

CLARK BOARD OF ADJUSTMENT
MINUTES FROM THE PUBLIC MEETING
TUESDAY, DECEMBER 10, 2019

A public meeting of the Clark Board of Adjustment was called to order at 8:08 P.M. by Vice Chairman Ed Ruth. He asked all present to participate in a flag salute and a moment of silence. He stated that this meeting was being held under and pursuant to the Rules and Regulation of the sunshine Law of the State of New Jersey.

This meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by mailing the Annual Schedule of Meetings to the Star Ledger and Union County Local Source, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

ROLL CALL

Members Present: Douglas Krok, Thomas Meade, John Tierney, Chris Tierney, William Helm, Steve Kaminsky and Ed Ruth

Members Absent: John Caliguire

Also, Present: Alternate Member Marc Hayden. Board Attorney Howard D. Spialter and Board Secretary; Janet Gentry

OLD BUSINESS

Minutes from the October 15, 2019 public meeting were reviewed. Steve Kaminsky brought a motion to accept the minutes. Motion was seconded by Thomas Meade and carried unanimously by voice vote.

CORRESPONDENCE

Mr. Ruth stated that there is a letter from Mr. Hehl stating that the Applicant, Carnegie Avenue Associates is withdrawing their application without prejudice.

NEW BUSINESS

Calendar #5-19, Brian Gackstatter, 57 Kathryn Street. Mr. Spialter stated that proof and notice and publication were in order. Mr. Spialter also stated that there appears to be an issue with an undersized lot that needs to be considered. *Discussion took place on the undersize lot ordinance which would reduce side-yard totals.*

Mr. Gackstatter: I would like the undersized lot to be considered. **Spialter:** Side-yards existing are 20.7, they can be reduced to 5' and 10' under the ordinance. The only issue would be the FAR. **Mr. Gackstatter:** I would like to re-construct this house; the house is currently 30' by 40'. I bought this house from my parents. The Far is at 52.6%, permitted is 40%. It's difficult to build a house on the undersized lot. There is an existing detached garage. My proposal is to include the garage in the home.

Questions from the Public: Sherry Truss, 61 Kathryn Street. My mother is the owner of the home next door. She asked if Mr. Gackstatter will be living in the house, he stated he would. She stated that there is an existing drainage issue and was concerned that the problem would get worse.

Ms. Truss was sworn in. **Mr. Gackstatter** responded by stating that he agrees that when it rains there is a problem. He stated that a tree was recently taken down so he would be able to get in some underground piping. I will get as much drainage to the street as possible. This proposal will eliminate some of the drainage issues. Gutters will be installed taking water out to the street. This problem will be solved.

Ms. Truss: I think the drainage issue will be improved so I'm in favor of that and if the square footage is reasonably proportioned, I would be in favor of that also. I think it will be a beautiful house.

Mr. Kaminsky brought a motion to approve Calendar #5-19. Motion was seconded by Tom Meade. *Vote: All Ayes.*

Calendar # 4-19, Wladyslaw Kotula, 47 Hillcrest Drive. **Mr. Spialter** stated that all notices were in order. **Mr. Artur Katula** came forward to assist his father, the owner, due to a language barrier. **Mr. Wladyslaw Katula** was sworn in.

Secretary: This application is to construct an open covered porch over an existing patio to the rear of the home creating a lot coverage and rear yard depth violation.

Mr. Spialter, displaying the plans submitted to the Board, he asked the Applicant if putting the roof over the patio was his intention. The Applicant agreed.

Steve Kaminsky brought a motion to approve Calendar #4-19. Motion was seconded by Thomas Meade. *Vote: All Ayes.*

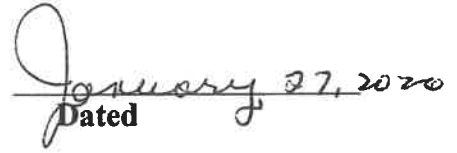
ADJOURNMENT

Steve Kaminsky brought a motion to adjourn. Motion was seconded by **William Helm** and carried unanimously by voice vote. Meeting adjourned at 8:53 p.m.

Taken and Transcribed by:



Janet Gentry-Secretary



Dated

This meeting in its entirety is available at ourclark.com