

**BOROUGH OF WATCHUNG
BOARD OF ADJUSTMENT
Regular Meeting [Virtual]
April 8, 2021**

**OFFICIAL MINUTES
Adopted 5/13/21**

Chairman Cronheim called the Regular Meeting to order at 7:30 p.m.

Board members present were as follows:

Mr. DJ Hunsinger	Mr. Wanye Hanlon
Mr. Richard Brown	Dr. Richard Steinfeld
Mr. Hank Kita	Mr. Daniel Cronheim, Chairman
Ms. Sondra Fetchner	Amanda C. Wolfe, Esq., Board Attorney
Mr. PJ Panzarella	David A. Stires, PE, Board Engineer
Mr. Mitchell Taraschi	Theresa Snyder, Board Clerk

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. In order to comply with the Executive Orders signed by the governor, and in an effort to follow best practices recommended by the CDC and DCA for emergency meeting protocol, the meeting was held virtually for all board members, board professionals, the applicant and interested parties and members of the public.

Chairman Cronheim led the flag salute to the American flag, and the Board members identified themselves for the record.

OATHS OF OFFICE

Paul Panzarella took an oath of office to fill an unexpired term, ending December 31, 2023.

MINUTES

On motion by Mr. Hunsinger, seconded by Mr. Kita, the minutes from January 14, 2021, Reorganizational and Regular Meeting, were accepted based on the following roll call vote:

Roll Call:

Ayes:	Mr. Hunsinger, Mr. Brown, Mr. Kita, Ms. Fetchner, Mr. Taraschi, Mr. Hanlon, Dr. Steinfeld and Chairman Cronheim
Nays:	
Not Eligible:	Mr. Panzarella
Abstain:	
Absent:	

APPLICATIONS

CASE NO.: BA 21-02; L & Z TOOLS

ADDRESS: 1691 ROUTE 22 W.

BLOCK: 6404 LOT: 1

Represented By: Jay Bohn, Esq.

HD ZONE

Mr. Bohn, Esq. entered his appearance on behalf of the applicant and placed on the record that the applicant was seeking re-approval of a previously approved application along with a two year extension of time to act in accordance with the law. The scope of the project was to make a modest expansion to the existing building. Mr. Bohn contended that there were no changes to the facts upon which the board rendered their decision six years earlier.

Ms. Wolfe stated on the record that the Notice was sufficient and served in a timely manner. Ms. Wolfe swore in the board professionals and witnesses that would be representing the application.

Mr. Tom La Marca, having a business address of 1691 Route 22, was sworn in to give testimony. As the owner of L & Z Tools, Mr. LaMarca testified that his family ran the business since 1967. Further to his testimony, he affirmed his participation and knowledge of the application presented and approved six years earlier. Mr. LaMarca requested re-approval and confirmed that there were no changes to the previous application nor were there any changes to the property since the original approval.

Upon question of the Board as to changes on the adjoining properties, Mr. LaMarca testified the old Sears shopping center had been turned into stores, but noted the improvements on his property would not be affected nor would his site cause runoff to the adjoining properties. Mr. LaMarca testified his property consisted of approximately two acres with an existing 2,200 sq. ft. brick building used for the manufacturing plastic molds.

On question of Mr. Hunsinger, Mr. LaMarca responded that their business had remained opened during COVID. Their company manufactured PPE and products for COVID.

Mr. Brown visited the site and gave his feedback that L&Z Tools was one of the few business actually making products in Watchung. Mr. Brown said that Mr. LaMarca gave him a tour of the building and said that the business continued to procure technology to keep competitive.

Mr. Stires proposed that DEP regulations should be included in the resolution.

The meeting was open to the public. There were no comments.

On motion by Ms. Fetchner, seconded by Mr. Panzarella, the application for an extension was approved based on the following roll call vote:

Roll Call:

Ayes: Mr. Hunsinger, Mr. Brown, Mr. Kita, Ms. Fetchner,
Mr. Panzarella, Mr. Taraschi, Mr. Hanlon, Dr. Steinfeld
and Chairman Cronheim

Nays:

Not Eligible:

Abstain:

Absent:

CASE NO.: BA 21-03; TAYLOR
ADDRESS: 1293 JOHNSTON DRIVE
BLOCK: 7403 LOT: 15
Represented By: Jaclyn D'Arminio, Esq.
RR ZONE

Ms. Jaclyn D'Arminio, Esq. entered her appearance on behalf of the applicant. She depicted that the proposed project would include the installation of a swimming pool and patio in the rear of the dwelling. Ms. D'Arminio contended that the driving issue for the impervious coverage variance were the steep slopes on the property. As a result, the applicant was asking for 21.91% impervious coverage, whereas the permitted amount is 19.57% as reflected by steep slopes.

