

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT**

April 15, 2014

Minutes

Meeting Called to Order at 8:00PM

Open Public Meetings Act Statement –Read into the record by Chairman Miras

Salutation to the Flag

Roll Call:

Messrs. Asfar (absent), Mouravieff, Kenny, Rappa, Cumming, Smith, O’Connell, Chairman Miras

Also in Attendance: Ms. Donna Baboulis, Board Attorney; Ms. JoAnn Carroll, Board Secretary

Approval of Minutes: Kenny, Mouravieff
March 18, 2014

Ayes: Mouravieff, Kenny, Rappa, Cumming, Smith, Chairman Miras

Abstain: O’Connell

Mr. Richard Parsells, 135 Douglas Drive, Block 1401, Lot 1.03: applicant seeks a variance to erect a shed in his side yard.

Chairman Miras: introduced the application; asked the applicant to come forward.

Mr. Richard and Ann Parsells, 135 Douglas Drive, Block 1401, Lot 1.03 were both sworn in by Ms. Baboulis, Board Attorney.

Mr. Parsells: stated he had submitted color photographs of his property for those Board members who were not able to visit the site in person.

Exhibit A1-A10: Ten color photographs of the Parsells’ property, all dated March 20, 2014.

Board Secretary marked each picture and distributed to Board for their review.

Chairman Miras: stated he did personally visit the property and the pictures will confirm what was seen by all Board members that visited the site; asked for the applicant to summarize his application.

Mr. Parcels: stated he was seeking permission from the Board to install a shed within the 15 ft. side yard requirement for his zone; this is a hardship because the way the property is at this time is extremely long; since he has four retaining walls in the middle of his yard which separates it from Douglas down to the Parkway, for him to be within the setback requirements he would have to put the shed directly in the middle of his actual usable backyard; on the plans and pictures it is visible that in order to keep any functional use of the backyard he would need the permission of the Zoning Board to install a shed within 15ft. of the side yard.

Chairman Miras: stated he didn't realize the property went all the way to the Parkway; the side neighbor has giant trees planted which go all the way back.

Mr. Parsells: stated there are plantings from the rear yard all the way to the side of the property.

Chairman Miras: stated the walls go across to the neighbor's yard as well; there is a giant row of tall arborvitaes; at least 30 ft.; tight together all along the side; the request is to put the shed within 5 ft. of the fence and tuck it tight against that dog leg at the top of the wall.

Mr. Parsells: stated there is one corner where the shed would be close to the wall; the base of the weight would not cause any engineering problems.

Chairman Miras: stated his personal feeling is that it makes sense to do what the applicant is requesting; the other part of the yard is the only part children could play in; if put in the middle of the yard, there would be no room for children to play and they also would not be able to be seen from the house.

Mr. Parsells: stated on the north end of the property there is a retaining wall that runs along the side of the property; therefore if it was to be put on that side, it would have to be pulled farther into the backyard just to keep the weight of the corner off the retaining wall.

Ms. Baboulis: stated there is a hardship with this property.

Mr. Parcels: stated when the house was built, the Town, supposedly, would not let them have a walk out basement; extra dirt was brought in, built up retaining walls so not to have an apartment.

Chairman Miras: stated the property was basically chopped in half; would have had a gentle slope down to the Parkway if this was not done.

Ms. Baboulis: stated the retaining walls cause the hardship.

Mr. Parcels: stated behind his house there is over 200' to the property line; if he could put the shed back there and walk to it there wouldn't be an issue, but that is not possible.

Mr. Kenny: stated he had walked the property and observed the retaining wall; it is common sense to place the shed where the applicant suggests; there are existing arborvitaes on the neighbor's side; no one will be able to see anything; due to the scale of the neighborhood, whatever is placed there will be aesthetically pleasing.

Mr. Parcels: stated the shed would be in comparable in color to the house; nothing cheap and/or duct taped together.

Chairman Miras: opened the meeting up for public comment.

No public comment.

Mr. O'Connell: asked if footings would be dug.

Mr. Parcels: stated it would be on a block; 6 inches or so of block; no footings or cement.

Chairman Miras: stated he believed the building requirement is footings would be needed for a shed over 100 sq. ft.

Mr. Mouravieff: asked which way the shed door would face.

Mr. Parsells: stated there will be two sets of doors; double door and side door on the north side.

Mr. Mouravieff: asked if there would be windows on the shed.

Mr. Parsells: stated there would be windows but just for natural light to enter.

Mr. O'Connell: asked what the size of the shed would be.

Mr. Parsells: stated the shed would be 10x12; Mr. Parsells further stated he will deal with the building department regarding requirements for a shed this size.

Motion to Approve the Parcels application: Mouravieff, Cumming
Ayes: Mouravieff, Kenny, Rappa, Cumming, Smith, O'Connell, Chairman Miras

Ms. Baboulis: stated the resolution will be read and adopted at the next scheduled meeting on May 20th; the applicant can proceed with his project but at his own risk due to the 45 day appeal period; though there doesn't seem to be any opposition to this project.

Mr. Parcels: asked what steps he could take at this time regarding his application.

Ms. Baboulis: stated he would not be able to obtain permits from the building department until the resolution is adopted and received by the building department.

Ms. Baboulis: stated the pictures will be kept in the Board office because they are evidence.

The Board as a whole wished the applicant good luck with his project.

Mr. Mouravieff: asked if Board members were able to visit sites that are the subject of an application.

Ms. Baboulis: stated Board members are able to visit properties of applicants.

Applicant to Adjourn: Miras, Kenny

All Board members present in favor of motion to adjourn.

Meeting adjourned at 8:15PM.

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
April 17, 2014