

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT

September 26, 2007

7:30 p.m

Chairman Joel Boroff called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. He stated that adequate notice of this Board of Adjustment meeting was given as required by the Open Public Meeting Act.

Members Present: Chairman Joel Boroff, Walter Voytus, Patricia D' Ambrosio, James Clancy, H.H. Montague, Elaine Rocha Bennett, Peter Hoffman\*.

\*arrived at 7:33 p.m.

Alan A. Siegel, Esq., attorney for the Board, was present.

Members Absent: Helen Kecskemety, Frederick Infante.

Approval of Minutes

The minutes of August 22, 2007 were approved as amended.

Old/New Business

Mr. Siegel reported that the Omnipoint case will be heard this Friday, September 28<sup>th</sup> in the Morris County Courthouse.

Mr. Montague gave an update of recent Planning Board activities. The Planning Board has been spending a great deal of time on Ogden Memorial Church's application for additional parking.

Resolution

Memorialized by resolution the approval of variances sought by John & Jennifer Tortorella, 64 Tallmadge Ave., to permit the construction of a two story addition at the rear of their existing house and a front portico, with conditions as stated in the resolution. The resolution was approved (5-0).

New and Return Applications

Blydenburgh – 77 No. Passaic Ave. will be heard tonight. However, at this point in the meeting, he was not present.

Gorham – 2 Somerset Ave. was present & ready to be heard.

Saul – 52 Hedges Ave. was present & ready to be heard.

Abrams – 139 No. Passaic Ave. was present & ready to be heard.

Since Mr. Blydenburgh was not present at this time, the Board moved on to the Gorham application.

Gorham – 2 Somerset Avenue

This is a continuation from the August 22, 2007 meeting.

Mr. Montague confirmed that he had listened to the tape of the Aug. 22<sup>nd</sup> hearing; therefore, he is eligible to vote on it.

Michael Bazala, architect for the applicant, was present and remained under oath from the previous meeting.

Stephen Gorham, husband of Susan Gorham, applicant, was present. He was sworn in to testify.

Mr. Bazala reviewed that the applicant is proposing a second story addition which will consist of a master bedroom. This second story will be constructed over the existing first floor section of the house. Currently a roof surface exists where this second story will go in. The number of bedrooms in the house will not be increased; however, a master bedroom with a bath will be created.

At Mr. Montague's request, Mr. Bazala showed the previously submitted Exhibit A-1, photos of existing house (PQ).

Mr. Bazala noted that the applicant is seeking a front yard setback variance for a proposed portico. The portico will be a little roofed area over the front stoop. The applicant is also seeking a rear yard variance.

Mr. Bazala submitted the following exhibits:  
Exhibit A-2, proposed second floor plan  
Exhibit A-3, front & right side elevation  
Exhibit A-4, colorized elevations  
Exhibit A-5, aerial photograph  
Exhibit A-6, photos & site plans of neighboring houses  
Exhibit A-7, photos of neighboring houses

Mr. Montague pointed out that no dimensions are given for the height of the house. Mr. Bazala testified that none of the proposed construction will go higher than the point of the existing peak of the house.

Mr. Montague asked what will be the height of the proposed addition at the back of the house. He would like to get some idea of what the neighbors in the rear will be looking at.

Mr. Bazala showed Mr. Montague the rear elevation and the proposed addition. Mr. Montague asked what the peak height is. Mr. Bazala measured it to be 25 ft. 6 in. The average height around the building is 26 feet.

Mrs. D'Ambrosio asked when was the existing family room added to the house.

Mr. Gorham answered that the family room was added on before he and his wife purchased the house in 2001. He guessed that room has been added two or three years before then.

