

**BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT**

**RESOLUTION BA 22-R5  
ANNUAL REPORT 2021**

**WHEREAS**, the Municipal Land Use Law (MLUL), Chapter 291, Laws of N.J. 1975 with amendments through the 1995 Legislative Session, in Section 40:55D-70.1 requires the Zoning Board of Adjustment to prepare an annual report of its findings and decisions and to submit said report with a resolution of adoption to the Governing Body and the Planning Board and

**WHEREAS**, the Board has prepared and reviewed said report for the year 2021;

**NOW, THEREFORE, BE IT RESOLVED** by the Zoning Board of Adjustment of the Borough of Watchung on this 13<sup>th</sup> day of January, 2022, that the annual report, a copy of which is annexed hereto, is hereby adopted; and

**BE IT FURTHER RESOLVED** that a copy of this resolution and report be submitted to the Mayor and Council and the Planning Board of the Borough of Watchung with recommendations.

I certify that this is a true and exact copy of a resolution adopted by the Borough of Watchung Board of Adjustment on 1/13/22.

  
\_\_\_\_\_  
Theresa M. Snyder, Board Clerk

Dated: January 13, 2022

cc: Mayor & Council  
Planning Board

ROLL CALL:

|                   | <b>Decision and Memorialization</b><br><b>Date: January 13, 2022</b> |     |     |     |         |        |
|-------------------|--|-----|-----|-----|---------|--------|
|                   | Motion   | 2nd | Aye | Nay | Abstain | Absent |
| Cronheim          |  |     | X   |     |         |        |
| Hunsinger         | X  |     | X   |     |         |        |
| Kita              |  |     | X   |     |         |        |
| Brown             |  | X   | X   |     |         |        |
| Fetchner          |  |     | X   |     |         |        |
| Taraschi          |  |     | X   |     |         |        |
| Panzarella        |  |     | X   |     |         |        |
| Hanlon Alt. #1    |  |     | X   |     |         |        |
| Steinfeld Alt. #2 |  |     |     |     |         | X      |



**BOROUGH OF WATCHUNG**  
**LAND USE**  
**Board of Adjustment**  
Daniel Cronheim, Chairman

**2021 ANNUAL REPORT**

Section 40:55D-70.1 entitled “Report on variance applications, amendment recommendations” of the Municipal Land Use Law (MLUL) Chapter 201, Laws of N.J. 1975 with amendments through the 1993 Legislative Session states:

“The Board of Adjustment shall, at least once a year, review its decisions on applications and appeals for variances and prepare and adopt by resolution a report of its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any. The Board of Adjustment shall send copies of the report and resolution to the Governing Body and Planning Board.” Adopted. L. 1985, c.516, §16.

The Borough of Watchung Board of Adjustment has used the period of January 1, 2021 through December 31, 2021 as the reporting period.

A total of (2) variance applications were heard and approved. There was (1) approval for an extension.

The following applications were heard and decided on during the 2021 year by the Board of Adjustment.

I. Applications

1. Case No.: BA 21-01; Vora  
11 Wetumpka Lane  
Block: 703 Lot: 6  
RR Zone

*This application was withdrawn.*

2. Case No.: BA 21-02; L & Z Tools  
1691 Route 22  
Block: 6404 Lot: 1  
Represented By: Jay Bohn, Esq.  
HD Zone  
Approved: 4/8/21

Summary: The applicant received an extension/re-approval of the previously approved use variance and preliminary and final site plan approval.

3. Case No.: BA 21-03; Taylor  
1293 Johnston Drive  
Block: 7403 Lot: 15  
Represented By: Jaclyn D'arminio, Esq.  
RR Zone  
Approved: 4/8/21

Summary: The applicant received variance for lot coverage of 21.91% whereas 20.45% is allowed in accordance with the Steep Slope Ordinance.

4. Case No.: BA 21-04; Chipotle  
1620 Rt. 22  
Block: 6101 Lot4  
Represented By: Maria P. Vallejo, Esq.  
HD Zone  
Approved: 7/8/21

Summary: The applicant received variance for a project which included a 230 SF expansion to the building, a drive thru lane, and reconfiguration of the parking area.

## II. Recommendations

- 1) Every project should consider the impact of downhill flooding onto Route 22 and main roads throughout the Borough. The hundred-year flood holdings and controls have proven insufficient for mitigating against flood damage.
- 2) Changes to the tree ordinance should include 1) no limitations on removing trees that interfere with the power lines and 2) allowing residents to have more control over the management of the trees on their property. The size of the trees on older lots threatens more than powerlines. They can crush roofs, entire houses, block streets, and crushed cars.

Respectfully Submitted,



Theresa Snyder  
Board Clerk