

BOROUGH OF WATCHUNG

LAND USE
BOARD OF ADJUSTMENT
DANIEL CRONHEIM, CHAIRMAN

REGULAR MEETING MINUTES

October 10, 2019

OFFICIAL MINUTES

Adopted November 14, 2019

Chairman Cronheim called the Regular Meeting to order at 7:32 p.m. Board members present were Sondra Fechtner, DJ Hunsinger, Robert Dallas, PJ Panzarella and Ed Lauerman. Also present was Steve Warner, Esq., Board Attorney, David Stires, PE and Theresa Snyder, Board Clerk. There were 6 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

On motion by Mr. Hunsinger, seconded by Ms. Fechtner, the Regular Meeting minutes for September 12, 2019 were accepted and carried on voice vote.

NEW APPLICATIONS

CASE NO.: BA 19-07; WOODS
ADDRESS: 1101/1111 JOHNSTON DRIVE
BLOCK: 6908 LOT: 1 & 2
RR ZONE

Mr. Robert Woods, having an address of 1111 Johnston Drive, was sworn in to give testimony. His notice was sufficient giving the Board jurisdiction to act. The applicant was before the Board requesting variance relief for an amendment to Resolution BA16-R9 to grant approval for the 0.1-foot of garage constructed in the 15-foot side yard setback, as well as the portion of new driveway that was constructed within 15-foot side yard setback at the existing dwelling making the combined side yard setback of 38.86 ft where 50 ft. is required. Also, the applicant was proposing a lot line adjustment (minor subdivision) to create 2 lots on the property having an address of 1101/1111 Johnston Drive. Such premises were designated as Lots 1 & 2 in Block 6908. The Property was located in the R-R-Single-Family Residential Zoning District. Proposed Lot 1.01 would be 116,804 sq. ft., 2.681 acres and proposed Lot 1.02 would be 60,110 sq. ft., 1.380 acres.

Mr. Stires, PE, was sworn in to give testimony. Mr. Stires testified that the lots are not undersized. The property is adjacent to a PSE&G right away.

On question by Mr. Warner, the applicant stipulated to the conditions of Mr. Stire's memo.

The meeting was opened to the public. With there being no comments from the public, the public portion was closed.

On motion by Mr. Hunsinger, seconded by Mr. Dallas, 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

CASE NO.: BA19-08; BOULDER
ADDRESS: 65 MAPLE STREET
BLOCK: 2101 LOT: 3
RB ZONE
Expiration: 11/22/19

Ms. Caryssa Vitelli, having an address of 21 Whispering Hill Drive, Annandale, NJ; Mr. Victor Huljack, of Boulder Construction, having an address of 2560 US Highway 22, Scotch Plains, NJ and Mr. David Stires, PE were sworn in to give testimony. Ms. Vitelli's notice was sufficient giving the Board jurisdiction to act.

Ms. Vitellis explained to the Board that she was in the process of buying land contingent on the variance approval.

Mr. Huljack was accepted as a fact witness not a professional. He opined that the applicant needed variance for frontage, side yard setback and lot coverage. He testified, as the builder, that he would build on the flat area of the property. He presented EXHIBIT A-1-10/10/19-EXISTING DWELLING- a 5 page compendium of plan sheets with a latest revision date of 5/14/2019. He opined that the slope is between 10-20%, and that engineering will look at any run-off issues. He agreed to the comply with Mr. Stires memo.

Mr. Stires testified that the new construction would eliminate some of the existing setback deviations.

Ms. Vitelli agreed to the removal of the shed.

The meeting was opened to the public.

Mr. Frank Lazzaro, having an address of 75 Maple Street, Watchung, NJ, was sworn in to give testimony. He stated that he was not there to protest the application. He was the head of the Homeowners Association. He expressed concern for run-off, that any damage to the street be repaired and requested that the dying maple tree be removed.

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

On motion by Mr. Hunsinger, seconded by Mr. Panzarella, 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

CASE NO.: BA19-09; SCOTT DRIVE
ADDRESS: 145 SCOTT DRIVE
BLOCK: 1601 LOT: 3
RR ZONE

Mr. Wayne and Mrs. Marilice Silverstein, having an address of 145 Scott Drive, Watchung, NJ and Mr. David Stire, PE, were sworn in to give testimony. Their notice was sufficient giving the Board jurisdiction to act.

The applicant was seeking variance relief for overage amounts of impervious coverage at the existing dwelling. The premises is also designated as Block 1601, Lot 3. The Property is located in the R-R Rural Residential Zoning District. The applicant was seeking variance relief for impervious coverage 26.43% where 25% is required.

Mrs. Silverstein opined that when they went to sell the house, they became aware of the overage amounts of impervious coverage. The impervious coverage had been existing for over 10 years. She informed the Board that she was applying for the variance relief on behalf of the new owners. Mrs. Silverstein confirmed that she took the pictures of the property that were included in the submitted application.

Mr. Stires, PE, testified that the overage amounts were de minimis.

Chairman Cronheim complimented the applicants as to the set back and look of the property.

Mr. Silverstein informed the Board that in their concern for drainage on the property, they installed an overflow in the pool which leads to an underground drainage system.

The meeting was opened to the public. With there being no comments from the public, the public portion was closed.

On motion by Mr. Hunsinger, seconded by Mr. Lauerman, 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

- A request from the Friends of Watchung Library to post 9 signs from Wednesday, Oct. 2 – Oct. 6th.
- A request from Walmart for an outdoor event on Oct. 26th.
- A request from AC Moore to extend outdoor sales until Oct. 29th.
- A request from The Rotary Club for temporary signs.

There was a brief discussion about the use of temporary signs. Mr. Hunsinger suggested that the Zoning Officer be reminded that there must be written permission from the property owner in order for an organization to post signs on the property which they are requesting permission to place the signs. Also, in reference to the Walmart Outdoor Event request, The Board suggested that the police and fire departments be contacted about the event and that they are satisfied with how safety issues would be addressed.

On motion by Mr. Dallas, seconded by Chairman Cronheim, the Board unanimously approved the above referenced requests.

EXECUTIVE SESSION

Actions in lieu of prerogative writs against said parties for the property located at 833 Mountain Blvd., also known on the Borough tax map as Block 201 Lot 17.

On motion by Ms. Fechtner, seconded by Mr. Dallas, Resolution BA 19-R16 to enter executive session was accepted and carried on voice vote.

At the conclusion of the Executive Session, The Board closed the closed portion of the meeting, and Opened the Open portion of the meeting.

ADJOURN

On motion by Ms. Fechtner, seconded by Chairman Cronheim, the Board unanimously voted to adjourn the meeting at 8:38 p.m.

Respectfully Submitted,



Theresa Snyder
Board Clerk