for the variance and what brought them here in the first place is that there is a deck area that's essentially getting replaced with a two story addition, technically exacerbating the impervious coverage condition on the one hand we are being told that the impervious coverage is being reduced to some extent – we don't know why or how that impervious coverage ended up the way it did in the first place and some of that coverage does exist as a pool and patio which may or may not factor into your decision making. So in order to justify variance relief there are two test they call them- so its what is called a C variance that you are requesting. The first test is what is called a physical features test of the C1 variance relief statutory criteria which has to do with a hardship, which may be the result of the shape of the property, the size of the property, typography or fill (?) conditions. The second test is known as the public benefits test which applies to C2 variances and in this case the applicant would have to determine that it is a public benefit and outweighs any detriments caused in this case increase in impervious coverage or the amount over the allowable 35% and in addition to that, the applicant also has to demonstrate that the increase in coverage does not impair the intent and purpose of the Master Plan and zoning ordinance. We need some justification as the public benefits or some type of hardship you are facing that you can't comply or even bring the proposal into greater conformity or how you might even mitigate whats being proposed with seepage pits or something. So those are the various issues at hand. Chairman Arakelian – do you wish to address the concerns of our Planner?

Mr. Mederos – yes – I believe the owners are definitely in favor of installing any seepage pits and drainage systems to mitigate any runoff from their property, so they will be happy to follow through to properly work that out and engineer that. In regard to what affect this would have on the neighborhood, I think if anything since they mentioned that most of the street scale here has been improved, this is one of the properties that might stick out because it really is dated. Again, all the building improvements conform which mean that they would stay in line with the apparent bulk of the street and although its slight with the reduction and technically there is a slight bit less coverage on the property I've based all of my calculations here on a property survey which was prepared earlier this year in May so this should all be up to date to what is there right now. Mr. Behrens – so let me ask – in designing a home or property they are often choices so arriving

at your choices did you guy consider the impervious coverage – did you try to condense it as much as you can, are there any opportunities to reduce it any further or is this the absolute best you can do in terms – Mr. Ntarlagiannis (inaudible). Mr. Mederos – we also have – ya know it's a one car garage which would in most circumstances require something like a 12 foot driveway to serve the one car garage, but in this case there's a tree in the right-of-way and that's kind of forcing the driveway to widen around the tree. So, it would be rather uncomfortable and it would take a lot of practice I think, to do the winding approach for the one car around that tree and so because of that, we have reduced and shifted over the driveway some amount as it is always but we were reluctant to go much further again because the approach has to go around the tree. As Dimitrios mentioned we reduced not only the driveway but also a deck back there to make a very small landing which leads to a small walkway to the existing pool portion. As far as reducing the pool patio, that's a little bit sensitive and I was hesitant to propose moving of that because I'm not so much of an expert as to pool liners and how much that may disturb the functionality and integrity of the pool – but everything else I think is very minimized, walkways are kept to a minimum and as I mentioned, the driveway we have attempted to make as small as possible and everything else besides the pool is the addition or a part of the house is, there is no extra things on the property as it is.

Mr. Behrens – so to reiterate – the Board needs a justification in order to even entertain the possibility of granting variance relief. What we've heard so far in terms of a hardship the existing conditions including the pool are what they are. Granted the deck will be removed and replaced with a two-story addition. We're being told that the new dwelling will be brought into greater consistency with the newer larger homes on the street. There is a minimal reduction in impervious coverage which is a minimal benefit I suppose, and the seepage pits will be somewhat of a benefit. I think the overall question is, is this the best we can do. So, have we looked at enough to make sure that is the case?