Mr. Bazala discussed Exhibit A-5, the aerial photograph. He had circled the applicant's house. He pointed out which neighboring house the proposed addition would face. This neighbor's house is on Essex Road. The exact distance between this neighbor's house and the applicant's house is 35 feet 8 inches. The neighbor's house has one window facing the applicant's house. This window belongs to a bedroom on the second floor. That bedroom would be the only room impacted by the proposed addition. Mr. Voytus confirmed with Mr. Bazala that currently the applicant's house has two windows facing the neighbor's property at the second floor level.

Mr. Bazala pointed out that he circled eight properties on Exhibit A-5. Site plans were obtained for some of these eight properties. On the properties where site plans could not be obtained, he physically measured the distance from the applicant's property line to the houses. Mr. Bazala stated he had photographs of the houses that had been circled on Exhibit A-5. He gave the distances he had measured from the applicant's property line to each one of these neighboring houses.

Mr. Bazala testified that of these 8 properties, only one property has a greater distance between houses than what the applicant is proposing. The applicant's house has a greater distance between houses than seven of the other properties. Mr. Bazala stated that the average distance, taking into consideration these 8 properties, was 27.5 feet. Since the applicant is proposing 36 ft. 8 in., there will be a considerably greater distance between the neighbor on Essex Road and the applicant's property.

Mr. Bazala said the proposed portico will extend three feet past the building line. The second floor will be cantilevered about a foot past the first floor level. The portico will not have columns going down to the stoop. The portico will be supported by brackets. A single gable is being proposed. A portico measuring 2 feet would not give a great deal of coverage.

Mr. Voytus felt that from Essex Road the proposed addition could not be seen. Mr. Bazala agreed that the proposed addition will not have a significant impact on Essex Road.

Mr. Boroff asked why a portion of the existing stoop needs to be covered. Mr. Bazala answered that this coverage would provide safer conditions for visitors coming to the door during bad weather.

Mr. Boroff asked Mr. Bazala if he had researched the portico situation in the neighborhood.

Mr. Gorham stated that there is one portico on Penn Terrace. Mr. Bazala felt that a portico is minor treatment on a house. It could be modified if the Board was sincerely concerned about it; however, 3 feet is really needed for safety conditions.

Mr. Boroff asked if there were any questions or comments from the public. There were none.

Mr. Boroff asked Board members for their comments.

Mr. Voytus noted that both variances involve setback issues. Regarding the portico, he pointed out that the stairs already extend further towards the street. The proposed portico will enhance the safety of the house. At the rear of the existing house is an existing second floor at 27 feet. The applicant is not proposing an entirely new second floor. The applicant's house has a greater distance between houses than the other neighboring homes have. The closest neighboring house to the proposed addition only has one window facing that direction. Mr. Voytus believed the Gorhams were making a reasonable request.

Mr. Clancy said he was very familiar with this house and its area. The houses fit tightly on small lots. The applicant's property is on the corner and perception-wise it looks like there is more property. The closest neighbor is on an adjacent lot and has a hedgerow of thick arborvitae. Mr. Clancy indicated he had no objections to the portico.

Mrs. D'Ambroiso felt the proposed changes would upgrade the house. She believed the proposed changes will not really impact the neighborhood.

Mr. Montague noted that the back side of the house will be moving closer to the neighbor's house; however, the present property has the majority regarding the distances. Mr. Montague did not fully accept the proposed portico, because it would move the house closer to the street. Also, testimony had indicated that there is only one other portico in the neighborhood.

Mr. Boroff agreed with Mr. Clancy's point about the screening. Mr. Boroff also agreed that the proposed portico would provide safer conditions at the house's entrance.

A motion was made/seconded to approve the application as presented. A roll call vote was taken: 6 – yes 0 – no. Mr. Hoffman abstained from voting.

#### Saul – 52 Hedges Avenue

This is continued from the August 22, 2007 meeting.

Ms. Bennett recused herself from the hearing.

Christopher Saul, the applicant, was present. He remained under oath from the previous meeting.

Mr. Saul testified that no new plans have been submitted.

Jerry Bruno, Mr. Saul's architect, was present. Mr. Bruno was sworn in. He submitted his credentials to the Board. The Board accepted them.

