

**City of Northfield Planning Board
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Minutes: December 5, 2013

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting had been given to The Press, posted on the bulletin board in City Hall, filed with the City Clerk, and posted on the City website, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning Board, held on Thursday, December 5, 2013 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:02 p.m. and the following members were present or absent as noted:

**Linda Dyrek
Denise Kintish
Dr. Richard Levitt
Mayor Vincent Mazzeo
Lou Milone-absent
Sgt. Paul Newman
Henry Notaro-absent
Councilman Frank Perri
Ron Roegiers
Derek Rowe-absent
Clem Scharff
Jim Shippen-absent**

**Matthew Doran, Professional Engineer
Norman Zlotnick, Solicitor**

Dr. Levitt opened the meeting at 7:02 p.m. There was one application on the agenda for this last meeting of 2014. The applicant was Geoffrey & Costanza Lovitz of 37 Northfield Plaza, Block 102, Lot 1 who requested "C" Variances for a residential addition in the R-1 Zone. The attorney representing the Lovitz' was Jim Swift, Esq. of the Swift Law Firm in Northfield. Dr. Levitt swore in Mr. & Mrs. Lovitz and Dan Mascione of Northfield, the Architect for the project.

Mr. Swift addressed the Board and said the applicants want to upgrade their home which they have owned since 2002. This will be the first improvement project for them and they want to contribute a higher commitment to the

community. Mr. Swift said living space is becoming tight and their garage is under-utilized and not being used at all. They intend to upgrade the garage and make the property more livable.

Mr. Swift continued by explaining that they are asking for a number of variances, but in looking at them individually, they are not significant. The lot area variance of 4,340 sf where 10,000 sf is required is a pre-existing non-conforming condition. They are proposing no changes. The same situation exists for the lot width variance where 60 ft. is existing and 100 ft. is required. This also is a pre-existing non-conformity and they are proposing no changes. The lot has two front yard frontages. The Tilton Road frontage is an existing non-conformity of 5.5 ft. where 25 ft. is required and the Northfield Plaza frontage variance doesn't include the entire side. It involves a small change of about 2 ft. and the increase is for a little bump out section which is for a 5 ft. wide covered entranceway for aesthetic purposes. The rear yard setback is a pre-existing non-conformity and all rear yard setbacks will remain the same. A side yard setback is required for 2.96 ft. as proposed where 15 ft. is required. Mr. Swift said they will also require a parking variance as they will only have one space since they will not be using the garage for parking. He added that they do not use the garage for parking whatsoever; they park one car in the driveway and the other on the street. This allows for a safer condition for the children to ride their bikes and to play. The other two variances involve building coverage and impervious coverage. Total allowed coverage is 40% and they are proposing 63%. Building coverage is to be 43% where 25% is allowed by land use law.

Mr. Swift said that all of the variances are due to the lot being irregularly shaped. The finished project will look nice and will fit well into the neighborhood and will be an aesthetic improvement. The applicants have met with their neighbor, James Leeds, who lives behind them and he could not be present tonight, but he has expressed being in favor of the project. Mr. Swift added that the project is relatively simple.

Mr. Roegiers asked questions about the parking issue and said it is his understanding that the garage will be used as a den and that the garage is attached. He noted that this shouldn't be an issue since they don't use the garage for parking currently. Mr. Mascione said there is room for two cars and he agreed they are not using the garage for parking now and do not intend to change this. He added that the home is modest-sized. Dr. Levitt reviewed the plan and said they are essentially squaring off the front of the house and filling in the breezeway, aesthetically enhancing the garage and creating a more open floor plan. Mr. Mascione added that the roof will be of the same scale.

Mr. Zlotnick stated that C2 variances are required to advance the purposes of zoning and this project would be an aesthetic improvement to the

neighborhood. Mr. Mascione said that open space will be enhanced as well. Dr. Levitt referred and read Mr. Doran's report concerning positive and negative criteria and that the variances could be granted without substantial detriment to the public good or to the intent and purposes of the Zoning plan and Ordinance. Mr. Swift questioned Mr. Mascione and they discussed that the variances could be granted without substantial detriments to either the public good or the Zoning Ordinance. The project will positively advance the intent of Municipal Land Use Law and will outweigh any detriments. Mr. Mascione agreed that the positives greatly outweigh any negatives and would improve the design standards of the home and the neighborhood and the improvements will fit in nicely with the neighborhood scheme. Homes in the area are being renovated and modernized. This home was built around 1937 and need upgrading and he sees no negative impact from the project.

Dr. Levitt discussed the necessity of street trees 30 ft. on center. Mr. Mascione said there are some trees in the front yard of the property and he could not find a place for any additional street trees. Dr. Levitt noted that they will be losing the interesting Spanish look to the garage. Mr. Mascione agreed, but said that they will be improving the scale of the home. Mr. Perri asked if the garage setback is a pre-existing non-conformity. Mr. Swift said that it is.

Dr. Levitt opened the public session and seeing that no one was present to speak, he closed the session.

Mr. Doran cleared up a technicality in that as the property sits, the garage is an accessory structure and the proposed setbacks are 1 ft. and 2.96 ft., but since it will be attached to the primary structure, it too will be a primary structure, but this does not change anything additionally.

Mr. Scharff made the motion for all setbacks including building coverage, total coverage, lot area, lot coverage, and parking. Mr. Perri seconded the motion.

The roll call vote was as follows:

Mrs. Dyrek-yes, Mrs. Kintish- yes, Mr. Milone-absent, Sgt. Newman-yes, Mr. Notaro-absent, Councilman Perri-yes, Mr. Roegiers-yes, Mr. Rowe-absent, Mr. Scharff-yes, Mr. Shippen-absent, Chairman Levitt-yes. The motion to approve the "C" Variances carries.

Dr. Levitt took a moment to mention that Mike Dattalo, the Zoning Officer, submitted a letter to him concerning the Ordinance relating to swimming pools. Mr. Doran added that since the Board is forming a committee to look into additions to the Ordinance concerning lighting, he thought it would be a good opportunity to also look into the swimming pool section since the criteria for pools is not clear. The Ordinance language needs clarification.

There were three resolutions to memorialize. They were voted on separately by voice vote and were memorialized unanimously. They were for:

Eric & Barbara Shenkus, Block 40, Lot 18.21, 11 Jack Sloan Court for "C" Variances for construction of an in-ground swimming pool and patio. Sgt. Newman, Mr. Rowe, and Mr. Shippen abstained.

Jaime Epstein, Block 120, Lot 2, 113 Mt. Vernon Avenue for "C" Variances for a residential addition. Sgt. Newman, Mr. Rowe, and Mr. Shippen abstained.

Drift Day Spa, LLC, Block 17, Lot 2, 201 Tilton Road, London Square Shopping Center, Unit 13A for a "D" Use Variance to include massage therapy in Day Spa services. Sgt. Newman, Councilman Perri, Mr. Shippen abstained.

Mrs. Kintish brought a cake and champagne to toast the Mayor and show the Board's appreciation to him as well and she said, according to The Press, Mayor Mazzeo has won the recount and the Board wishes him good luck and congratulations in his new position.

The re-organization meeting for 2014 will Thursday, January 9, 2014 at 7:00 p.m.

The meeting was close by Chairman Levitt with a motion from Mr. Roegiers and a second from Mrs. Dyrek at 7:26 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board