Chairman Arakelian – okay I'll go to the Board – I'll start on my left. Mr. Papaleo – I'm going to defer to (inaudible) – Chairman Arakelian – Mr. Gibbons – I'm good for right now. Michael - no comment. Mr. Mehrman – of course I have comments. I'm going to refer to you as Dimitrios if you don't mind. Your lot is '75 x 104 which is by River Edge standards in that portion of town is a larger lot. So, your basing your lot percentages on a larger lot rather than a lot of 50 feet or 60 feet or something like that. So, you're already starting out with a benefit. Mr. Ntarlagiannis- I think the other lots on our street are about the same. Mr. Mehrman – no they're not. A couple adjacent to you are like 75 but they vary going up and down the block. If I heard your remarks correctly, I believe your wife said the garage right now is unusable. Mr. Ntarlagiannis – yes. Mr. Mehrman – Correct – that means you're not parking your car in the garage. Mr. Ntarlagiannis- no we can't park it in the garage. Mr. Mehrman – so your car normally is outdoors. There might be a functional need for a garage, but you don't have the benefit of one right now. The current coverage as it sits now, I didn't calculate but I heard a number, that it approaches close to the 49% and that's based - I believe you said on a recent May survey that was prepared. Mr. Mederos – yes – Mr. Mehrman - when I look at that survey I see on the right side of your house currently, you have a slate patio, a framed shed with a roof and I believe your drawings are recommending or proposing to remove the shed – so you have a couple of square feet there that you gain. I think I also heard you say or based on an answer to the Planner, that you have no knowledge of prior permits for this impervious – I'm sure there was one for the pool but other than that – so that slate patio was probably put in by the homeowner which is somewhat common. So the square footage has inched up to a point where we are nearly 50% coverage now and I think that the driving factor there we have to look at the drawing and you'll see right away that's it's the pool and the pool deck that's the culprit and I certainly would not be asking you to take out that pool. The coverage relief that you are asking for is considerable,

very considerable. Normally when you're asking to exceed a coverage, we look at 10%, 15% , but you're really looking at a 40% increase from the allowable 35%- even though it puts you into what you are telling us is your current coverage out there now. Mr. Mederos – you mentioned typically 10% to 15% increase – Mr. Mehrman – it's just sort of a rule of thumb we're looking for something small is what I'm driving at. Something reasonable and obviously a 40% coverage increase over the 35 is kind of excessive. So that's what I'm looking at and I think some of the other Board members might also have a concern and unfortunately, they picked me to be the spokesman. So, there is excessive lot coverage that we are experiencing here. Chairman Arakelian – Tom do you know what the calculations would be without the pool? I'm not advocating that we move the pool I'm just curious. Mr. Behrens - on the front there's an area calculations table, so it has the rear concrete pool patio at 654 square feet and the in-ground pool at 388 square feet so you're a little over 1,000 square feet divided by the 7,500 – whatever that calculates. Chairman Arakelian – do you have your calculator with you? Mr. Behrens - it's almost about 14%. Mr. Mehrman – so your saying 14% - I want to just want to put this in a little different term – 14% of the lot coverage right now is contributory to the pool and the associated deck – not the wood deck, the pool deck. So, like I said, the pool is driving your case – you wouldn't be sitting here if it wasn't for the enjoyment of the pool. I here and understand your need and desire to improve your dwelling unit especially the interior and your family needs at the moment and so forth – I have no problem with that in fact I encourage you to do that because this housing dates way back, and your family needs have changed over a period of time. To cut to the chase, this is what I am proposing or asking you to consider – I see right now on your drawing your proposing to widen you existing driveway a little bit on the right side there. So, what I would like you and maybe the Board members to consider is that we do not construct the new garage and that we return that area on the side that's a shed which you are already removing, that slate patio remove that and create that to impervious surface and in your driveway provide that construction new driveway surfacing so you can get two cars side by side in there. So we now have two cars off the street, we also meet the state Reesa standard for residential parking and you already mentioned the subsurface drainage – I'm not going to go into that now but that would be a condition obviously. So, what I'm proposing is and I'll go over to again, to improve your house, square it off like you want to, do all the interior additions, recapture that old garage space to make it the way you want it, but do not put in your new single car addition on the house, restore that area back to impervious and basically that's what I see as a solution. Chairman Arakelian – I think I just want to add something to that, if your taking away the garage and you're also taking away the shed - my concern is they have to put their lawnmower in the living room. So, I'm thinking maybe let them leave the shed because it's a temporary structure anyway – let them have the shed this way they have a place to put their lawn equipment, their pool equipment. Mr. Ntarlagiannis – the shed is almost the size of the garage, (something about impervious coverage – inaudible) – Chairman Arakelian – but a shed is more of a temporary structure whereas a garage is more of a permanent structure. Mr. Mehrman – well when I look at your survey map here that shed is a decent size but its not taking up a much bigger portion of the right yard there.

