

**Borough of Watchung
Board of Adjustment Meeting
December 14th, 2017**

Minutes

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) Lauerman (X) Cronheim (X)

Salute to the flag.

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.

Chairman Cronheim asked for a motion to approve temporary signage for the Hills Lacrosse organization of Watchung, Warren, Green Brook and Long Hill
Mr. Bell made a motion to approve, seconded by Mrs. Fechtner and approved by voice vote.

Chairman Cronheim made a motion to approve temporary signage for the Watchung Little League for 30 days for signup, seconded by Mr. Brown and approved by voice vote.

The Chair called application BA17-03 Apurva Patel 35
Oakwood Road Block 7401 Lot 11
Variance relief from 28-401B.1.f (Accessory structure not allowed in front of a principal structure.)
Any and all variances associated with this application as needed.

Charles Witczak, (200 Corporate Circle 2nd floor, Toms River NJ) Engineer for the applicant was sworn in and recognized as an expert in the field of Engineering and Planning. Applicant Apurva Patel was also present.

Mr. Witczak introduced a 3 documents. The first (Exhibit A-1 dated 12/11/17) The property is approximately 1 acre and sits at the corner of Valley Road and Oakwood Road. The site line cross section was depicted on the first page. The second page (Exhibit A-2 dated 12/11/17) showed aerial photographs of sight lines both facing and facing away from different angles, both Oakwood Road and Valley Road. Mr. Patel's home faces Oakwood Road. Mr. Witczak explained that the area of the property that Mr. Patel uses as his yard, is the area closest to Valley Road. It is a level, manicured area with playsets for his children. The side farthest from Valley Road is heavily wooded, and has some slope issues. If the pool was put on the wooded side, many trees would have to be taken down. Across the street from the front of the home are the power lines on Oakwood Road. Mr. Witczak said that according to the Borough Ordinance, the home being on the corner is considered to have two front yards. The area behind the home is the closest home at 40' and has a very small backyard with slope issues.

Chairman Cronheim asked how far other structures are from the edge of the pool. Mr. Witczak

said that to the west, the closest home is 305'. To the North, the closest home is 215'. To the south, the closest home is 550' and to the east, the closest home is 40' away. The property is located in the R-R zone. There is a berm on the Valley Road side approximately 5'-6' high. The front yard setback is 44 feet where 50' is required. (28-401e.1.f.) Oakwood Road is a private road with a Homeowners Association that maintains it. Oakwood Road is only 15' wide.

Chairman Cronheim noted that on the aerial view, you can't see Valley Road from the proposed pool area. Mr. Witczak said that on the Valley Road side, they proposed to plant White Pines and alternating Norway Spruce Trees at a planting height of 6' to 8'. Mr. Witczak said there is an existing Jerith type fence that encloses the area where the proposed pool would go. The 3rd document, (Exhibit A-3 dated 12/11/17) was a landscaping plan, showing plantings and height at planting, height 5 years out, etc.

Mr. Warner asked Mr. Witczak if he is arguing a C-1 variance or a C-2 flexible variance. Mr. Witczak said he is arguing a C-1 variance. Mr. Witczak said that the orientation of the home is a hardship creating the Valley Road side as the only feasible location for the pool. Mr. Brown asked if there was access to the property from Valley Road. Mr. Witczak replied no. Mr. Witczak said that the location is beneficial due to the existing yard. He said there is no substantial detriment to the public good. The current impervious coverage is 15% and with the proposed pool, it would go up to 17%. All regular Borough approvals would be obtained.

Mr. Brown said he felt leaving all the large trees on the other side of the property would be beneficial for storm water runoff.

Mr. Warner asked if the proof of mailing was submitted. Mr. Patel said that he did not bring the certified slips with him. He said that he sent the certified letters electronically. Mr. Patel said he would submit them in the morning. Chairman Cronheim said they would proceed under the condition that all proof would be submitted the next day.

Mr. Witczak said there would be no detriment to the zone plan. He said that the pool presented no danger in case of a vehicle accident on Valley Road. He said the berm with the trees on the Valley Road side would provide a pleasant visual.

Mr. Brown asked where the pool equipment would be placed. Mr. Witczak said that the pool equipment could be placed as far as the side of the home if need be. Mr. Bennett said that the Engineering Department would take care of the placement of the equipment during the Land Disturbance application review. Mr. Witczak said that the equipment would take up less than 10 square feet.

Hearing no more comments from the board, the Chair opened up the public portion of the meeting. There was no one in the audience other than the applicant and his engineer, so the Chair closed the public portion of the meeting. Hearing no other comments from the board, the Chair asked for a motion to approve.

Mrs. Fechtner made a motion to approve with conditions stipulated, including proof of service by the next day, seconded by Mr. Bell. Chairman Cronheim said he believed the applicant has made a rational argument as to what you're going to see from both Valley Road, and that Oakwood Road presents no problem due to the fact that the power lines are across from Mr. Patel's home. He also said that in addition to the plantings on the Valley Road side, there is already an existing buffer of plantings outside the existing fence. Mr. Brown said that due to the fact that the closest home is only 40' away, he thought the pool equipment needs to be put closer to the Oakwood Road side. The applicant agreed.

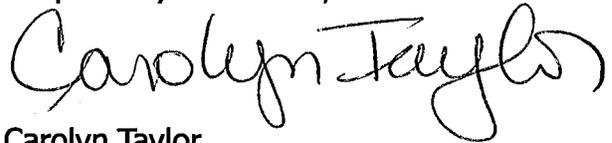
The Chair asked for a roll call vote. The vote was as follows.

Fechtner (yes) Dallas (yes) Brown (yes) Panzarella (yes) Bell (yes) Lauerman (yes)
Cronheim (yes)

The motion carried.

The Chair adjourned the meeting until the next regular meeting of January 11th, 2018

Respectfully Submitted,

A handwritten signature in black ink that reads "Carolyn Taylor". The signature is written in a cursive, flowing style.

Carolyn Taylor
Board of Adjustment Clerk