

**BOROUGH OF WATCHUNG
BOARD OF ADJUSTMENT
DANIEL CRONHEIM, CHAIRMAN**

Regular Meeting
May 9th, 2024

**OFFICIAL MINUTES
Adopted on: June 11, 2024**

Chairman Daniel Cronheim called the Regular Meeting to order at 7:32 p.m.

ROLL CALL

Mr. DJ Hunsinger

Mr. PJ Panzarella – **Absent**

Mr. Mitchell Taraschi

Mr. Anthony Terrezza

Mr. John Van De Castle

George Sopko -

Alex Xie

Mr. Daniel Cronheim, Chairman

David A. Stires, PE, PP, Board Engineer

Christopher Sobieski, Esq., Board Attorney

Catherine Furlan, Board Clerk

Chairman Cronheim read the Open Meetings Act statement, Municipal Land Use Law requirements as required by law. The board attorney was absent so Christopher Sobieski acted and advised in his place. Everyone stood and said the pledge of allegiance to the flag.

MINUTES

The board reviewed the minutes from the April 11th meeting. On motion by Mr. Taraschi seconded by Mr. Hunsinger, the Regular Meeting Minutes from April 11th, 2024 were accepted and carried on voice vote. All voted in favor.

RESOLUTIONS

BA 24-R8

CASE BA 21-05; S/K Morris

Applicant submitted preliminary and final major site plans for approval and bulk variance relief for the property at 1375 Plainfield Ave Block 7010, Lot 9. The approval was memorialized by way of Resolution BA-22-R8 on July 14th, 2022. Mr. Sobieski clarified the applicant is seeking an extension of approvals as it is set to expire July 14th 2024. The site is an abandoned office that would be demolished and 27 new townhomes built in its place. Mr. Stires mentioned the applicant has to revise the plan as the access out to the highway conflicts and they could not get a permit. Mr. Huntzinger moved the motion and Mr. Van de Castle seconded the motion. All voted in favor, while Chairman Cronheim abstained.

BA 24-01; Carty

936 Valley Road

RR Zone
Block 7401 Lot 15

Kevin Carty was present and approached the podium. Mr. Sobieski confirmed proper notice was sent to neighbors with a 200 ft radius and notice was printed in the newspaper. Mr. Carty approached the podium. Mr. Sobieski swore in both Mr. Stires, the board engineer and the applicant, Mr. Carty. Mr. Carty explained he has been a resident of Watchung for the past four years. He and his wife and three children live on Valley Road, a very busy street. They often have to reverse out of their driveway as there is no room to turnaround. There have been many times when the homeowners have almost been hit by a car speeding down Valley Road. They have a large side yard with a curb already cut. The applicant would like to build a garage and another driveway on the quieter side street. Shady Brook Court.

Mr. Huntzinger questioned why the homeowner had to back out of their driveway. The applicant said they park their boat in the driveway and they own two large trucks. Mr. Cronheim pointed out that Valley Road is County Route 527 and everyone knows it is a busy street. Mr. Carty said the speeders worry him the most as mailboxes are often hit and for the safety of his family.

Mr. Huntzinger mentioned the garage plans exceed the town's impervious coverage allowance. Mr. Sobieski said the allowed impervious coverage is 23.5% and the proposed is 32.5% is over the allowed amount. The grade of the driveway was also brought up by Mr. Sobieski. Mr. Stires confirmed the slope of the driveway would exceed the 6% permitted and the proposed driveway grade would be 7%. Mr. Sobieski also pointed out the 40ft driveway that was proposed exceeds the total allowable amount of 24ft. Mr. Sobieski mentioned decreasing the width of the driveway and the applicant would not have to come back before the board. Mr. Huntzinger's concern was about the amount the applicant was over for the impervious coverage, as it was a substantial amount. If he made the driveway smaller it would be more appealing to the board. The applicant was amenable to reducing the width of the driveway to the garage to bring down the total impervious coverage overage and removing the variance requested. Mr. Stires confirmed that would comply with standards and the driveway would be reduced by 640 square ft. The total impervious coverage would be reduced to 29.7% down from 31.1% by reducing the width of the driveway to 24ft.