Mr. Mederos – so in designing a functioning and all the spaces relating to each other, there's ripple effects and there's a lot of interplay between rooms here, so what you're suggesting needs to be explored, we just can't go forward with this without really exploring to make sure that it's going to work for their ultimate needs for what they want to do with the house. Mr. Mehrman – Well if I recall reading the plan, you had a single car garage that you were proposing so it was not affecting any floor layout. A lot of houses will go above the garage with a second floor ususally a master bedroom and bath. Mr. Mederos – so your suggesting to keep the current small garage? Mr. Mehrman – not the current small garage your incorporating it into your

new interior arrangement. Mr. Mederos – so you're not suggesting keeping that garage? Mr. Mehrman – no obviously not anything within your outside walls that you're proposing is fine. I'm not impacting that in any way. All I'm doing is eliminating a single car garage, one story on the right side and I don't think you have a hardship with your car because you're parking your cars outdoors now. Mrs. Ntarlagiannis – yes our concern is our family conditions and our health is different than it used to be. I cannot imagine – we live in New Jersey, it snows, it rains – I can't imagine to having to clean off my car, we've done it for ten years but I'm in a different situation now than I was ten years ago. So, I really don't know how we could function – at least me, I speak for me personally, Dimitrios can park on the street. Mr. Mehrman – I'm not asking you to park on the street. Mrs. Ntarlagiannis – in the driveway – Mr. Ntarlagiannis – given our current situation we need a one car garage. I'm willing to put in a bigger seepage pit if that makes a difference because of the water from the roof. Mr. Mehrman – regardless I would recommend seepage in any way, so that's off the table, you're going to do it if we approve it. I'm going to put it in the motion. As to the need for a garage – I understand what you're saying I believe you said you been here for ten years – so for ten years you've been cleaning off your car. – Mrs. Ntarlagiannis - yes, I have been cleaning it off for ten years, but I can't keep doing it and Raul aren't we building over the garage – so it does affect the interior because we are partially building over the garage. Mr. Behrens – if I can just interject – I completely understand your situation, I think everybody does, I think we also have to understand where the Board is coming from. We have to review applications on a monthly basis and they run into the same situations where people have circumstance where they have to evaluate and this is I would suggest the upper extreme of the type of variance relief that they typically get – I would suggest – you have few recommendations I think that they are willing to work with you if you are willing to make some sort of compromise somewhere. Mrs. Ntarlagiannis- sure is there another one. Mr. Behrens – let me offer something, the garage itself is a 12 x 20 space that's about 240 square feet that's about 3% of the property – maybe another alternative is you guys regroup, take a look at the floor plan because I understand about design and making sure things work and see if there are other ways if there is somehow you can scale back- that's the ultimate problem, it's just a little too much, So maybe it's best to have you come back and think about it and if there is no way to do it then we come and take a vote and see what happens.

Chairman Arakelian – I'm just going to weigh in and say like Tom said we hear a lot of applications and 50% is a significant variance to request and its very rare that I think we incur many 50's, There are 40's, 35's . Mr. Ntarlagiannis (speaking in audible). Mr. Behrens – something you might explore is and maybe a professional can do it. Take a look at what's on the block and not that it may not matter but if your consistent with everyone else has equal with the pool I don't know that is a factor but you may need some more information but at the same time see if there is anything you can do. Certainly, everybody knows you have needs. Chairman Arakelian – and frankly what you just said is exactly why we have to weigh applications like this. Because if we grant it to you the next person is going to come in and say – well you gave it to Dimitrios down the block. Mr. Ntarlagiannis (inaudible) Chairman Arakelian – but you did - Mr. Ntarlagiannis – I didn't say its not uncommon (inaudible). Chairman Arakelian- it is uncommon – I've been on this Board for 24 years - its uncommon. Mr. Mehrman – Let me add the Board has set precedent in a very similar situation within the last two years- I believe it was on Lonza – we had a similar condition where the pool was driving the coverage radically and we reached a compromise on that so this is not new to the Board we have faced this before and we've set a precedent in the way we've acted - Mr. Ntarlagiannis (inaudible) Mr. Mehrman – what I'm suggesting is that you improve your house within the existing walls the way you planned. You leave your swimming pool, right now I'm not discussing your wood deck back there, all I'm saying is that

