

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

Regular Meeting
Thursday, September 12th, 2024

**OFFICIAL MINUTES
Adopted on: 10/10/2024**

ROLL CALL

Mr. Daniel Cronheim, Chairman -Present	Mr. DJ Hunsinger – Present
Mr. PJ Panzarella – Present	Alex Xie – Present
Mr. Mitchell Taraschi – Absent	David A. Stires, PE, PP, Board Engineer – Present
Mr. Anthony Terrezza - Present	Steven Warner, Esq., Board Attorney -Absent
George Sopko - Present	Christopher Sobieski – Present
Mr. John Van De Castle – Absent	
Graeme Birrell - Present	Catherine Furlan, Board Clerk -Present

Chairman Daniel Cronheim called the regular meeting to order at 7:37 p.m. Chairman Cronheim read the Call to Order Open Meetings Act statement as required by law. The Board attorney was not present, but Christopher Sobieski acted and advised the Board on legal matters. Everyone stood for the Pledge of Allegiance to the flag.

MINUTES

The Board reviewed the minutes from the August 8th, 2024 meeting. On motion to approve by Mr. Hunsinger seconded by Mr. Panzarella to approve the minutes. The minutes from August 8th, 2024 were accepted and adopted. No one voted against the minutes or abstained.

Mr. Daniel Cronheim, Chairman -Aye	Mr. DJ Hunsinger – Aye
Mr. PJ Panzarella – Aye	Alex Xie – Aye
Mr. Mitchell Taraschi – Absent	Graeme Birrell - Aye
Mr. Anthony Terrezza - Aye	Mr. John Van De Castle – Absent
George Sopko - Aye	

SIGNAGE REQUEST

Wagner Farm Arboretum (WFA) requesting permission to install 4 temporary signs for Brite Nights. Requesting to install 4 signs 18”x24” by:

- Water & Wine or Tennis Courts
- Outside Bayberry or Intersection of Bayberry Ln and Valley Rd
- Outside of Valley View School on Valley View
- Intersection of Gray Street and Rt 22

On motion by Mr. Huntsinger and seconded by Mr. Birrell. The request was carried by voice vote all in favor to approve.

NEW APPLICATIONS

CASE NO.: BA24-06; Rodriguez

149 Mountain Blvd
Block 2201 Lot 4
ZONE R-B

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The applicant is requesting approval to install two-story covered porch on the front of the house. The proposal will require variances (section 28-405) as follows:

- Front Yard 35 ft. min. required 27.83 ft. proposed
- Side Yard 10 ft. min. required 9 ft. proposed
- Total Side 18 ft. min required 17.75 ft. proposed (porch)
- Lot Coverage 30% max permitted 47.0% proposed

There are also several pre-existing non-conforming issues as follows:

- Lot Area 15,000 SF min 8,053 SF existing
- Lot Frontage 75 ft. min. 50.57 ft. existing
- Lot Width 75 ft min. 45 ft. existing
- Lot Depth 150 ft. min 92.75 ft. existing

Ms. Jennifer Rodriguez (homeowner), Michael Schachter (contractor) and (Board Engineer) David Stires were sworn in. Mr. Sobieski clarified with the homeowner who delivered certified letters as some were hand delivered. Proper notice was given and confirmed. Ms. Rodriguez from 153 Mountain Blvd. approached the Board and presented her case requesting a variance for a two-story porch. She provided background for the variance and construction of the house which was originally built in the 1930’s.

Michael Schachter from 158 Johnston Drive Extension approached the Board and gave background as he was hired as the contractor by Ms. Rodriguez. He submitted 16 copies of one picture into evidence which was marked as **Exhibit A-1**. The picture was a side view of the house taken that day (9.12.2024) showing where the porch would be constructed. The Board reviewed the list of variances requested with the applicant and contractor. The Board then

reviewed the Engineer’s Memo and asked the applicant if they would agree to complying with any conditions recommended by the Engineer. Ms. Rodrigez said she would comply with all permits and requirements set forth by the Board.