Mr. Siegel confirmed with Mr. Saul and Mr. Bruno that so far no exhibits have been submitted. Only brief testimony had been given at the last hearing.

Mr. Bruno said Mr. Saul had told him that testimony was needed concerning the streetscape. Also, an updated zoning chart has been done regarding the attic situation with regard to FAR. Mr. Bruno noted that there had been concerns about the proposed deck at the rear. The Board had wanted to have a clearer understanding of the space that would be between the deck and the garage.

Mr. Bruno submitted the following exhibits:

Exhibit A-1, building section

Exhibit A-2, zoning data

Mr. Bruno noted that the LDO specifies that any area over 5 feet in an attic is counted as FAR. There will be an attic in the house. It will be unusable. There will be collar-ties at a standard height in the attic. There will not be a staircase going up to the attic. The attic will just have a hatch door.

Mr. Voytus informed Mr. Bruno that usability is not an issue. Secondly, the ordinance specifies that the measurements in attics are taken up to the roof, not to the collar-ties.

Mr. Bruno said that Mr. Taylor had indicated to him to measure to the collar-ties.

Mr. Boroff said several years ago the Borough had decided that collar-ties are not an acceptable method to reduce the FAR component of the attic. Anything over 5 feet from the floor must be counted.

Mr. Boroff asked Mr. Bruno to give the Board an estimate of what the area would actually be.

Mr. Bruno calculated 315 square feet of FAR. If measurements were taken between the collar-ties, going beyond 5 feet, it comes out to 279 feet. Both measurements are well under the FAR requirement.

Mr. Bruno testified that the Zoning Officer had informed Mr. Saul that if the proposed deck was a certain number of feet from the garage, a variance would be needed. After Mr. Saul had submitted the drawings, Mr. Taylor had phoned Mr. Bruno and told him a variance would not be needed.

Mr. Bruno submitted Exhibit A-3, streetscape. He explained that this exhibit is a panoramic view of where Mr. Saul's house is located. Mr. Bruno marked on the exhibit exactly where the house stands. Mr. Bruno described the styles of the houses on Hedges Ave. He pointed out the houses near Mr. Saul's property which have put on additions.

Mr. Boroff asked Mr. Bruno to focus on the front yard and two side yard variances. Mr. Bruno said that he and the Zoning Officer had reviewed the proposed portico and its dimensions. Mr. Taylor had informed Mr. Bruno that if columns were going to be used for the portico, a variance would be needed. Mr. Boroff and Mr. Siegel pointed out that the denial letter had specified that a front yard variance was needed. Mr. Bruno indicated he had not seen that letter.

Mr. Siegel told Mr. Bruno that the allowable front yard setback is 30 feet from the property line. The existing front yard setback is 29.3 feet. The proposed front yard setback is 26.3 feet from the property line. Mr. Siegel asked Mr. Bruno to give reasons on why a variance should be granted for that amount.

Mr. Montague asked if the stoop and the portico would remain. Mr. Bruno clarified that the stoop would remain. Mr. Montague noted that the first floor plan doesn't have any dimensions. Mr. Bruno testified that the applicant is proposing to remove the front porch, but keeping the masonry steps. Mr. Boroff confirmed with Mr. Bruno that the existing portico covers most of the steps. Mr. Bruno also testified that the proposed portico will not extend further than the current portico.

Mr. Montague explained the front yard variance was needed because the proposed overhang is extending beyond 2 feet.

Also concerning the front yard issue, Mr. Bruno pointed out that the front facades of most of the neighboring homes are closer to the street than the applicant's house will stand.

Mr. Montague asked how many more houses in the 200 feet radius are closer to the street. He also asked how many of these houses had porticos.

Mr. Bruno distributed photos of the houses that had porticos in the 200 feet radius. Mr. Boroff felt that Board members have familiarity with Hedges Ave. streetscape. More than 50% of Hedges Ave. is covered with porticos or porches. Mr. Voytus believed there were a significant number of houses on Hedges Ave. that are closer to the street, independent of a portico, than where the proposed house will stand.