you refrain from constructing the new single car garage on the right side and as you had proposed a little additional asphalt on the driveway as a pavement – you would really need that for two cars. Mr. Mederos – it works out to be about a total of 2 additional feet. We can bring it back and keep the driveway exactly the way it is now if it please – Mr. Mehrman – well I looked at your drawing and it looks like more than two feet wide then what you are proposing. Mr. Mederos – we are removing on the left side and redistributing the area of the driveway to the other side, so we are widening it approximately a foot in a half, two feet by removing a portion and moving it over to the side but we can kind of narrow driveway to keep it at its current width it is today if that works. Mr. Behrens – how many square feet it that? Mr. Mederos – well the reduction of the driveway is 100 square feet and we are adding 165 so we can add the same amount for the driveway itself that we are removing to make it – Mr Mehrman and not build the garage – Mrs. Ntarlagiannis- no build the garage but reduce the driveway. Mr. Mehrman – right now what you're proposing I cannot support. I personally can support what I have gone over a couple of times. So, as the Chairman suggested if you want to huddle up or cluster or postpone your application and consult with your design professional that's your option – Chairman Arakelian – or you can take your chances with the Board and at this point I would like to go back to our members to see if anyone has anything else to add.

Councilman Papaleo – I have similar concerns as Mr. Mehrman, I could not support this current plan personally 50% coverage seems extreme, it is 40% more than the standard of 35% so I also would have great difficulty voting yes at this time. Mr Gibbons - I have the same sentiments. Mr. Grasso – what are the dimensions of the shed? Do you know how many square feet that is? Mr. Mederos – It's 160 feet which we are completely removing. Mr. Ntarlagiannis (speaking in audible). How much is the shed 160 plus 70 that amounts to 230 approximately the size of the garage – the garage is 240 square feet, so if we reduce the size of the driveway and remove the shed – Chairman Arakelian – I just want to be clear on the shed, I offered the shed up not as impervious coverage, I offered the shed up as a temporary structure so you're not parking your lawn equipment and your pool equipment in the living room. Ms. Ntarlagiannis – we understand. Chairman Arakelian – so I was not including that as part of your calculations. I was including that as a, for lack of a better word, a gift from the Board so you have a place to park your stuff. Ms. Ntarlagiannis – ok but it is impervious. Chairman Arakelian – we want this to work for your, we want it to work for the neighborhood and for the Borough of River Edge. Ms. Ntarlagiannis – I know that's why we're going back and forth we are trying to get creative. Chairman Arakelian – I think you are getting a good feel for what the rest of the Board, I didn't get to the other side yet, is thinking. So, I don't know where you want to go with this. Mr. Gibbons – one question - so the shed is proposed to be gone so say you are taking it out will be helpful. Ms. Ntarlagiannis – no no he's saying – what Dimitrios is saying the gift from the Board, keeping the shed which is still impervious correct me if I'm wrong, I know it's a temporary structure but it's still impervious so keeping that instead of the proposal to keep that and not do a garage, can we keep the garage, not do the shed and reduce the driveway? Mr. Gibbons but that's only reducing your coverage, from what you are proposing what you are really proposing is just slimming down the driveway. Your only really giving back part of the driveway. Mr. Krey – is there any opportunity to – as I'm looking at this second story addition that's effectively a master bedroom suite, is there any opportunity to pick up some (he is shuffling his papers cannot hear him) to pick up some impervious coverage by looking at that seeing that its extending beyond the back of the house is there any way to take that down (can't hear him)is there any way to take that down in size? Mr. Ntarlagiannis (something about the master bedroom inaudible) (going back and forth – professional, Mr. Ntarlagiannis and Mrs. Ntarlagiannis (papers shuffling – is audible as to what they are saying).