Mr. Sobeski again reviewed the options that the engineer recommended in his report that would help the applicant to comply with borough standards. Subject to Board approval, the following conditions will be in place. The first condition was reducing the width of the driveway which was already discussed. The second condition is to obtain all necessary building permits and approvals from outside organizations such as the Somerset Union Soil Conservation, Somerset County Planning Board approval, and borough road opening and right of way permit. Mr. Carty recognized he needed to obtain such approvals. Third, revise the design of the stormwater infiltration chamber and include an emergency inlet onto the side street. Mr. Carty agreed and said there were already seepage tanks but he would include such piping. Mr. Stires said the pipe would give the dry well relief and it would function better as the soil is predominantly clay in Watchung. Lastly, the proposed project does run through a PSEG easement so the Board recommended the homeowner contact PSEG to make sure they are okay with concrete going over the easement. Mr. Terrezza injected to confirm there is no second floor, no one would be

living in the garage and there would be no heating or air-conditioning. The homeowner confirmed this is correct and true and that the structure would be 480 square feet and less than 12 ft in height. There was some back and forth about Watchung's maximum height for an accessory structure.

There was some discussion about the proposed cabana which the homeowner said was not high priority as he was over his impervious coverage and the driveway took precedence. The Board asked why the homeowner wanted the cabana. Mr. Carty replied that it was to provide shade for him while using the pool and backyard. He confirmed it would be four posts and not enclosed but open to the air. The Board said it sounded more like a pavilion with a roof. Mr. Sobieski wanted to get the Board's amenability about the cabana. He stated that the allowed lot coverage is 23.5% while with the cabana it is 29.7% proposed and without the cabana it is 28.9%. Mr. Huntzinger said he is always in favor of less lot coverage. The Board seemed to agree for the applicant to not seek the cabana.

Mr. Stires confirmed the accessory building is not to exceed the height of the principal building. Mr. Terrezza asked if the siding would match the house. Mr. Carty confirmed it would match the exterior of the house. Mr. Sobieski asked what types of lights would be added to the garage. Mr. Carty specified there would be motion detection lights that pointed down. Mr. Huntzinger asked if the homeowner put a gazebo on an existing patio would he need a variance? Mr. Stires said he would not need another variance if it did not exceed 12 ft since it is already on impervious coverage. Mr. Carty confirmed where the cabana is going on a surface that is already concrete which was there when he purchased the house. The Board confirmed Mr. Carty can build the cabana and would not be required to seek a variance unless it exceeds 12 ft. No one from the public was present for public comment. Mr. Carty said thank you to the board for their time.

Mr. Sobieski reviewed the applicant is seeking 3 bulk variances;

- a. Lot coverage allows for 23.5% and 29.7% lot coverage proposed.
- b. Grade of driveway at entrance as 6% is allowed and 7% is proposed.
- c. The maximum grade of driveway within 25 ft of street is 6% and 7% is proposed or maybe a little less.

Mr. Sobieski confirmed the homeowner is required to seek all the necessary permits from outside agencies and approvals. No heating or air conditioning is to be installed in the garage or used as a living space. The homeowner will install a seepage pipe that would let out or face Shady Brook court. The exterior of the garage will match the exterior of the home and all lighting will be installed to face downward. PSEG will also be notified about building on the easement.

Mr. Huntzinger made a motion to approve and Mr. Terrezza seconded the motion. Everyone voted in favor. Mr. Sobieski directed the homeowner not to build or start the project until the resolution is written. Mr. Carty said he would start working on notifying PSEG.

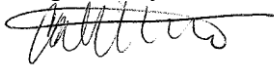
The next meeting will be Thursday, June 13th, 2024.

Meeting was adjourned at 8:11pm

Motioned to adjourn by Mr. Taraschi and seconded by DJ Huntzinger.
Meeting was adjourned at 8:11pm

ADJOURN

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Catherine Furlan', written in a cursive style.

Catherine Furlan
Board Clerk