

**Borough of Watchung
Board of Adjustment Meeting
August 11th, 2016**

Minutes

Chairman Cronheim indicated there was a quorum to conduct business. The Chair stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the open public meetings law and proper notification of this meeting has been made.

Salute to the flag.

Chairman Cronheim called the meeting to order at 7:34pm. Salute to the flag. The Chair called for a roll call. Present at the call of the roll were:
Fechtner (X) Hunsinger (A) Dallas (X) Brown (X) Kita (A) Panzarella (X)
Bell (X) Lauerma (X) Cronheim (X) Board Attorney, Board Engineer and Zoning Officer were present.

Resolution BA16-R8 Peter and Melanie Savulich

140 Stirling Road Block 3701 Lot 1

Solid fence (28-502A1 & a)

Any and all variances associated with this application as needed.

Mr. McDonald explained the history of this application and Chairman Cronheim made a

Fechtner (yes) Dallas (X) Brown (X) Bell (X) Cronheim (X)

The motion was approved.

Application BA16-05 Donna Caira

72 Hillcrest Road Block 4301 Lot 6

Convert garage into accessory apartment

Variance relief from section 28-405A (accessory apartment not a permitted use)

Variance relief from 28-405D (lot area of 18,350 sq. ft. where 20,000 sq. ft. required)

Variance relief from front yard setback (29'1" where 50' required)

Variance relief from side yard setback (6' where 12' required (existing))

Variance relief from accessory side yard (.3' where 12' required (existing))

Any and all variances associated with this application as needed.

Present were applicant Donna Caira and Maricia Schiffman, representing the applicant. Both were sworn in. Ms. Schiffman explained that she is a licensed professional planner in the state of New Jersey and is employed by Maser Consulting. The Board recognized Ms. Schiffman as an expert in the field of planning. Ms. Schiffman explained she has worked for the Borough of Watchung since 2008 and was asked by the Borough to assist Ms. Caira with this application. Ms. Schiffman gave a history regarding COAH at

length. She said that the original plan was for the Borough to have up to ten accessory apartments. The Borough's plan has been amended several times, and in 2010 it included that up to 5 accessory apartments would be funded by the Borough out of Developer's Fee funds. She said that the property is located on a county road which conforms to the criteria set. She said that Ms. Caira has some pre-existing non-conforming issues on her property. Mrs. Fechtner asked for clarification on what the Developer's Fee funds were, and Chairman Cronheim explained that this fund is from fees collected for new construction within the Borough. He said that this money cannot be used for a down payment, but for modifications for the unit.

Ms. Schiffman read the definition of an accessory apartment. She said that this applies to low and moderate income families. There would be a lien on the home for 10 years, in which time the unit must remain an accessory apartment.

Mr. Panzarella asked why if the Borough gives that money to the creator of an accessory apartment, couldn't that homeowner turn around and sell the property for much more money. He said it would increase that property value.

It would still have to remain an accessory apartment for 10 years, the Chair said.

Mr. McDonald explained that this application required a use variance. Ms. Schiffman handed out an exhibit marked A-1 dated August 11th, 2016 showing the site. She said that the home is 2,200 square feet, and the detached garage is 516 square feet. In total, this square footage is 2,716. The property has a driveway that is 16' wide and the parking could accommodate 2 cars. This property is in the RA zone. Ms. Schiffman said that all the bulk variances requested are pre-existing. Ms. Schiffman went over all the conditional use standards. She said when completed, the accessory apartment would be a one bedroom unit and there would be potentially one or two people living in it.

Chairman Cronheim opened the application for public questions and comments.

Hearing no one, closed the public portion.

Mr. Bell said he knows this property well, and felt the driveway cannot accommodate 4 cars, and vehicles won't be able to back out of the driveway onto Hillcrest Road. He said that four spaces would be required, and felt there wasn't enough room. Another concern was the neighbors, since the garage is only 3" from the property line.

Chairman Cronheim asked Ms. Schiffman if the funds for this project could be used to widen the driveway, and give the parking and cars more room. Ms. Schiffman said she didn't see a reason why they couldn't use the funds for that purpose. It was decided that Mr. Herits and Mr. Stires would look into it, and figure out the extra width needed. The Chair asked if they could come up with calculations showing no more than 28% impervious surface coverage.

This application was carried until the September meeting.

Application BA16-05 Harold Kafka 901 Valley Road

Chairman Cronheim announced that the applicant has withdrawn his application.

Application BA11-05 Badin-65 Glen Eagles Drive

Mrs. Badin was present and was sworn in. She said that she had come before the Board with a Professional Engineer in 2013, and has done everything the Board has asked of her as far as having tests done on the retaining wall on her property to determine if that wall has shifted. Mr. Stires said that Mrs. Badin's engineer has provided test result reports 3 or 4 times. He explained that Mrs. Badin's engineer has not certified the wall as being structurally sound. Mrs. Badin gave a history of her engineer's reports, and said that this is a very costly process. She asked the Board for an answer on whether or not the retaining wall was safe. She said if the Board wants her to take the wall out, she would do that. Board Engineer David Stires said that the wall had moved, which was why the Board asked for her to involve a Structural Engineer, which she did, but her Engineer has not certified the wall. Chairman Cronheim said that the Board has been very patient, but that there is still the issue of the property being overbuilt. Zoning Officer Edward Bennett said that speaking as the Construction Official, there might need for a wall there to keep the integrity of the swimming pool. Mr. Stires explained that the Engineer would have to submit a report stating that either the wall is structurally sound or it is not. Mrs. Badin agreed to call her Engineer to get that report.

Discussion-Amendment to Resolution BA16-R7

Dominick Ottomanelli and Gayle Cafferelli

Application BA16-03 84 Spencer Lane Block 4006 Lot 21-detached garage

Variance relief for driveway side yard (.05' proposed where 12' required)

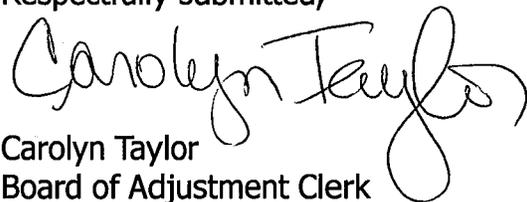
Mr. McDonald explained that there was an error in the resolution, which should have read that the walkway will be replaced with a "less pervious" product.

By voice vote, the board approved this change.

Mr Bennett showed the Board a plastic finial that a resident asked to use on the top of an estate like fence, and wanted the board to interpret whether this would be an approved finial. The Board by voice vote approved this finial.

Chairman Cronheim adjourned the meeting until the next meeting of September 8th.

Respectfully submitted,



Carolyn Taylor
Board of Adjustment Clerk