Mr. Behrens – I'm not so sure this is such a great idea but thinking out loud what happens if you get rid of half of the pool patio? You cut off 4 to 5% again not suggesting -from a sheer numbers standpoint – Chairman Arakelian – I guess in that thinking how important is this garage versus having the pool in the backyard? That would be the compromise that you would need and then you are coming here with a much stronger application – so when you tell me how important that garage is because of what you are going through and I understand that – my heart goes out to you. I look at the pool and I say well you probably don't need the pool when the town has a town pool, it's a compromise-it's not an easy compromise and certainly it's not a fun compromise but when you're putting your priorities in order -I would look at the pool and say well – So Mr. Arakelian - Mrs. Ntarlagiannis – you're totally spot on its not a priority I would would remove the entire pool but it is very expensive to remove the entire pool and also do all this construction, so the financial aspect is what is difficult in removing the entire pool. If you're proposing removing the patio, I'm totally okay with that. Chairman Arakelian – we don't want to provide an unsafe environment either - Mrs. Ntarlagiannis – no but it could be grass. Mr. Behrens – do you want the Board to decide tonight or do you want two weeks to regroup and think about your options. Mr. Mederos – before we get to that answer, I would just like to say the 3% that you suggested about moving the pool patio amounts to 250 square feet of patio surface, I think that might be possible. That coupled with even taking out the 70 square feet of the driveway that we were increasing we could say and then bringing it down to on par with what's there now with regard to the driveway coverage that's going to be 320 square feet less and that should amount to 4 or 5% less then what we are proposing here. Mr. Mehrman – Tom one quick question – in the calculations for coverage – the deck – the house deck – that's included as impervious? Tom – yes its counted there. Mr. Mehrman – so you have another option there if I understand it correctly. Mr. Mederos – we have a landing so you can step outside of the house but there is no more wood deck. Mrs. Ntarlagiannis – we are focusing on – Mr. Mehrman – I'm I'm looking for ya - Mrs. Ntarlagiannis – I know, and I appreciate it. I appreciate everyone brainstorming and trying to come up with options. But that is a viable option for us. Chairman Arakelian – that gets us down to about 44 Tom? Mr. Behrens – Something like that it's hard to tell – you probably have to delineate it on the plan what we're talking about – we have to know with a level of certainty what we are talking about before the Board can make any approval and whether or not that's good enough with the driveway situation I want you to have a functional driveway so, I don't know if it's worth it to take more patio and leave more driveway, my concern is this because I have to deal with it. You have 31-foot-long driveway which means you really can't stack two cars. So, you really need a side by side situation or you'll wind up with one garage on driveway space. If you can live with that great, then we'll just cut off the driveway. I'm just throwing that out there. Mrs. Ntarlagiannis – can I ask what is a viable option for the Board – reducing the pool patio and the driveway or would the pool patio get us to a good place? Mr. Mehrman – I think it's up to us to set the criteria rather than telling you exactly what to do. Do remember you have to have two off street parking spaces - Mrs. Ntarlagiannis and a garage and a single car driveway would count – Mr. Mehrman – would count as two off street or you can have exterior side by side in the driveway – but part of the criteria is two off street parking spaces. Mr. Caslin – I think that reasons that have already been expressed I have concerns also. It sounds like there is room for a possible solution here and I would like to see one met at some point. I just think there is a additional homework that needs to be done on both sides. Acting Mayor Busted – I agree. I would like to have the applicant weigh our concerns and suggestions and come back with what it is we are both looking at and hopefully agreeing to. Mrs. Ntarlagiannis- ok that's fair. Chairman Arakelian – I have room on the calendar for the next meeting. Do you think you'll be ready? Mr. Behrens – what I would suggest you make a proposal, sketch it out, have the numbers and revise the plans. Chairman Arakelian – okay before I move to have this carried, I would like to open to the public to see if there is any public comment – can I

have a motion on that – Councilman Papaleo – so moved, second Mr. Mehrman. All in favor - aye – any opposed an abstained? Okay – I don't know if you are here for this application but if you are please come up. Okay come up and give us your name address and spell your last name please.