The Board opened it up to the public for comment or questions. Being none, the public portion was closed. Mr. Huntsinger made a motion to approve the application, it was seconded by Mr. Terrezza.

Mr. Daniel Cronheim, Chairman -Aye	Mr. DJ Hunsinger – Aye
Mr. PJ Panzarella – Aye	Alex Xie – Aye
Mr. Mitchell Taraschi – Absent	Graeme Birrell - Aye
Mr. Anthony Terrezza - Aye	Mr. John Van De Castle – Absent
George Sopko - Aye	

The application was approved 7 to 0. Homeowner asked if they could start construction, but they were advised to wait for the resolution or to proceed at their own risk since it was not requested before hand and included in the Resolution.

Mr. Panzarella recused himself and left before the next case since he had a conflict of interest.

CASE NO.: BA 24-05; Rozario & Paul

1040 Johnston Drive
 Block 6402, Lot 13
 RR Zone

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The subject property is located on the south side of Johnston Drive and directly north of Mount Saint Mary’s. The lot is currently vacant and consists of relatively wooded and steeply sloped from Johnston Drive down to Mount Saint Mary’s with an elevation drop of 125 feet in elevation. The property is in the R-R Residential zoning district. The applicant is proposing to construct a single-family dwelling with patios, cantilevered terrace with a pool and fire pit and with two drives off of Johnston Drive and a four-car attached garage. The application is seeking variances (28-404 unless noted below) from the following:

- Front Yard setback 50 ft. min required, and applicant is requesting 31.23 ft.
- Building Coverage 15% max permitted, and applicant is proposing 17.7%
- Lot Coverage 15.2% max allowed, and applicant is proposing 24.7%
- Building Height 35 max permitted, and applicant is proposing 49.92 ft.
- Driveway side yard 15 ft. min required, and applicant is proposing 5.63 ft.
(section 28-401 W.3.b.(1))
- Parking in front yard Not permitted and applicant has parking spots in front yard

(section 28-401 W.3.b.(3))

Wall Height 4 ft max is permitted, and applicant is proposing 9.85 ft.

(Section 28-502 A.1.)

Mr. Sobieski confirmed he reviewed the application and notice was timely and sufficiently given. Mr. Mati Rimvis was called to the podium and sworn in. He confirmed notice was properly given and timely serviced. Candaice Rozario, Paul Solomon and Mr. Stires and applicant's professionals were all sworn in by Mr. Sobieski. Ms. Rozario and Mr. Paul 942 N. Ave West, Westfield NJ provided background on application. Applicants provided their reasoning for a custom home and desire to live in Watchung.

Joseph Bachi, the civil engineer from EKA Associates 328 Park Ave in Scotch Plains approached the Board and provided credentials. He was accepted as an expert in his field. Mr. Bachi reviewed plans (revised May 2nd, 2024) that were submitted to the Board and addressed points in the Board Engineer's Memo. The Board mentioned their concerns regarding fire safety and comments from the Fire Subcode Inspector and Fire Chief. The Board asked if applicant considered moving the house back and the Board further discussed setback variances.

PUBLIC QUESTIONS

The Board opened it up to the public for questions directed to Mr. Bachi and his presentation. Mr. Scott Seidel from 1020 Johnston Drive approached the podium for questions. Mr. Seidel asked if the home was one story or two? It was clarified that the home is by ordinance a two-story home. Next, Mr. Seidel asked if Mr. Bachi considered moving the house back more or different construction methods without columns. Then, Mr. Seidel asked what the peak of the house will be standing on Johnston Drive (31ft). Scott Seidel also asked how tall the columns will be in the back of the house (35ft).

Next, Tom Sharkey from 1056 Johnston Drive approached the podium for questions. Mr. Sharkey asked the total length of the longest column. Next, he asked the distance from the ground to the bottom of the pool deck (35ft). He asked Mr. Bachi if he considered terracing the building like similar homes in the area as opposed to 35–50-foot poles.

