

January 23, 2008

A regular meeting of the Allendale Board of Adjustment was held in the Municipal Building on January 23, 2008. The meeting was called to order at 8 p.m. by Mr. Blomberg, Chairman.

The following members answered roll call: Blomberg, Hart, Teng, Redling, Chamberlain and Weidner. Mr. Nestor, Mr. Jones and Mr. Manning were absent.

Election of Officers

Mr. Blomberg asked for nominations for Chairperson. Mrs. Hart nominated Stephanie Teng as Chairperson. Motion seconded by Mr. Redling. There were no further nominations. On roll call, Mr. Blomberg, Mrs. Hart, Mrs. Teng, Mr. Redling, Mrs. Chamberlain and Mrs. Weidner voted in favor.

Mrs. Teng nominated Mrs. Hart as Vice Chairperson. Motion seconded by Mr. Redling. There were no further nominations. Mr. Blomberg, Mrs. Hart, Mrs. Teng, Mr. Redling, Mrs. Chamberlain and Mrs. Weidner voted in favor.

Mr. Blomberg announced that the Board has received a letter from Robert Landel who has been the Board Attorney for the past 13 years, advising that he is not seeking reappointment because his law partner, Ari Bernstein has been elected as a Councilman within the Borough. Although this may not cause a real conflict of interest, he believes the appearance of a conflict may exist in certain circumstances and therefore it would be prudent for the Board to appoint new counsel. Mr. Landel indicated he will continue as attorney for the January meeting and asked that a new attorney be selected for the February 2008 meeting.

Mr. Blomberg said he would like to officially pass the gavel to Mrs. Teng as this time. Mrs. Teng thanked Mr. Blomberg for the great job he has done as Chairman and said the Board is appreciative of his hard work and saddened that he will be leaving.

Mr. Redling moved, seconded by Mrs. Hart, to approve the minutes of the December 19, 2007 meeting. On roll call, all members present voted in favor.

Resolution of memorialization was submitted by the Board Attorney with regard to the James and Lisa Fallon application. Mrs. Hart moved, seconded by Mr. Blomberg, to approve the application as submitted. On roll call, Mrs. Hart, Mrs. Teng, Mrs. Chamberlain and Mr. Blomberg voted in favor. Mr. Redling abstained.

Resolution of memorialization was submitted by the Board Attorney with regard to the Sami and Omer Yilmaz application. Mr. Redling moved, seconded by Mrs. Hart, to approve the resolution as submitted. On roll call, Mr. Redling, Mrs. Hart, Mrs. Chamberlain, Mr. Blomberg and Mrs. Teng voted in favor.

Resolution of memorialization was submitted by the Board Attorney with regard to the Andrew Sansom application. Mr. Redling moved, seconded by Mrs. Hart, to approve the resolution as submitted. On roll call, Mr. Redling, Mrs. Hart, Mrs. Chamberlain, Mr. Blomberg and Mrs. Tengi voted in favor.

Continuation of David Ross application

Since the applicant was not present at this meeting or the December meeting, Mr. Redling moved, seconded by Mrs. Hart, to deny the application without prejudice. On roll call, all members present voted in favor.

Everett Bonan variance application

9 Powell Road
Block 1804, Lot 2

Mr. Everett Bonan was sworn. He said he is asking for a hardship variance for a 16' x 16' open roof gazebo that he wants to construct in his back yard. It will not be attached to the house and it is free standing. The roof of the house and the roof of the gazebo will not meet. He submitted pictures showing the gazebo as it will appear on his property. He said the uprights are going to match the stone on the house.

Mr. Landel said he believes this is an accessory structure but the Construction office viewed it as being an extension of the house. An accessory structure would have to be 10 feet from the house.

Mr. Bonan said he wanted to add the gazebo because it will hide the flat roof of the house and make it more aesthetically pleasing. He said the height of the house is 14 ft. and the height of the gazebo will be 10 ft.

Mrs. Hart asked what needs to be done to make this structure part of the house. Mr. Landel said if the Board is inclined to approve this application, it can say it is an extension of the house for all intents and purposes and any gap from the house to the gazebo is diminimus. Mr. Landel said the variances are all pre-existing. The rear yard is already deficient and the addition of the gazebo is not going to increase the deficiency.

Rendering of the gazebo was marked Exhibit A-1. Packet containing survey (7 pages) was marked A-2.

Mr. Bonan said his property is about 3 ft. lower than the properties surrounding and there are trees all around the property. He believes the house will be nicer to look at with the improvement that is planned.

Mr. Landel commented that the hardship is that the lot is undersized.

The meeting was opened to the public for comments and there being none, the meeting was closed to the public.

Mrs. Hart moved to approve the application, the hardship being the undersized lot. The application is in keeping with the land use law and the master plan.

Mrs. Tengi said this application is unique. The applicant is proposing a decorative roof with a footing to support it over his porch at the exterior of his home. It is part of the structure of the house. The footings abut the foundation of the existing house.

On roll call, Mr. Redling voted no. Mrs. Hart, Mrs. Chamberlain, Mr. Blomberg, Mrs. Tengi and Mrs. Weidner voted yes.

On a motion by Mrs. Hart, seconded by Mrs. Chamberlain, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Barbara Knapp
Board Secretary