My name is ? And my husband ? We live at 250 Berkeley actually their neighbor – Chairman Arakelian – can you spell your last name please – Yuanchou Zhang my wife's last name is Yu. Mr. Zhang – yes basically we get this note – we live for 8 years, we are neighbors for many years and so we know that they are going to change the house we like to – basically we come here with the concern especially with the water and the sewer system without the flooding in the neighborhood – that's one concern. Another concern is we keep the landscaping the same. Ms. Yu – I don't think we will make a change in ten years - our window is right in front of the neighbors so if they extend nearer to our house our window will face (inaudible) privacy – I look at the architecture the design a picture it looks like they will have new window on the second floor – because they have new windows its very close now. Chairman Arakelian – he wants to show you the lay out here it might help you a little. Let me speak to the water. As far as water goes all of our applications are subject to review by our Borough engineer and whatever our engineer recommends as to retention pits that is not negotiable that has to be done in order for the application to go forward. So, our approval tonight will be subject to review by our Borough Engineer for water management.

Mr. Mehrmn – I have a question - you might have said it but I didn't hear it so could you tell us what side of – Ms. Yu – right behind (everyone is talking at once in audible) Ms. Yu is speaking (cannot not understand – inaudible) Chairman Arakelian – I think we heard from the architect that there won't be a window facing their house. Is that correct? There's one in the mud room. Mr. Zhang (inaudible). Chairman Arakelian – so what they are looking for is some screening landscaping. Tom – they're okay with side yard – correct? (back and forth about the window everyone speaking at once). Chairman Arakelian – Okay hold on I'm going to ask the Board for a five minute recess so they can get together and talk – can I have a motion on that – so made Mr. Mehrman – second – Mr. Krey – all in favor – aye – we will reset in five minutes. Chairman Arakelian – motion to open back up – so moved – Mr. Grasso – second – Mr. Mehrman – all in favor – aye – any opposed and abstained? Okay we're still open to the public – I'm guessing you're satisfied with the answers you received. Anyone else in the public that would like to speak – Motion to close to the public – so moved- Mr. Gibbons, second Mr. Mehrman - All in favor – aye.

Chairman Arakelian - Okay I understand from speaking with your architect that you want to carry this to the next meeting that would be Wednesday the 2nd of October. Can I have a motion to carry this to the next meeting -Mr. Ntarlagiannis - can I ask a quick question? We come only with the revised design. We don't need to do all– Chairman Arakelian – no re-notice – Motion to carry this to the next meeting – Mr. Mehrman – so made, second – Acting Mayor Busted. Roll call please – Councilman Papaleo – yes; Chair Arakelian – yes; Vice Chair Mr. Mehrman – yes; Mr. Grasso – yes; Mr. Krey- yes; Mr. Caslin – yes; Acting Mayor Busted- yes; and Mr. Gibbons- yes. Chairman Arakelian – Just for the public, this application will be carried to October 2nd without further notice and we will see you then. Believe me we understand the hardship here. I'm sure we're going to be able to figure something out. Mrs. Ntarlagiannis – and that makes me very happy. Chairman Arakelian – you know what get a pen I'll give you my number, you can call me tomorrow (201) 394-2700. Good night folks.

Chairman Arakelian - Okay – next up Jin Ok Kim, 228 Madison Avenue, Block 508, lot 19, Proposed addition to existing dwelling. Front yard setback, side yard setback and height variance requested. Mr. Gibbons – Mr.

Chairman can I recuse myself – Chairman Arakelian – yes you can – let the record show that Ryan Gibbons lives within 200 feet of this property and is recusing himself. State your name and address for the record sir. My name is Jin Ok Kim, 228 Madison Avenue, River Edge, New Jersey. Ms. Grohl – Sir could you please raise your right hand - do you swear to tell the truth, the whole truth and nothing but the truth so help you God? Mr. Kim – yes.

Chairman Arakelian – okay so tell us what you are trying to accomplish tonight. Mr Kim - Okay I moved in 2013 into River Edge and my house is 1949 it's an old house, my wife and my child want to improve the house – a clean house so I try (inaudible) I did study for about four years architecture and my two friends have study architecture and they gave advise and why I did by myself I want to design my house this is my dream and by myself . (very hard to understand him) I did the design but it's like a front set back 30 feet is the requirement, then my wife wants a front porch 4.5 feet it's over and then side set back 7.5 feet shorter because I asked neighbor - we talked and he said it's okay and then we designed that one ceiling height 30 feet it the requirement and then I designed roof and that is 2.5 5 feet over and then this is my proposal. Mr.

