

**MINUTES  
BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT  
OCTOBER 4, 2012**

Chairman Cronheim called the meeting to order at 7:30 pm and stated that notice of this meeting has been posted in Borough Hall, filed with the Borough Clerk and given to the Echoes-Sentinel, Journal and the Courier-News in conformance with the N.J.S.A. 10:4-6 et seq. The salute to the flag followed.

Present on roll call: Fechtner, Hunsinger, Dallas, Brown, Kita, Bell  
Panzarella, and Chairman Cronheim  
Absent on roll call: Clemens  
Also Present: Edward P. Bennett, Jr., Zoning Officer, John P. McDonald, Esq.,  
Attorney

**RESOLUTIONS:**

**BA 11-12 Baczkowski, 11 Hughes Lane, Block 3901 Lot 1** – Any and all variances needed to erect a 6 foot high solid fence along one side of the property line. Approved

**REQUESTS:**

**Verizon Wireless – request for 30 day temp. cell tower** Approved

**Wagner Farms – Request for signage** Approved

**Halloween Scene – temp. signage** Approved

There being no further business before the board, the meeting was adjourned until the next regularly scheduled meeting of November 1, 2012 at 7:30 pm.

Respectfully submitted,

Catherine M. Hammel  
Clerk, Board of Adjustment

**BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT**

APPLICATION NO. 2012-09  
Baczkowski, Gerard  
11 Hughes Lane  
Watchung, New Jersey  
Block 39.01 Lot 1

**RESOLUTION BA 2011-12**

RESOLVED that the Board of Adjustment made the following findings and determinations respecting the above-captioned application.

1. This is an Appeal pursuant to the provisions of N.J.S.A. 40:55D-70(c)(1). The applicant seeks a hardship variance in order to permit him to install a solid six (6) foot high wood fence along the Stirling Road right of way line.
2. The subject property is located on the northwest corner of the intersection of Stirling Road (County Route #653) and Hughes Lane in the BA Residential District.
3. The applicant is requesting variances to construct the fence. The Land Development Ordinance does not allow a fence to exceed four (4) feet in height in residential districts (28-502.(A)1) and fences shall be no more than fifty (50%) percent solid (28-502.(A)1.(a)). No fence is allowed within a Sight Triangle (28-502.(E)).
4. The applicant appealed to the Board of Adjustment by application filed on August 21, 2012 and the matter was heard by the Board on September 6, 2012.
5. The applicant submitted the following documentation:  
1) Application for Development BA 11-12; 2) Zoning Permit Application and Determination denial by Edward P. Bennett, Jr., Zoning Officer dated May 31, 2012; 3) Survey of Property prepared by Jack L. Held, PLS dated May 5, 2011 which has the proposed fence hand sketched on the survey, and 4) the Somerset County review of the application dated August 28, 2012.
6. There were no objectors present.
7. Gerard Baczowski testified in support of the application. He described his property and the location of the fence. His young children play in the yard facing Valley Road and he needs a fence for safety reasons.

The Application is hereby granted for the following reasons and on the following conditions:

#### Reasons

1. The application is consistent with the purposes of zoning and can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan and ordinance.
2. To deny this application would result in an exceptional undue hardship upon the applicant.
3. To deny this application would be an unjust denial of the applicant's reasonable use of his property.
4. The fence will be placed behind existing evergreen trees which will shield the fence from public view along Valle Road.

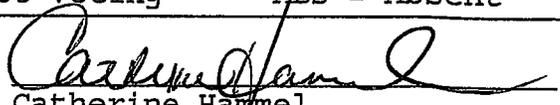
#### Conditions

1. The applicant must secure all necessary permits in connection with the application including but not limited to review and approval by the Borough Engineering Department relative to sight lines and proper dedication of the sight easement.
2. The finished side of the fence shall face the street.
3. The fence shall be permanently screened from the street with appropriate landscaping.
4. A recent final drawing of the fence location shall be submitted to the Zoning Officer and the Town Engineer before the fence is installed. The location shall be staked out for review by the Zoning Officer and Town Engineer.

On Motion duly made and seconded, the Board approved the Resolution:

Roll Call		Approved: 9/6/12				Adopted: 10/4/12			
Member	Y	N	NV	ABS	Member	Y	N	NV	ABS
Cronheim, Ch. 1 <sup>st</sup>	✓				Kita	✓			
Hunsinger, V. Ch.	✓				Panzarella	✓			
Dallas	✓				Bell (Alt.1) 2 <sup>nd</sup>	✓			
Fechtner			✓		Clemens (Alt. 2)				✓
Brown			✓						

x = indicates vote    NV = Present but not voting    ABS = Absent

  
 Catherine Hammel