Mr. Boroff asked Mr. Bruno to testify on the side yard issues.

Mr. Bruno testified that the existing side yard closest to the driveway is 10.3 feet. The opposite existing side yard is 8.89 feet. The proposed side yard is 12 feet. Mr. Bruno stated that on the side elevations very few windows will be installed for privacy reasons.

Mr. Siegel confirmed with Mr. Bruno that the proposed side yards will not be getting any closer to the neighboring properties than the existing side yards.

Regarding this issue, Mr. Siegel suggested that Mr. Bruno show the two side elevations.

Mr. Bruno stated that the south elevation, opposite the driveway elevation, will have the two story addition. He and the applicant did not want this addition to have a huge façade. They decided to “step the addition back” some. The other elevation shows a small proposed one story bump-out on the garage side. The rear elevation shows the two proposed indentations on the side. These indentations are not major sizes.

Mr. Clancy inquired about the size of the proposed third floor. Mr. Bruno testified that the third floor is only for aesthetics and to break up the roof line.

Mr. Montague asked what the dimensions of the proposed roof were.

Mr. Bruno answered that the average height is 31 feet. The back two corners of the house are 32 feet. The ground level will be lower in the back than the front.

Mr. Siegel asked Mr. Bruno if he were to build the house in compliance with the zoning ordinance, how wide would the house be.

Mr. Bruno answered that the house would be 26 feet wide. He testified, in his professional experience, that a 26 feet wide house would not be practical.

Mrs. D’Ambrosio asked if the proposed dormers could be designed differently. They appear to be on the bulky side.

Using the streetscape, Mr. Bruno explained that he used the elements of what he researched in the Historical Society files in designing this house.

Mr. Boroff noted that the proposed dormers aren’t impinging on any bulk limits and they are not over the height requirements.

Mr. Bruno and Mr. Saul had no further testimony.

There were no comments from the public.

Mr. Boroff asked the Board for their comments.

Mrs. D’Ambrosio noted that the applicant cannot live in the existing house. In designing the new house, the applicant and architect have taken into consideration the historic nature of the neighborhood and town. Mr. Clancy pointed out that Hedges Avenue is a street with narrow lots. Mr. Montague believed the proposed design is in keeping with the other houses in the neighborhood. Mr. Voytus pointed out that the proposed house will be built on the existing foundation so the existing setbacks will not change. Mr.

Boroff commended Mr. Saul and Mr. Bruno for not increasing the building coverage and FAR on their proposed construction.

A motion was made/seconded to approve the application as presented. A roll call vote was taken: 5 – yes 0 – no.  
Ms. Bennett and Mr. Hoffman abstained from voting.

At 9:10 p.m. a break was taken in the meeting.

At 9:21 p.m. the meeting resumed.

Blydenburgh – 77 North Passaic Avenue

This is a continuation from the July 25, 2007 and August 22, 2007 meetings.

Donald Blydenburgh, the applicant, was present and alone tonight. He remained under oath from the previous hearings.

Mr. Boroff informed Mr. Blydenburgh that his application expired September 8, 2007. Mr. Boroff asked Mr. Blydenburgh to sign continuance papers for his application.

Mr. Boroff told Mr. Blydenburgh that the Zoning Officer, Mr. Taylor, had reviewed the application again. At the last hearing, the Board was looking for a letter of denial on updating the FAR information.

Mr. Boroff noted that in April, 2006, the Board had approved a variance for Mr. Blydenburgh for a front yard setback and a side yard setback. That front yard setback was calculated to be 28 ¼ feet. The new drawings don't comport with that measurement. The new front yard setback measurement is much larger. Mr. Boroff asked that Mr. Blydenburgh validate these latest figures. If this measurement is less than 28 1/4 feet, Mr. Blydenburgh will have to seek another variance. Mr. Boroff told Mr. Blydenburgh that if the application was approved, one of the contingencies would be that his architect submit a proper survey to the Zoning Officer who, in turn, will validate it.

