

**VILLAGE OF LOCH ARBOUR PLANNING BOARD
MINUTES –REGULAR MEETING**

September 16, 2020

<https://zoom.us/j/9871856747>

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**THE REGULAR MEETING OF THE VILLAGE OF LOCH ARBOUR PLANNING BOARD
WAS CONDUCTED VIA ZOOM ON WEDNESDAY, SEPTEMBER 16, 2020 AND WAS CALLED TO
ORDER BY CHAIRPERSON, ROBERT FERNICOLA AT 7:30 PM.**

The secretary called the roll. PRESENT WERE: Commissioner D' Angelo, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Wiener, Mr. Santos. ABSENT WERE Mayor Fernicola, Ms. Wilusz, Mr. Maisto

Also present were Board Attorney, Sanford Brown and Board Secretary, Marilyn Simons.

The Board Secretary announced the notice requirements of C. 231, P.L. 1975, have been met by transmitting the notice of this Regular Meeting to the Planning Board's two designated newspapers on January 20, 2020 and September 4, 2020, posting a copy of the notice on the Municipal bulletin board, and filing a copy of the notice with the Municipal Clerk on the same date.

MINUTES -

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried, the following minutes are hereby approved as presented.

- Regular Meeting of the Planning Board held on July 15, 2020;

Recorded Vote:

Ayes: Commissioner D' Angelo, Ms. Appello, Mr. R. Fernicola, Mr. Santos

Nays: None Abstain: Ms. Gosline, Mr. Wiener

Absent: Mayor Fernicola, Ms. Wilusz, Mr. Maisto

UPON MOTION of Commissioner D' Angelo, seconded by Ms. Appello, carried, the following minutes are hereby approved as presented.

- Regular Meeting of the Planning Board held on August 19, 2020;

Recorded Vote:

Ayes: Commissioner D' Angelo, Ms. Appello, Mr. Wiener, Mr. Santos

Nays: None Abstain: Mr. R. Fernicola, Ms. Gosline

Absent: Mayor Fernicola, Ms. Wilusz, Mr. Maisto

CORRESPONDENCE – None

OLD BUSINESS – None

NEW BUSINESS –

Ms. Appello is recused from this matter.

**A. DWECK, 404 EUCLID AVENUE, BLOCK 12, LOT 8, CERTIFICATE OF
APPROPRIATENESS (MAJOR ALTERATION)**

Application for a Certificate of Appropriateness: An Application was received on behalf of the Applicant, David Dweck, 404 Euclid Avenue, regarding the Historic Preservation Ordinance of the Village of Loch Arbour for a Certificate of Appropriateness for a MAJOR ALTERATION.

Board Attorney, Sanford Brown, Esq., explained the Board received a letter from the Zoning Officer dated September 15, 2020 explaining the application that was submitted for a Zoning Determination is incomplete. The Zoning Officer requested to have the matter adjourned, so the plans can be submitted with the correct calculations so he can produce a determination before the Planning Board hears the Application for a Certificate of Appropriateness.

Mr. David Dweck, was sworn in and asked the Board to hear the submitted Application for a Certificate of Appropriateness and he will provide the information to the Zoning Officer in a timely manner, so he can make his determination.

The Board discussed and it was determined that this matter be carried with no need for further notice, unless the Zoning Officer determines a variance is needed. This matter has been carried until the next Planning Board Meeting scheduled for Wednesday, October 21, 2020.

Mr. Robert Fernicola is recused from this application:

B. Fernicola, 106A Euclid Avenue, Block 9, Lot 6, Certificate of Appropriateness –

Application for Certificate of Appropriateness. An Application was received on behalf of the Applicant, Robert Fernicola, 106A Euclid Avenue, regarding the Historic Preservation Ordinance of the Village of Loch Arbour for a Certificate of Appropriateness for a MAJOR ALTERATION.

The following Exhibits were marked into evidence:

Exhibit B-1: Application

Exhibit A-1: Site plans prepared by BRC Design Group, issued April 1, 2019, revisions through October 10, 2019, consisting of 11 pages.

Exhibit A-2: Approved/proposed plans, consisting of 4 pages.

