

BOROUGH OF RIVER EDGE

LAND USE BOARD

MEETING MINUTES

COUNCIL CHAMBERS

MAY 15, 2019

MEMBERS PRESENT:     James Arakelian  
                                 Dick Merhman  
                                 Michael Krey  
                                 Chris Caslin  
                                 Lou Grasso  
                                 Thomas Papleo  
                                 Ryan Gibbons  
  
                                 Nylema Nabbie, Attorney

MEMBERS ABSENT:     Mayor Mignone  
                                 Eileen Bolan  
                                 Alphonse Bartelomi  
                                 George Siderias

ALSO PRESENT:     Thomas Behrens, Planner

Chairman Arakelian starts the meeting with the 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:       James Arakelian, Chairman ó here  
                              Dick Merhman, Vice Chairman ó here  
                              Michael Krey ó here  
                              Ryan Gibbons ó here  
                              Chris Caslin ó here  
                              Lou Grasso - here  
                              Thomas Papaleo ó here

Chairman Arakelian ó just a little housekeeping, we had a meeting scheduled for I believe June 4<sup>th</sup> or 5<sup>th</sup> whatever that day was we won't be having a meeting that night because the dais has been commandeered by the Freeholders that evening. I would also like to thank Mr. Mehrman for filing in for me the last meeting. Everyone said you did such a great job.

Our first piece of business will be approval of the minutes. Mr. Mehrman ó Mr. Chairman I would like to make a motion to accept the minutes as written and I would like to recognize the recording secretary who did a fantastic job in producing these. Chairman Arakelian ó these are some minutes ó do I here a second ó second anybody have any comments? All in favor. Mr. Grasso - I recused myself from that application so I am going to recuse myself from the approval of the minutes. Councilman Papaleo - I am abstaining because I was not there. Ms. Nabbie -so Councilman Papaleo is abstaining and Mr. Grasso. Chairman Arakelian ó so I'll do an all in favor - Aye, any opposed and we have our abstentions.

Chairman Arakelian - Moving right along we have a memorialization ó 626 Kinderkamack Road, Block 617, Lot 18, it's for a food handler's license that was approved at the last meeting. You should have gotten the memorialization, I can't vote on that but I am going to call on anyone who might have any comments. Mr. Mehrman ó we just have to fill in the name. Ms. Nabbie ó I apologize I just noticed that, that's what was sent over to Mr. Barrett. So we will correct that first page I just have to check with the attorney. Mr. Merhman overall they're pretty

good ó and we wholeheartedly welcome them to River Edge. The Master Plan had said we welcome food operations and restaurants and now we have one. It's good to have a choice now we were getting saturated with pizza parlors. Mr. Chairman ó so is that a motion? Mr. Mehrman ó yes that's a motion as corrected, second ó Mr. Grasso abstained because I recused myself from the application. Councilman Papaleo second - Chairman Arakelian ó let's roll call that. Ms. Nabbie ó so Mayor Mignone ó absent, Councilman Papaleo, yes, Chairman Arakelian, you were absent, Ms. Boland is absent, Mr. Bartelomi is absent, Mr. Grasso you recused yourself, Mr. Mehrman ó yes, Mr. Krey ó yes, Mr. Gibbons was absent. I think I got everyone.

Chairman Arakelian ó Just real quick to give you an update, we had that food handler's license for La Tascano and during the conversations the fence needed to be repaired and where that area on the side of the building were they had the cones, I received an email from the owner and they are going to be addressing it shortly. So we should have a new fence back there for our residents to enjoy as opposed to one that is falling apart and they'll fix that piece on the sidewalk so nobody can slip or fall and get rid of that hideous plank they have over there.

Chairman Arakelian - Okay so I'm going to ask you to come on up ó this is for completeness review right now. Robert & Michelle Como 149 Concord Drive, River Edge, NJ, Block 611, Lot 3, covered porch ó needs front yard setback variance. Mr. Behrens ó the application was reviewed by the Zoning Officer I have all the documents that were submitted to the Board from my point the application is good to go. Ms. Nabbie ó yes I have reviewed the notice and the notice is order in accordance with the Municipal Land Use Law. Chairman Arakelian - okay I would like to entertain a motion to deem this application complete for hearing. Mr. Mehrman ó so made, second ó Mr. Caslin. Ms. Nabbie ó okay, Councilman Papaleo, yes, Chairman Arakelian, yes, Ms. Boland is absent, Mr. Barteloni is absent, Mr., Mehrman, yes, Mr. Grasso, yes, Mr. Krey, yes, Mr. Caslin, yes, Mr. Gibbons, yes. Chairman Arakelian - okay we're complete.

So now under new business we have Robert & Michelle Como 149 Concord Drive, River Edge, NJ, Block 611, Lot 3. Welcome. Okay why don't you start off by telling the Board what you are looking to accomplish tonight. Robert Como ó we're looking to add a front covered porch that wraps around half of the house. We hired an architect who designed the house next door. Right now we have bushes that are taller then me that wrap around the whole house so it was kind of like dead space, we have three children 5, 4 and 3 we would like to enjoy the front yard more without the threat of them running into the street, so we hired this architect to come up with a porch that we can enjoy with the family. Chairman Arakelian ó sounds reasonable. Thomas ó Mr. Behrens ó so the ordinance provision that was cited Section 416 -13C4 which allows public porches to project up to 35 square feet and 5 feet into a front yard so this is being exceeded to the extent being shown on the plan. So on the one hand the house is where it is I think a portion of the front of the house extends already beyond the required setback 30 feet its at 29 feet. Here the porch will go to maximum of 23 feet so in trying to add a front porch in this situation there would be no other way to install it without a variance that would be one way to look at it. To some extent do you feel that this improves the look or aesthetic of your home? Mr. & Mrs. Como ó yes. So there's the goal of the Municipal Land Use Law which is that it might promote the desirable visual element as a general provision. It is fairly straight forward. So its a question of as the applicant, do you feel that it is consistent with the neighborhood and it fits in with the