Mr. Boroff noted that at the last meeting the Board had asked for more information on FAR.

Mr. Blydenburgh submitted Exhibit A-5, Center Avenue streetscape.

Mr. Boroff confirmed with Mr. Blydenburgh that his current house is one of the only single-story homes on the street.

Referring to Exhibit A-5, Mr. Blydenburgh pointed out that from 76 Center Ave. to 94 Center Ave. are all second story dwellings.

Mr. Boroff confirmed with Mr. Blydenburgh that the new FAR calculations are 2,055 sq. ft. The original plans had proposed 2,096 sq. ft. Mr. Boroff asked Mr. Blydenburgh where this reduction was made.

Using the second floor elevation, Mr. Blydenburgh showed where the reduction was made. Mr. Montague confirmed with Mr. Blydenburgh that he had reduced the den and moved over the walk-in closet to the second story corner.

Mr. Boroff recalled at the last hearing, Mr. Blydenburgh's architect had not included attics in his FAR calculations. He asked Mr. Blydenburgh if he could give the Board an idea of the FARs of the neighboring attics.

Mr. Blydenburgh said those figures couldn't be obtained. His architect has been out of state and he (Mr. Blydenburgh) could not take time off from work to research these numbers. He pointed out that the summary sheet from his builder reveals that the FARs of the houses in the 200 ft. radius is almost 19%, without the inclusion of the attic spaces.

Mr. Blydenburgh had no further testimony.

Mr. Montague confirmed with Mr. Blydenburgh that no work had been done on his previous application.

Mr. Boroff asked for comments from the Board.

Mr. Voytus felt that the proposed second floor is in keeping with the streetscape of the 200 ft. radius. What the applicant is seeking is a typical up-grade for a house in this day and time. The overage of FAR is a small amount and will not make the house appear bulky. Ms. Bennett pointed out that all the other houses in the applicant's neighborhood have second stories. Mr. Blydenburgh's proposal to bolster the curb appeal at 40 feet was very well done. Mr. Hoffman believed the proposed upgrading and design will be beneficial to the neighborhood. Mr. Boroff commended Mr. Blydenburgh for reducing his original FAR.

Mr. Boroff reminded Mr. Blydenburgh that if this application is approved, he should make sure the front yard issue and drawings are satisfactory with the Zoning Officer.

A motion was made/seconded to approve the application. A roll call vote was taken: 7 – yes 0 – no.

Abrams – 139 North Passaic Ave.

Julie Abrams, the applicant, was sworn in to testify.

Diana Hoffman, the architect, was sworn in.

Regarding her credentials, Ms. Hoffman stated that she has previously testified before the Board.

Ms. Hoffman submitted Exhibit A-1, photo-board of the neighborhood. She testified that the applicant has site hardships and interior hardships with this application.

Ms. Hoffman said that the proposed addition will be constructed over the lower level garage. The lower level garage is currently in the rear yard setback. The extreme topography and steep slope makes the deck non-conforming. Exhibit A-1 has photos of all of the neighboring houses to the left and the right which have decks that are over what is permitted in the ordinance. This overage on these decks is caused of the severely sloping topography. As a result of the topography, the proposed deck needs a height variance.

Ms. Hoffman discussed the rear yard variance. She believed another site hardship is involved for the rear yard. She testified that the location of the original house is “pushed back” from the permitted front yard setback, making the whole house shift towards the rear yard. The back portion of the current house, not including the one garage, is non-conforming because of the original siting of the house.

Mr. Boroff asked how far from the permitted building envelope is the façade.

Ms. Hoffman measured the distance and testified that it is 8 feet back further than it should be. Her measurements took into consideration basement, first floor, and second floor.

