

**BOROUGH OF NORWOOD  
ZONING BOARD OF ADJUSTMENT  
July 10, 2014  
REGULAR MEETING**

The Public Meeting of the Zoning Board of Adjustment of the Borough of Norwood was held at Borough Hall on the above date.

Chairman Trapani stated that the meeting was being held in accordance with the Open Public Meetings Act.

Roll Call Board:

Chairman Robert Trapani	Present
Mr. Christofer Deschler	Present
Mr. Anthony Foschino	Absent
Mr. Michael Casey	Present
Mr. Murray Bass	Present
Mr. Carol Leeman	Present
Mr. John Straub	Present
Mr. Sal Nobile, Alt. #1	Present
Mr. Joseph Saccoccio, Alt. #2	Present

Also Present:

Mr. Andrew Balsam	Board Attorney (for Mr. Conte)
Mr. Dan Kaufman	Board Engineer

Chairman Trapani asked for a motion to approve the minutes of the June 5, 2014 meeting. Mrs. Leeman made a motion to approve, seconded by Mr. Deschler, and approved by all.

Chairman Trapani informed the Board that Mrs. McMackin has advised the Board that they can go forward approving a resolution to appoint Maser Engineering as a conflict engineer to handle an upcoming hearing in reference to property owned by a Norwood Councilman. The resolution is contingent upon Maser completing the Business Entity Disclosure Form.

A motion was made by Mrs. Leeman and seconded by Mr. Straub to approve the resolution. On a roll call vote all eligible members voted in the affirmative. Mr. Bass abstained as he was absent from the June meeting where the issue was originally discussed.

Chairman Trapani then asked the Board to discuss the postponement or cancellation of the August meeting. He stated that the next case in front of the Board has not been deemed complete as of yet, since it is the case that requires the

conflict engineer who has just been appointed by resolution tonight. Additionally, Mrs. Falkenstern has accepted a job opportunity that has caused her to resign from the Borough of Norwood, so there is uncertainty as to whether a new Secretary will be in place in time for the August meeting. Chairman Trapani also stated that he would like the Construction Official to attend the hearing and he is on vacation in August. Therefore, Chairman Trapani would like to propose that the August meeting be cancelled.

A motion was offered by Mr. Bass and seconded by Mr. Deschler to cancel the August meeting. All Board members voted in favor of the motion; therefore the August meeting will be cancelled. The next meeting is scheduled for September 4, 2014.

**RESOLUTION OF APPROVAL**

**VARIANCE APPLICATION #ZBA-14-03**

**BERGEN SEA CORPORATION / COLONIAL INN**

**Verizon Wireless**

**545 Tappan Rd.**

**BLOCK 126, LOT 2**

Mr. Deschler made a motion to approve the resolution. Mrs. Leeman seconded the motion. On a roll call vote Mr. Deschler, Mrs. Leeman, Mr. Straub, Mr. Nobile and Chairman Trapani voted in favor of the motion. Mr. Bass and Mr. Saccoccio abstained as they were not present during testimony.

**VARIANCE APPLICATION #ZBA-14-04**

**JARROD KHOURY**

**20 Demarest St.**

**Block 153, Lot 2**

In response to Chairman Trapani Mrs. Falkenstern certified that all services are in order.

Mr. Straub was professionally involved in the sale of this home and will recuse himself from hearing the application.

Mr. Straub left the meeting and Mr. Saccoccio took his place on the dais.

Chairman Trapani then invited the applicant to come forward.

Mr. Douglas Radick came forward to represent the applicant. Mr. Radick offered his credential as a licensed architect and was accepted as an expert witness by the Board and was sworn in by Chairman Trapani.

Mr. Radick offered that the home was built with a variance granted for lot area and the new owner would like to add a deck. The home presently has a 30 foot rear yard setback, which is the minimum for the lot. Consequently any addition would encroach and require a variance. The proposal is for a 12' x 18' deck with stairs. Presently the only access to the backyard is at ground level which due to the slope of the property is the lower level of the home. The homeowner wishes to add a sliding glass door from the kitchen to access the deck. The proposal requires a 12' variance for encroachment into the rear yard setback. Mr. Radick then corrected his early statement and clarified that the deck is 12' x 20', not 18'. In response to the Board, Mr. Radick confirmed that the small concrete patio that would be under the proposed deck is existing and would not be changed or increased in size.

Chairman Trapani stated that the Borough previously has an ordinance stating that if an open deck was less than 50% of the backyard, as this proposal is, a variance would not be required. He has verified that this ordinance was changed in 2004. Chairman Trapani then asked Mr. Kaufman for his comments on the application.

Mr. Kaufman stated that he needs confirmation from the applicant that no grades would be changed and no new impervious coverage is proposed. Mr. Radick confirmed that no grades would be changed and no new impervious coverage is proposed. Mr. Kaufman further stated that the drainage issues were handled when the home was built as this is new home. Mr. Kaufman is satisfied that all drainage concerns have been addressed in testimony.

Mr. Jarrod Khoury, the owner and resident of the property was sworn in by Chairman Trapani.

Mr. Casey asked the applicant if would be amenable to a condition of approval stating that an expanded patio under the deck would never be allowed. Mr. Khoury stated that while he had no plans for a patio, he was not comfortable with saying that he was never allowed to ask for a patio. After discussion, it was confirmed that if in the future a patio was desired, a permit would be required so that drainage and engineering review would be done at that time. Mr. Kaufman also offered an opinion that any patio proposed would most likely require a variance.

Mr. Khoury confirmed that if he decided to make any changes to the imperious coverage of his lot, he would, as required, seek approval of the building department.

Mr. Deschler made a motion to open the meeting to the public, seconded by Mrs. Leeman and approved by all.

There being no members of the public present wishing to be heard the meeting was closed to the public on a motion by Mr. Saccoccio, seconded by Mr. Deschler and approved by all.

Mr. Deschler made a motion to approve the application. The motion was seconded by Mrs. Leeman. On a roll call vote all members voted in favor of the application.

Mr. Deschler made a motion to adjourn the meeting. Mr. Saccoccio seconded and all Board members voted in favor of the motion. Therefore the meeting was adjourned at 8:15 pm.

Respectfully submitted,

Julie Falkenstern  
Zoning Board Secretary