Behrens – so as you heard there's a porch addition and two rear additions that are two stories in height. The first variance is a front yard setback variance only for the (inaudible) of the unenclosed front porch. What's proposed is a setback of 24.48 feet where 30 feet is required and again that's just for the front porch. The side yard variance is – there's a small addition to the northeast corner which is technically in line with the existing part of the building – but the existing building is a nonconforming side yard setback of 5.2 feet where 6 feet is required so the addition merely continues that line for another 5 feet it appears. The third variance has to do with the building height. The ordinance allows 30 feet he's at 32.55 feet as measured from the average finished grade. It looks like there are some slope issues nevertheless it's still 2 ½ feet above so I think we need some justification for all of this this. So, we'll go one by one. So Mr. Kim – the front porch other than it being a desirable amenity have you looked at your neighbors front setbacks – is this any more or less – is it consistent with – Mr. Kim – yes my neighbor 's house is like our house – the porch side, I checked the street line set back – yeah 4.52 feet. Mr. Behrens so there are other houses on the block, one or more houses that have similar projections into the front yard, so to that extent there may be some contact with – any idea about how many might have that type of set back? Mr. Kim – two or three. Mr. Behrens -so moving along the side yard setback is a continuation of the existing line of the house so he's off about 8 inches or less – 8 or 10 inches from the existing set back line and again its only about a length of 5 feet. Are there any impacts you think from your neighbor in terms of the windows in that location or anything else that may cause any issues? Mr. Kim – yeah I was talking to right side next door neighbor – we communicate and I decide second floor more compact – it looks like more space – 10.8 feet (inaudible) and then ask my neighbor and he said never mind (I believe he is talking about his neighbor) Mr. Behrens – and that length looks like it's about 3 ½ feet extra on the side there and you need that to create a stairway from the garage up to the main floor – so this small addition is a stair from the garage up to – so the final addition the height. The ordinance permits a maximum height of 30 feet so why in this case can't you stay within the limit? I think the existing house is 20 something feet so – your designing above it so why can't you meet the 30 feet? Mr. Kim – I put pitches 8 inch (inaudible) and then I designed like then and then I designed font roof and the front roof is like 2.5 and then I asked next door let side neighbor I check the sunset and some shadow and then it's okay. (inaudible). Mr. Behrens - so your first-floor ceiling heights are 7 or 8 feet – from the floor to the ceiling is how much – Mr. Kim – 8 but the second floor is 9. Mr. Behrens – so I guess you have a couple of options – I understand the property also slopes but I'm wondering if it slopes to the degree where that amount height is required to make the difference so – I'm wondering if there's any wiggle room either on the

9 foot heights on the second floor or if you could alter the roof pitch or come up with another roof design-it's just an issue a lot of homes have to deal with the 8 12 is desirable from a pitch standpoint but all over – I mean it's just the regulation so I think architects generally try to find a way to accommodate. I think you did you best to make it look nice.