Mr. Montague brought up that the definition of basement requires that 50% of the building has to be underground. He asked if the back garage is 50% underground.

Ms. Hoffman answered that the garage isn't; however, the rest of the house is.

Mr. Montague asked Ms. Hoffman how she calculated the height.

Ms. Hoffman noted that the Zoning Officer agreed with her calculations on the application form. The average perimeter around the house is 29 feet. The highest point of the proposed addition is 32 feet. The proposed addition, therefore, conforms to the maximum height. The reason it conforms, is because the second floor is really an attic.

Ms. Hoffman pointed out the side entrance is where the applicant's family always enters the house. Currently the family has to walk towards the street to get into the side of the house. There is no access to the back of the house. Since the driveway is so severely sloped, the side entrance is the only way the family can really enter the house to load up the groceries. When she and Ms. Abrams were looking to expand the house, they proposed to put the kitchen over the garage. For functional reasons, the kitchen has to be kept along the left side for loading reasons. Also, putting the kitchen on that left side locates it close to the dining room.

Ms. Hoffman testified that currently the kitchen is in the interior space and the existing breakfast room is a tiny nook that lines up with the back of the powder room. Ms. Hoffman believed that these particular conditions are “an interior architectural hardship”. Someone entering the current kitchen cannot reach the den. The den is totally segregated from the rest of the house. This situation is difficult when small children have to be watched. By putting the kitchen over the garage, the breakfast room and kitchen can be flipped. An opening can be created and the family room will be expanded. The whole left side will then function better.

Ms. Hoffman stated that the proposed deck will be between the white side wall of the existing garage and the back wall of the main basement. She noted that the deck will not stick out any further than the existing garage.

Mr. Montague asked if a person was standing on the deck, and he looked backward, what would he see. Ms. Hoffman answered that the person would see a house to the right of the proposed addition and another house to the left. Mr. Montague asked if there would be any trees or shrubbery around the deck. Ms. Hoffman said those could be planted along the base of the deck. Mr. Montague felt the proposed deck will be way up in the air. He was concerned what the view would be. Ms. Hoffman noted that there are shrubs along the property line and plantings could be put in at the base of the deck.

Ms. Hoffman testified that the existing living room has a cathedral ceiling. This cathedral ceiling is a key part of the original architectural composition. Ms. Hoffman felt it would be sad if that ceiling had to be sacrificed for these plans. Ms. Hoffman testified that the proposed addition will measure 13.8 ft. by 20 ft. 3 in. The present bath on the second floor will become a master bath. An open area will be created outside the children’s bedrooms. A center bath will be constructed.

Ms. Hoffman believed a hardship situation exists; she can’t build over the cathedral ceiling. The only place she can build without requiring a variance is in the front yard. The front yard would be an awkward place for a bedroom.

Mr. Montague asked if the proposed plans would extend the building further into the backyard. Ms. Hoffman answered that only the proposed deck would extent beyond what is existing. Mr. Montague confirmed with Ms. Hoffman that distance to the back line will not be less than what currently exists. Mr. Montague told Ms. Hoffman that she would have to include the little cantilevered section on the second floor.

Ms. Hoffman showed the proposed lower left side with a lowered ridge.

Mr. Boroff asked how far the cantilever extended. Ms. Hoffman answered 2 feet. She said she had measured to the garage wall. Mr. Montague told her that the cantilevers are measured to the façade.

Ms. Hoffman testified that the steep slope on the lot forces the applicant to place her deck near the first floor. There may be a 7-inch step-down; however, if a series of steps were

constructed, a tripping hazard may result for people exiting the kitchen. Also, a series of steps and a platform would eat up the FAR of the deck. The deck, therefore, has to be very close to the level of the first floor to be functional and safe.

Mr. Montague brought up the privacy issues that arise with decks. He asked how far away the applicant's deck would be from the neighbor's house directly behind the property line. He pointed out that a deck of this height would need screening or buffering at least 18 feet high.