look and character of your neighbors and existing homes ó I would also note that the rest of building is in compliance in terms of coverages, building and impervious coverage. Chairman Arakelian ó by the way I would like to take the opportunity to welcome Tom as acting Zoning Officer at least until the end of the year we're excited to have that done. He's an in town guy so he'll be around a lot so its great to have you aboard. Mr. Behrens ó thank you. Ms. Nabbie ó Tom I just wanted clarify the variance ó its just a front yard setback variance. Mr. Behrens ó let me ask ó what does the notice say? I didn't have the materials until tonight so (bantering going on) says that it projects approximately 8 feet into the front yard 7 feet of which will be within the required 30 foot front yard setback and when I look at the zoning table that's been prepared it shows required front yard setback of 30 feet and 23 is proposed is that correct? Mr. Behrens yes. Ms. Nabbie ó I just wanted to make sure. Chairman Arakelian so that's the only variance just the 7 feet? Is that correct? Mr. Behrens ó its a front yard setback there was the ordinance portion that was referenced in the letter of denial but I think this one just (inaudible) in terms that it's just front yard setback violation so I think the way the notice was prepared is sufficient. Ms. Nabbie ó I agree. Mr. Grasso ó there was no ó its still conforming as far impervious coverage and everything? Mr. Behrens ó yes ó I can give you the numbers if you would like just for reference. Again, so the only variance being requested is the front yard setback, the lot coverage meaning the building lot coverage is at 16.8 percent where 25% is permitted and the impervious coverage being proposed is 29.7% where 35% is permitted. So their pretty well under whats allowed to be done on that lot. Mr. Krey ó on the property description it says the existing layout is 13.6 lot coverage and proposed is 16.8 the improved is 26 and its going up to 29.7 ó we're getting less lot coverage? Mr. Behrens ó well its increasing in both cases Mr. Krey ó oh I'm sorry I had a little dyslexia, yes your right. Mr. Behrens ó so there is a slight increase there both still well under the threshold.

Chairman Arakelian ó why don't we start from my right ó Ryan ó no questions. Chris ó are there any other houses on your block on your side of the street where there are front porch extensions like you are proposing to do? Mr. Como ó the house next door where this architect designed - I was actually standing out my front door today and I told my wife it will wind up exactly like their front door, the other side it won't but the house next door which they did two years ago will be directly in line with their front door. Mr. Mehrman ó Actually there's more than one on his side. Chairman Arakelian ó its very common. Chairman Arakelian ó Michael ó no comments. Mr. Mehrman ó you stole my thunder when talking about blending with the neighborhood which is nice. It appears that you are not adding anything to the driveway. Mr. Como ó no. Mr. Mehrman ó okay because you do have a single car wide driveway. Mr. Como ó our driveway actually connects with the neighbors too, so we have a ó ours is two cars and next door is two cars as well. We're not touching the driveway. Mr. Mehrman ó okay that's it. Chairman Arakelian ó I'm good ó anybody? Anything to add? Tom do you have anything to add? Mr. Behrens ó I don't have anything to add. I think we touched on the proofs, the variance relief one that its a hardship again because the house being located where it is to add a front porch you would necessarily need a variance and again it enhances the visual aspect of the neighborhood. Mr. Arakelian ó happy to see young families come into town and enjoy our incredible school system. I would like to entertain a motion for approval. Mr. Mehrman ó what about the public? Mr. Arakelian ó motion to open to the public. So moved, (?) second Mr. Mehrman, all in favor ó aye, any opposed, any abstained? Nobody here. A motion to close to the public. Mr. Mehrman ó

so made ó Chairman Arakelian - all in favor- aye, any opposed any abstained? Okay. At this point I'll entertain a motion on the application. So moved Mr. Caslin, seconded by Councilman Papaleo. Roll call please. Ms. Nabbie ó Councilman Papaleo, yes, Chairman Arakelian -yes, Mr. Bartelomi is absent, Mr. Mehrman- yes, Mr. Grasso, yes ó Mr. Krey, yes ó Mr. Caslin, yes ó Mr. Gibbons, yes. Thank you. Chairman Arakelian ó motion passed. Enjoy your new porch. Mr. and Mrs. Como ó thank you so much.

Mr. Arakelian ó a little housekeeping. Lots of applications coming up. There mostly houses. There is an application possibly coming in for a used car garage over where the (inaudible) use to be. And there's still chatter where Bergen Batting use to be something has go there eventually. So we'll resume the hearings for the Historical Society that second meeting in June. Anybody have anything else to add? Mr. Behrens ó I have one question ó I sent a draft to the Board an annual report a couple of weeks ago at some point I guess we should ó Mr. Arakelian ó yeah we will bring that up for application at the next meeting so everybody gets a change to look at it. Okay ó you all should have gotten that in your email. Motion to adjourn. So moved Mr. Caslin, Ryan ó Second. All in favor ó aye. Any opposed, any abstained ó I didn't think so. Adjourned. Thanks everybody.