Chairman Arakelian – you're going to have to find a way to stay within that 30 feet. That one's a tough one because that was recently, I don't know five years ago adopted by the council – that's going to be a tough one. So, let's move onto something else but that is something you are going to have to adopt. Mr. Kim – so that means I have to change roof – Chairman Arakelian – you are going to have to change the roof. Mr. Grasso - I agree I believe River Edge already compared to other towns has small lots and when you have houses that are higher than 30 feet on a small lot it tends to make the place – Chairman Arakelian – that's not one we typically bend on. Mr. Behrens – so whether its reducing the second floor height of the roof pitch you need something there. The side yard issue I mean frankly, I don't have an issue with that its creating a stairway from the garage into the house which is a common modern feature. I don't think it exacerbates any impact technically its closer in (inaudible) but for a length of 3 ½ feet and then the other one is the front porch projection. We've gotten some testimony that some houses have that existing condition the front porch could add potentially to the aesthetics of the home. It is unenclosed and it would have to remain as you can never enclose it in the future without coming back to the Board so with that one, it's a matter of whether you heard enough to render a decision in terms of impact. Chairman Arakelian – on the front porches I will say its very typical and anyone who wants to add a front porch has the same issue because everybody is set back that 30 feet and if you want to add a front porch which I think is aesthetically pleasing as long as you're not going out more than that 5 foot, we've been pretty lenient with that. Thank you, Thomas, – I'll open to Mr. Papaleo – I don't have an issue with the front yard, I don't have an issue with the side yard – I understand the continuity of line – I understand the front porch is in line with the neighbors. I agree that the house has to come down to 30 so if these things can be met, I feel comfortable. Mr. Grasso – I agree with Tom the house has to come down to 30 feet maximum. Mr. Krey – good. Mr. Caslin – good here. Mr. Mehrman – if I recall your house and what you said I think you said it was built in 1949 correct? In looking at the house that is the old original post war cape and all the homes that we are developing in that area of River Edge are all putting a front porch on and there are some on is street. So, I don' believe there is a real issue with the front porch. From a height standpoint I'm going to defer to the policy of the Mayor & Council – Chairman Arakelian – Ordinance actually an ordinance that they passed that's why he would need to leave – I think that was discussed – that was one of those issues that they really wanted set in stone.

Mr. Mehrman – so would we permit a C1 variance on a roof height of a small amount – Chairman Arakelian – he's going to be able to adjust his pitch and if he has to bring the room height down from 9 to 8 – 8 ½ to get within that 30 foot. I'd rather not have a precedent set by this Board that we are allowing higher – Mr. Mehrman – I agree with that. So, it looks like we're going to have another returnee. Chairman Arakelian – as long as you agree to bring the height down to 30, we should be able to approve this, and you just resubmit the plan to Tom and he can take it from there. Mr. Behrens – would the Board have to see it at that point, or could it be done on a condition? Chairman Arakelian – we can make it a condition. Ms. Grohl – so he'll withdraw that request for the variance rather than you denying it – Mr Behrens – correct. Mr. Mehrman – can we make it conditional and have Tom review it? Yeah. Mr. Behrens – so I'll review it from a compliance standpoint, and he would withdraw that request. Ms. Grohl you have to withdraw it right now before we deny the application – Chairman Arakelian – so anybody else. We open to the public. Mr. Papaleo – so moved – second – Mr. Krey – all in favor – aye – Any opposed any abstained? Anything in the public – no thank

you. Motion to close to the public – (?) second Mr. Mehrman – all in favor – any – any opposed any abstained? Okay at this point Tom anything else? No. Members anything else?

Chairman Arakelian – do you agree to withdraw the request you have or the height variance that you have on your application? Mr. Kim – yes. Mr. Mehrman – I'll propose a motion that the Board approve this application for the various side yard and bulk variances with the provision that the height variance will be eliminated by the applicant reducing the height to the permissible – Chairman Arakelian – and reviewed by a zoning officer – Mr. Mehrman – with the understanding that your site will also have to receive subsurface drainage disposal based on the Borough engineer's review. Chairman Arakelian – do I have a second on that – Mr. Caslin. Roll call – Councilman Papaleo – yes; Chair Arakelian – yes; Vice Chair Mehrman – yes; Mr. Grasso – yes; Mr. Krey – yes; Mr. Caslin – yes; Mayor Busted – yes. And Mr. Gibbons is recused. Chairman Arakelian – Congratulations sir.

Chairman Arakelian – just a couple updates for everyone – we have a couple residential; we have the historical society next meeting. They're going to be bringing in new plans proposed by the County – moving the crosswalk over, handicapped lot so we'll deal with that. There have been no rumblings on anything else. Everything that is right now is status quo, there's still some talk about across from Johnson Avenue for redevelopment, I haven't heard anything officially on that. Other than that, the Board is caught up and I will ask for a motion to adjourn. So, moved – Mayor Busted, second – Mr. Caslin. All in favor – aye. Any opposed any abstained? Thank you everybody.