Ms. Hoffman stated that at the back wall of the dining room, the deck would be 10 feet above grade. Because the grade keeps sloping down, it's really 13 feet above grade. Ms. Hoffman said the applicant is willing to put in plantings at that location.

Ms. Hoffman testified that there are other decks along the applicant's street which have the maximum height of 8 feet. She reminded the Board that the whole street slopes down on that side of Passaic Avenue.

Mr. Montague asked if the houses on either side of the applicant's house had decks. Ms. Hoffman answered yes. She pointed out that the neighbor's house on the right side has a deck almost to the property line. This neighboring deck "consumes the back yard." Ms. Hoffman felt the applicant's deck will be much smaller and will tuck into the existing inside corner.

Ms. Hoffman described the back of the house where the proposed addition would be constructed. She felt from a "bulk point of view", the proposed addition is an appropriate size for this lot.

Mr. Voytus brought up the houses behind the applicant's property. He asked Ms. Hoffman if she knew how far these neighbors were set back from their property lines. Ms. Hoffman said that she didn't know those measurements.

Mr. Siegel suggested someone stand at the rear of the applicant's house and photograph what can be seen. This would give the Board an idea of whether the proposed deck would impinge on the neighbors' privacy. The Board suggested also counting the number of decks in the immediate area. Mr. Voytus suggested Ms. Hoffman research to see how many houses in the 200-ft. radius extend back as far as what the applicant is proposing.

Ms. Hoffman took note of all the suggestions.

Mr. Siegel suggested Ms. Hoffman and the applicant prepare testimony on the usability of her backyard. It is possible many backyards in the Borough are much flatter than the applicant's and therefore can be used for family recreation.

Ms. Hoffman indicated that there may be an alternative location for the proposed deck. She could adjust the drawings accordingly. Ms. Hoffman asked for a continuance for this application. She noted that there are neighbors of the applicant in the audience tonight.

Elisa Santos, 146 Center Ave., and her husband, Giuseppe Santos, came before the Board. Mr. and Mrs. Santos live behind Ms. Abrams' house, to the right.

Mrs. Santos had privacy concerns. Mrs. Santos noted that the back of her house on Center Ave. has 8 windows on the first floor. On the second floor, at the back of the house, are 2 windows. Mrs. Santos stated that her backyard is very small. The applicant's house is already "on top" of her house because of the hill. Mrs. Santos felt that the proposed deck and the proposed addition over the garage would aggravate this situation even more.

Mr. and Mrs. Santos showed the Board a computer screen picture of their backyard and the view they have of the applicant's house. They will print out a copy of these pictures for the Board.

Mr. Clancy suggested that trees and bushes could be planted to provide screening between the two properties.

Mrs. Santos said that the applicant's property once had very old trees; however, they were removed. The existing trees on the applicant's properties have grown too high and now don't provide any screening on their lower portion.

Ms. Hoffman stated that she and the applicant will obtain all the dimensions and photos requested by the Board. She will adjust the drawings to accommodate some of the neighbors' concerns; however, the applicant's desire to use her property also has to be considered.

Mr. Siegel suggested Ms. Hoffman and Ms. Abrams consider planting shrubs at the base of the deck to cover its elevation. Also, additional evergreens could be planted at the rear of the applicant's lot. The evergreens could be planted in a staggered line that would eventually grow into an effective screen.

Mr. Boroff asked Mr. and Mrs. Santos if they could return to the next hearing with the printed-out copies of their computer photos. Mr. and Mrs. Santos indicated that they could come back.

Ms. Hoffman asked Mr. and Mrs. Santos permission to go on their property and look at conditions at their back yard. Mr. and Mrs. Santos gave her permission.

The Abrams application will continue to the November 28, 2007 meeting.

Mr. Boroff announced that open applications from tonight's meeting will be continued to the October 24, 2007 meeting.

At 10:35 p.m. the meeting adjourned.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary