

BOROUGH OF WATCHUNG
BOARD OF ADJUSTMENT
DANIEL CRONHEIM, CHAIRMAN

Regular Meeting
April 11, 2019

OFFICIAL MINUTES
Adopted April 9, 2019

Chairman Cronheim called the Regular Meeting to order at 7:35 p.m. Board members present were Ms. Fechtner, Mr. Dallas, Mr. Panzarella and Mr. Lauerman. Mr. Hunsinger arrived at 7:50 pm. Also present were Amanda Wolfe, Esq., Substitute Board Attorney and Theresa Snyder, Board Clerk. There were 7 members from the public present.

Chairman Cronheim read the statement indicating the meeting was being conducted according to the Sunshine Law, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. He then led the flag salute to the American flag, and the Board members identified themselves for the record.

APPROVAL OF MINUTES

The Regular Meeting minutes for March 14, 2019 were accepted and carried on voice vote.

CONTINUED APPLICATION

CASE NO.: BA 18-05; BIVIANO
ADDRESS: 50 CENTURY LANE
BLOCK: 4310 LOT: 2.02

Ms. Karen Luongo, of Kapuscinski Luongo Architects, having a business address of 66 Floral Avenue, Murray Hill, NJ 07974, entered her appearance as an expert in architecture on behalf of the applicant Mr. Michael Biviano. Both Ms. Luongo and Mr. Biviano were sworn in to give testimony. It was stated for the record that their notice was sufficient giving the Board jurisdiction to act.

Ms. Luongo gave a brief summary of the scope of work previously approved by the Board during the June 14, 2018 regular meeting. During their initial application process they used a survey dated 2009. At the time of the application, those numbers were accurate to their knowledge. It was during the process of obtaining a building permit, that the engineering department used an "as built" survey. This changed the calculations with the steep slope analysis thereby reducing the allowable buildable

coverage. This resulted in an increase in impervious coverage necessitating a variance for lot coverage.

Upon question of Chairman Cronheim, Ms. Luongo opined that the total lot area was 112,107 sq. ft. The improvements to the lot were not on steep slopes. As a result of the corrections, the lot size was reduced to 23.3% or 26,124 sq. ft. of buildable area. She further opined that there is a private driveway 480 ft. to the north of the property. It is an easement which without said easement the owners would comply.

Chairman Cronheim opined that the steep slope Ordinance's purpose was to hinder building on steep slopes and reduce run off on other properties, but it should not reduce a property's area of land. In the 2018 Board of Adjustment Annual Report, he had requested that the Planning Board consider making changes to the steep slope Ordinance. He opined that this was not a zoning issue but a run off issue which should be handled through engineering.

With there being no comments from the public, the public portion was closed.

On motion by Chairman Cronheim, seconded by Ms. Fechtner, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Ms. Fechtner, Mr. Dallas, Mr. Panzarella,
Mr. Lauerman and Chairman Cronheim

Nays:

Not Eligible:

Abstain:

Absent: Mr. Hunsinger, Mr. Brown and Mr. Kita

NEW APPLICATIONS

CASE NO.: BA 19-01; PAOLELLA
ADDRESS: 1353 JOHNSTON DRIVE
BLOCK: 7403 LOT:17
RR ZONE

Mr. Joseph V. Sordillo, Esq., having a business address of 1300 Mount Kemble Avenue, PO Box 2075, Morristown, NJ 07962, entered his appearance on behalf of the applicant Warren Construction Company Inc. The applicant, Mr. Anthony Paolella, was sworn in to give testimony. It was stated for the record that their notice was sufficient giving the Board jurisdiction to act.

Mr. Sordillo contended that the applicant sought variance relief from Sec. 28-502(A1) and 28-502(A.1.a) to permit a six foot, board on board fence which is not permitted. Mr. Paoella said he purchased the lot and constructed a single family house. He did not realize how much of it sits on Bonnie Burn. At the time of construction, the Colorado Café was still constructed, and this house is located right across the street from the quarry. He wanted to install the fence as a barrier from these views and for safety from the perspective of the property's steep slope from Johnston Drive to Bonnie Burn.

Mr. Paoella presented EXHIBIT A-1, dated April 11, 2019, Pictures of the Fence. Mr. Paoella took the pictures which displayed the fence at different angles. He was not aware of the fence Ordinance when it was constructed. It is made of yellow pine.

On question of Mr. Lauerman, Mr. Paoella said he considered doing a berm, but it would require fill and additional grading. The berm would not block Bonnie Burn. The fence was installed for safety and to block views.

With there being no comments from the public, the public portion was closed.

On motion by Mr. Dallas, seconded by Mr. Panzarella, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Ms. Fechtner, Mr. Dallas, Mr. Panzarella,
Mr. Lauerman and Chairman Cronheim

Nays:

Not Eligible:

Abstain:

Absent: Mr. Hunsinger, Mr. Brown and Mr. Kita

CASE NO.: BA 19-03; GORDON
ADDRESS: 113 CEDAR ROAD
BLOCK: 3401 LOT: 13
RR ZONE

The applicants, Mr. Jack and Mrs. Elizabeth Gordon, were sworn in to give testimony. It was stated for the record that their notice was sufficient giving the Board jurisdiction to act.

Mrs. Gordon explained that they wanted to put a portico roof over an existing steps. They have lived in the house for 17 years. It is something they always talked about having done. They will be doing some work on the inside of the house, and thought it would be a good time to do this. The homeowners referred to pictures that were part of the application packet. They needed a variance for a front yard setback of 30.2' where 35' is required. They wanted the steps not only to improve the look of the exterior of the house, but this addition would increase the safety of the steps during inclement weather.

Mr. Dallas agreed that this was a safety issue.

With there being no comments from the public, the public portion was closed.

On motion by Mr. Lauerman, seconded by Mr. Hunsinger, the Board approved the application with conditions based on the following roll call vote:

Roll Call:

Ayes: Ms. Fechtner, Mr. Hunsinger, Mr. Dallas,
Mr. Panzarella, Mr. Lauerman and
Chairman Cronheim

Nays:

Not Eligible:

Abstain:

Absent: Mr. Brown and Mr. Kita

REQUESTS

The Board unanimously granted the request from Mrs. Franklin to place on the ground no more than one dozen signs for Ovarian Cancer Awareness month in September. The signs would be in conjunction with the teal ribbons placed on the trees. They plan to place the signs around Watchung Lake, Best Lake, near the Texier House Museum sign (near the brook) and in the street level shrub garden between the two staircases at Borough Hall.

The Board unanimously granted the request from The Watchung Warren Rotary Club to post temporary lawn signs for a non-profit Wellness Fair at the High School to be held on June 8, 2019. The signs would be displayed in the following locations: 1 by Villa Furniture; 3 Vendors with their permission and 3 by the Triangle Plaza.

The Board unanimously granted the request from Robert Eckhardt, Bed Bath and Beyond to extend the approval to place temporary dumpsters behind the building from May 1, 2019 to May 30, 2019.

ADJOURN

On motion by Ms. Fechtner, seconded by Mr. Lauerman, the Board unanimously voted to adjourn the meeting at 8:20 p.m.

Respectfully Submitted,

Theresa Snyder

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Board Clerk