



Applicant has returned with plan revisions.

Mr. John Wiley, Applicant's Attorney, introduced the Applicant, Mr. Joseph Rufolo, who was sworn in by Mr. Renaud.

Mr. Rufolo stated that when he purchased the property, there was an interior set of steps leading to a second floor apartment, and an office space on the first floor. His initial plan was to eliminate the interior steps, add an exterior set in the back south side of the property, and provide an entrance door leading to the second floor apartment. Comments from the Board were that the steps would give the appearance of a two-family house which they were not in favor of. His revisions have eliminated the outside steps, replaced with an interior set, with only one door towards the back leading into the house. The other issue for turn-around on the property has been addressed with each apartment having two parking spaces, one situated behind the other for each apartment, allowing a total of four spaces. More shrubs have been included as requested by the Board some asphalt removed.

The Board made one additional suggestion to widen the driveway entrance.

Mr. Wiley stated that it could be included as a Condition.

Mr. Topping opened the floor to the public for questioning of the witness. None one stepped forward. He closed the floor.

Mr. Wiley stated that effort was made by the Applicant to have the property compatible with the zone and consideration taken for public safety.

The Board expressed appreciation for the efforts made Mr. Rufolo to adhere to the suggestions. The plans appear to be complete.

Mr. Wiley consented to a vote with six Board members present.

Mr. Renaud mentioned that one Condition was to have the driveway widened up to 12 feet for better ingress and egress. Revisions required engineer's approval.

Mr. Mannix confirmed that the Applicant would also comply with his suggestion to remove the 12 foot fence as agreed upon in the previous hearing.

Motion to approve the application was made by Ms. Sisko and was seconded by Mr. Tobin. Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Kandel and Mr. Topping voted yes. Application was approved.

#### **NEW BUSINESS:**

**19-1243** Park Realty Investment – Applicant requires variance approval for front yard, side yard, rear yard setbacks, and lot width to construct a two-and-a-half story single family house.

**164 Amboy Avenue Block 185 Lot 61.01**

Mr. Renaud stated that this property was presented before the Board on 12/12/2019 and the application was withdrawn. It is considered a new application.

Mr. Wiley, Applicant's Attorney, stated that his Architect, Mr. Mark Marcille, is ill and was unable to attend, however, he would be available by phone if necessary.

Mr. Paul Fletcher, Engineer, was sworn in by Mr. Renaud. He was accepted by the Board as an expert witness. He stated that this is a corner property and the Applicant would like to modify the existing dwelling with the addition of a second story. The property is located in the R2 Zone and several variances are being requested: 1) The lot area is 5728 sq. ft., where 7500 is required; 2) Lot width is 51.04 sq. ft., where 62.50 is required; 3) Front yard setback on Simpson Place is 11.38 ft. where 12.4 ft. is being proposed; 4) At the side yard 8 ft. is required, but existing is 1.97 ft., and the proposal is to reduce the building to increase that number to 6.13 ft.; 5) The rear yard requirement is 25 ft., while the proposal is for 22.12 ft.; 6) Maximum lot coverage by building is 30% where 30.4% is being requested. In the prior application this number was up to 36% coverage, however, they have reduced it to meet a de minimis variance. In existence is one parking space, but by pulling the house back on the Simpson side, it allows for two spaces meeting the regulations for a four bedroom house. There is an 8 ft. porch being added to the front of the building facing Amboy Avenue. The plan is add a second floor and an attic to the existing one story brick, for a total of four bedrooms.

Mr. Topping opened the floor to the public for questioning of the witness.

Ms. Orozco asked whether or not the parking would in compliance, as the requirement for a four bedroom house is 2.5 parking spaces.

Mr. Fletcher responded that they are in compliance with RSIS Code since they are allowed to round down, and as a result two spaces would be sufficient.

Mr. McPherson questioned what was to be done with the existing 10-ft high fence and the property line for the northern side where there is a driveway.

Mr. Topping responded that the plans do not show changes to the property line by the driveway.

Mr. James Park, Owner of Park Realty, stated that his intent is to construct a second story onto the existing property. The square footage has been reduced from the original proposal. There is one bedroom proposed for the first floor, and the other three for the second floor. The property will be for sale.

The Board was concerned that the attic space with a bathroom has the potential to become an additional illegal bedroom.

Mr. Park responded that the bathroom in the attic is for convenience and his concern is to have the house fit into the neighborhood. He was appreciative of the comments/concerns and they were taken into consideration when revising the plan.

Mr. Topping invited questions for the witness. No one stepped forward. He closed the floor for questioning.

Mr. Fletcher stated that the variances being sought are; lot area, minimum lot width, front yard setback at Simpson Ave, side yard setback, rear yard setback, and lot coverage from 30% to 30.4%. The rationale for granting the variances for the C-2 Criteria is that the benefits outweigh the detriments. Some of the variances are pre-existing conditions and others are de minimis. The house will be an improvement to the neighborhood and causes no detriment to the Zone or Master Plan.

Mr. Topping opened the floor for questioning of the witness. No one stepped forward. He closed the floor.

## **PUBLIC PORTION:**

Mr. Topping opened the floor to the public for comments/concerns.

Ms. C. Orozco was sworn in by Mr. Renaud. She expressed appreciation to Mr. Park for the revised plan, however, her concern was the third floor addition did not fit into the neighborhood ascetically, and also that it would eventually become a bedroom.

Mr. Topping mentioned that there is a demand for larger homes today. The massing of the porch at the front has been addressed and the response to concerns seemed appropriate. He invited additional comments/suggestions. No one stepped forward. He closed the floor to the public.

Mr. Renaud stated that applicant is seeking a C-1 Variance to be granted by the Board. His recommendation as a Condition would be to have a deed restriction, which could limit the third floor from becoming an apartment. Additional Conditions are an as built survey and gutters to point away from the neighboring properties.

The Board was appreciative of the Applicant's effort to adhere to suggestions. It is a neighborhood with varied homes and the house present would be appropriate for the neighborhood. There was still concern regarding the third floor attic with a bathroom being converted to a bedroom.

Motion to approve the Application was made by Mr. Sondergard and seconded by Mr. Tobin. Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Kandel and Mr. Topping voted yes.

#### **CORRESPONDENCE:**

##### Minutes for January 21, 2020

Motion to approve was made by Ms. Sisko and seconded by Mr. Kandel. Voice vote, with all in favor, the minutes were approved.

##### Minutes for February 13, 2020

Motion to approve was made by Ms. Sisko and seconded by Mr. Kandel. Voice vote, with all in favor, the minutes were approved.

The Board discussed rescheduling the April 9<sup>th</sup> meeting due to Passover. It was agreed upon that in the interim the meeting would remain, and if necessary, it could be cancelled and a special meeting scheduled for that month.

#### **ADJOURNMENT:**

Motion to adjourn was made by Mr. Sondergard and seconded by Mr. Sisko. Voice vote, with all in favor, the meeting was adjourned at 9:22pm.

Respectfully submitted,



Denise Hamilton