Ms. Wolfe stated for the record that the Notice was sufficient and served in a timely manner. Ms. Wolfe swore in the board professionals and witnesses that would be representing the application.

Mr. Stephen Hoyt, P.E., having a business address of Pennoni, 24 Commerce Street, Suite 300, Newark, NJ, gave his credentials and was accepted by the board as a professional engineer. Mr. Hoyt referred to a plan amendment which was introduced into evidence as EXHIBIT A-1 4/8/21. Mr. Hoyt testified the revisions reflected the steep slope calculations. Mr. Hoyt worked with Mr. Stires on the calculations, and affirmed the steep slope calculations would not change the proposed plans. He affirmed the last revision date was March 30, 2021.

Referring to EXHIBIT A-1, Mr. Hoyt testified the property was located off of Bonnie Burn Road in the R-R Zoning District. Mr. Hoyt opined that the 1.34 acres was an existing non-conforming lot. Mr. Hoyt explained that the frontage was taken for use of the road right-of-way. Mr. Hoyt indicted on the plans where the patio, pool, and proposed improvements would be located. Mr. Hoyt testified there is approximately a 50 ft. drop on the westerly side of the property.

Mr. Hoyt referenced EXHIBIT A-2 Steep Slopes 3/26/21 which illustrated the areas of slopes. Mr. Hoyt explained anything over 10% would be considered steep slopes by Ordinance. Mr. Hoyt showed the placement of the house and the backyard are level. Mr. Hoyt testified the area of the proposed pool is flat. He opined about 70% of the property is steep slopes which led to the driveway design and location. Mr. Hoyt testified the home is substantially setback at 110 ft. front the front, whereas the required setback is 50 ft. Mr. Hoyt testified the driveway accounted for approximately 64% of the existing impervious coverage. Mr. Hoyt Restricted to 19% because of steep slopes. Mr. Hoyt testified the pool would be 650 sq. ft., and the retaining wall

would be 4ft. Mr. Hoyt testified drainage was proposed to curb any runoff onto neighboring properties. Mr. Hoyt proposed the drainage would allow the water to be captured by a drywell.

On question of Mr. Panzarella, Mr. Hoyt responded there would be an open grate to mitigate overflow.

On question of Ms. Fetchner, Mr. Stires stated a retaining wall over 4ft. tall would require structural analysis.

Mr. Hoyt testified he submitted a structural analysis for the wall.

On question of Chairman Cronheim, Ms. D'Arminio contended the lot would be conforming if the county did not take part of the property for the right-of-way.

On question of Mr. Hunsinger, Mr. Hoyt testified the variance relief sought would be reduced if the lot was conforming.

Mr. Hoyt referred to EXHIBIT A-3- Imperial Pools which gave the description of the proposed pool at 18 ft. wide 36 ft. long. Mr. Hoyt testified the pool was a relatively standard size pool which would be situated on a flatter area of the site.

Mr. Lester Taylor, the property owner, was sworn in to give testimony. Mr. Taylor testified the proposed fence would be a standard, aluminum fence at 5 ft., and there would not be an additional gate.

On question of Mr. Hunsinger, Mr. Hoyt testified there was not a slab proposed for the pool filter.

The meeting was open to public.

On question of the neighbor, Mr. Hoyt testified there was no construction proposed near the neighbor's property, and the contractors would work from a lower elevation without blasting.

Mr. Taylor stipulated that he would comply with the tree ordinance.

Ms. D'Arminio gave her summation.

On motion by Mr. Hunsinger, seconded by Mr. Brown, the application for an extension was approved based on the following roll call vote:

Roll Call:

Ayes: Mr. Hunsinger, Mr. Brown, Mr. Kita, Ms. Fetchner,
Mr. Panzarella, Mr. Taraschi, Mr. Hanlon, Dr. Steinfeld
and Chairman Cronheim

Nays:

Not Eligible:
Abstain:
Absent:

The meeting was open to the public. There were no comments.

REQUEST

Temporary Signs for food trucks were approved.

ADJOURN

The Board unanimously voted to adjourn the meeting.

Respectfully Submitted,



Theresa Snyder
Board Clerk