

City of Englewood Zoning Board of Adjustment

Minutes

Regular meeting

Thursday May 18, 2023 8:00 p.m.

REMOTE MEETING/ZOOM MEETING

Members present: Vice Chairman David Maron, Juanita Harris, Dr. Thom Kelly, Kenneth Senkyire,
Mateo Duque, and Ayala Geva

Members absent: Chairman Adam Brown, Angelina Rivera, Uri Moche, Theresa Thomas, and Marc McDonald

Attorney Present: Michael Kates, Esq.

Advisors Present: Frantz Volcy P.E., John Szabo, Jr., PP, AICP

Certified Court Reporter: Donna Lynn Arnold, CCR, RPR

Meeting called to order at 8:05 p.m.

Roll call, reading of open public meeting statement

Resolution

File 2022-19 93 Tracey Place LLC, 93 Tracey Pl., Block 2701, Lot 5

Motion to approve: Mr. Kelly, Second: Mr. Maron

Approved by a vote of 2 yes (Kelly, Maron) 0 no

New application

File ZBA 2023-1, Ben and Tamar Blumenthal, 26 Lincoln St. Block 1602, Lot 12

C (1) variances are requested to permit an expansion of the existing two-car garage, construction of a second story addition, expansion of the existing pool patio area with associated retaining walls, and construction of a new play court. Relief is sought from requirements for rear and side yards setbacks, maximum impervious and building coverage, and grade change.

Mr. Szabo and Mr. Volcy stated that they have no objection to have the application status marked as complete. There were no objections from members of the Board.

Matthew Capizzi, attorney representing the applicant, addressed the Board and gave the summary of the application.

Karen Arent, the landscape architect for the applicant was called to give her testimony. Site plan dated 02/23/23, last revised 04/18/23 was submitted as evidence.

Ms. Arent answered questions raised by Board Members and Professionals

Mr. Volcy and Mr. Szabo made comments regarding tree replacement plan and permeable surfaces.

The meeting was opened to the public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Kevin Spink, the architect for the applicant gave his testimony. Architectural drawings dated 02/21/23 were submitted as evidence.

Mr. Spink answered questions raised by Mr. Maron

The meeting was opened to the public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Charles Osterkorn, the engineer for the applicant was called to give his testimony. Drainage plan dated 02/14/23 was submitted as evidence.

Mr. Volcy made comments.

Ms. Arent answered a question raised by Mr. Kates.

The meeting was opened to the public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

David Spatz, the planner for the applicant was called to give his testimony. Marked was the following:

A-1 Google aerial and 3 photographs of the project property dated 5/8/23

Mr. Spatz and Ms. Arent answered questions raised by Mr. Maron.

The meeting was opened to the public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

The meeting was opened to the public for comments. The following persons came forward:

Jason Diener, 293 E. Palisade Ave., Englewood NJ 07631

Reena Forst, 146 Van Nostrand Ave., Englewood NJ 07631

The public portion of the meeting for comments was then closed.

Mr. Capizzi requested a break in order to have a conversation with the applicant. After the break Mr. Capizzi announced a decision that had been made by the applicant that the plans would no longer include the sports court. Due to that change, the seepage pit system would most likely be reduced in size.

Mr. Capizzi answered a question raised by Ms. Geva

Mr. Volcy answered a question from Mr. Maron and made comments concerning the modification of the plans

The Board members expressed their thoughts pertaining to the application.

Motion to approve: Ms. Harris, Second: Mr. Duque

Approved by a vote of 6 yes (Harris, Senkyire, Duque, Kelly, Geva, Maron), 0 no

New application

File ZBA 2023-2, 351 Lewelen Circle LLC, 351 Lewelen Cr., Block 1403, Lot 1

C(1) and C(2) variances are requested to permit an expansion of the existing pool patio and construction of a retaining wall. Relief sought for rear yard setback and maximum retaining wall requirements.

Mr. Maron stated that there was a possible conflict of interest because the engineer for the applicant was someone who Mr. Maron had employed in the past, but the employment ended. David Maron had consulted with Mr. Capizzi about that prior to the meeting of 05/18/23 and it had been decided that Mr. Maron would not have to excuse himself from the hearing of this application.

Matthew Capizzi, attorney representing the applicant, addressed the Board and gave the summary of the application.

Andrea Piazza, the engineer for the applicant was called to give her testimony. Site plan dated 02/06/23 was submitted as evidence. Marked was the following:

A-1 Google aerial, accessed during the meeting at 10:27pm

Ms. Piazza answered questions raised by Mr. Maron and Mr. Szabo.

The meeting was opened to the public for questions. The following persons came forward:

Scott Mager, 361 Highview Rd., Englewood, NJ 07631

The public portion of the meeting for questions was then closed.

Paul Keyes, the landscape architect for the applicant was called to give his testimony. Landscape drawings dated 09/28/22, last revised 05/03/23 were submitted as evidence. Marked were the following:

- A-2 Property photograph, west side rear yard with a view of the existing pool
- A-3 Color rendering of page 1 of the landscape plan
- A-4 Property photograph, rear yard with a partial view of the driveway with basketball hoop

Ms. Piazza answered a question raised by Mr. Duque.

Mr. Keyes answered questions raised by Board Members and Professionals

The meeting was opened to the public for questions. No one came forward

The public portion of the meeting for questions was then closed.

Mr. Szabo and Mr. Volcy made final comments

The meeting was opened to the public for comments. The following persons came forward:

Scott Mager, 361 Highview Rd., Englewood, NJ 07631

The public portion of the meeting for comments was then closed.

There was a short discussion between Mr. Kates, Mr. Szabo and Mr. Maron about adding a variance pertaining to the location of the existing basketball pole and net, and proposed changes to that location.

Motion to approve: Dr. Kelly, Second: Mr. Duque

Approved by a vote of 6 yes (Harris, Senkyire, Duque, Kelly, Geva, Maron), 0

Motion to adjourn the meeting: Ms. Harris, Second: Mr. Senkyire, All agreed.

Vice Chairman Maron adjourned the meeting at 11:10 pm.

Respectfully submitted,

Oksana Leonovich

Board Secretary