Next, the architect spoke, Thomas Bona 26 Fourth street, Woodridge, NJ 07095 from Bonarch Architecture and Design. Mr. Bona provided background information and his credentials. He was accepted as an expert in his field of architecture. Mr. Bona reviewed plans (last revised May 15th). He addressed the reasons for constructing the terrace with columns. His desire was to reduce the impact on the land with minimal disturbance while being most cost effective. Mr. Bona also addressed why the house was not being built into the mountain like many of the homes in the area. Mr. Huntsinger noted if the garage was smaller and not a 4-car garage, it would be behind the required set-back. Mr. Bona said the garage would have to be a 2-car garage to comply with the 50 ft set-back. Mr. Huntsinger also asked what the peak of the garage would be (31ft from the street). There was further discussion around the construction of the garage and location. The home would be 5 bedrooms, 5 full baths and 2 half baths and include 5,000 sq ft in the cellar and 3,000 sq ft in the upper area. The steep slope analysis and impervious coverage was discussed. Building height was then discussed along with elevation and finally parking. Mr. Sopko asked if Mr. Bona had experience with designing structural columns on homes with steep

slopes. Mr. Bona replied yes, he has a few homes currently being designed with columns to support the house (Weehawken and Palisades). Mr. Bona also addressed the fire concerns citing the home is made out of steel and concrete, non-combustible materials. It was clarified that only the terrace is supported on stilts or columns while the livable area will be on the concrete slab. From the peak to the lowest part of the land it was calculated at 90 feet. A 10-minute break was taken at 9:43pm. The Board resumed at 9:57pm with questions for the architect.

PUBLIC QUESTIONS

The Board opened it up to the public for questions directed at Mr. Bona and his presentation. Mr. Scott Seidel from 1020 Johnston Drive approached the podium for questions. Mr. Seidel asked about the construction of the garage in relation to his property and foliage. Mr. Bona confirmed a landscape plan has not been submitted, but trees will be planted and a plan will be submitted. Mr. Seidel then asked about backfilling with dirt. He then asked about accessing the property from the back or bottom of the house and what will grow there. Mr. Seidel asked about the mezzanine level and the peak of the house. Mr. Seidel asked if the architect knew the set-back for his property at 1020 Johnston Drive. Mr. Seidel asked about steep slopes and to clarify the block and lot on the drawing as it was incorrect. Mr. Seidel asked Mr. Bona if he had experience in firefighting, in which the reply was 'no'.

Tom Sharkey from 1056 Johnston Drive approached the podium for questions. Mr. Sharkey asked about the front-set back of his property. He also asked for clarification about total height of house top to bottom (90ft). How many trees will be removed (67 trees)? Is there a plan to replace trees? Mr. Sharkey asked about the plans pertaining to the desire for a backyard for the children to play in. He also asked if Mr. Bona had been to the site or noticed his property which is constructed with a pool and terracing into the mountain. Mr. Huntsinger asked about the natural slope of the mountain to note it has about 50 feet of natural slope. Mr. Sobieski asked the architect about the suggested sprinkler system. Mr. Sopko asked about the concrete foundation which would be under the house.

Mr. Daniel Casali 1010 Johnston Drive approached and asked why there were no trees on the plans, and why did you remove all the trees in the front of the house. Mr. Casali then asked if they did a seismic study for the design (yes).

Sara Gurjal from 1001 Johnston Drive asked the Board what the number of variances are they usually allow? Mr. Sobieski clarified; it differs for every application.

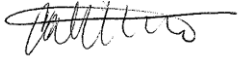
Mr. Terrezza asked if they could consider decreasing a parking spot to push the set-back further.

Mr. Sobieski announced that the case will be carried (without notice) to the next meeting, Thursday, October 10th at 7:30pm, and the announcement serves as the notice.

Motioned to adjourn by Mr. Terrezza and seconded by Mr. Hunsinger and carried unanimously. The next meeting will be Thursday, October 10th, 2024. Meeting Adjourned at 10.20pm.

ADJOURN

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Catherine Furlan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Catherine Furlan
Board Clerk