Exhibit A-3: Packet of colored pictures, consisting of 10 pages

Exhibit A-4: Planning Board Resolution memorialized on April 20, 2016.

Present was the Applicant's Attorney, Scott McPherson, Esq. Mr. McPherson summarized the application. Mr. McPherson stated the application was prior approved for a Variance on April 20, 2016. Mr. McPherson referenced Exhibit A-2 (a) and explained proposed changes to the front elevation regarding the 2nd floor. Mr. McPherson stated the variance that was approved in 2016 is being eliminated. Mr. McPherson referenced Exhibit A-2 (b) and explained the proposed changes regarding the windows and stated the chimney is being eliminated.

Mr. McPherson referenced Exhibit A-2 (d) and explained the proposed changes to the rear elevation of the residence.

Mr. McPherson referenced Exhibit A-3 and discussed photo of the garage in the back of the premises. He confirmed the renovated garage material and the gray color will be exactly the same on the main residence.

Harry L. Rothstein, Architect, was sworn in as an expert witness for Architecture. Mr. Rothstein testified regarding the Village of Loch Arbour Historic Preservation Ordinance. He testified to the criteria in the HPO.

Referenced was Exhibit A-3 (b). The applicant and Mr. Rothstein testified to the existing residence.

The applicant's Attorney confirmed that all pictures submitted were taken by the applicant.

Mr. Wiener questioned the 3rd floor dimensions and the variance granted in 2016.

Mr. Robert Fernicola was sworn in. He discussed with the Board the variance that was granted in 2016. Mr. Fernicola testified the original variance application pre-dated the change in the Ordinance.

Mr. Wiener and Mr. Santos stated the new plans are much more appropriate than what was previously approved, and goes along with the architecture of the neighborhood.

Mr. Rothstein testified that there are no changes to the style of railing.

Mr. Fernicola testified to the mansard roof in the front of the home on the balconies.

The Board discussed the application and agreed that the proposed changes are an improvement to the plan.

There were no members of the public present.

UPON MOTION of Ms. Appello, seconded by Commissioner D' Angelo, carried that the meeting be closed to the public.

Recorded Vote:

Ayes: Commissioner D' Angelo Ms. Appello, Ms. Gosline, Mr. Wiener, Mr. Santos

Nays: None Absent: Mayor Fernicola, Ms. Wilusz, Mr. Maisto

Recused: Mr. R. Fernicola

UPON MOTION of Mr. Wiener, seconded by Ms. Gosline, carried that a Certificate of Appropriateness be granted for the application of 106A Euclid Avenue, Block 9, Lot 6 with any and all conditions which will be set forth in the Resolution. The resolution will be memorialized at the next regular scheduled Planning Board Meeting on October 21, 2020.

Recorded Vote:

Ayes: Commissioner D' Angelo, Ms. Appello, Ms. Gosline, Mr. Wiener, Mr. Santos

Nays: None Absent: Mayor Fernicola, Ms. Wilusz, Mr. Maisto

Recused: Mr. R. Fernicola

DISCUSSION/VOTE –

A. Next Planning Board Meeting – Wednesday, October 21, 2020 at 7:30 p.m.

B. Shams, 214 Euclid Avenue, Block 10, Lot 5, Notice of Appeal

C. Pending Application -

- **GOODMAN, 2 Elberon Avenue, Certificate of Appropriateness, Block 5, Lot 1**

D. PENDING LITIGATION – 207 Edgemont Drive Appeal – No report given.

PUBLIC COMMENTS –

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried the meeting be opened to the public.

Being no public present, UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo, carried the meeting be closed to the public.

Recorded Vote:

Ayes: Commissioner D'Angelo, Ms. Appello, Mr. R. Fernicola, Ms. Gosline, Mr. Wiener, Mr. Santos

Nays: None

Absent: Mayor Fernicola, Ms. Wilusz, Mr. Maisto

UPON MOTION of Mr. R. Fernicola, seconded by Commissioner D' Angelo carried, that the meeting be finally adjourned at 8:30 PM.

Marilyn Simons
Board Secretary