

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

Regular Meeting
Thursday, November 14th, 2024

**OFFICIAL MINUTES
Adopted on: 12/12/2024**

ROLL CALL

Mr. Daniel Cronheim, Chairman -Present	Mr. DJ Hunsinger – Present
Mr. PJ Panzarella – Present	Alex Xie – Absent
Mr. Mitchell Taraschi- Present	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 – Present	
Graeme Birrell - Present	Catherine Furlan, Board Clerk -Present

Chairman Daniel Cronheim called the regular meeting to order at 7:33 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 October 10th, 2024 meeting. On motion to approve by Mr. Hunsinger seconded by Mr. Panzarella to approve the minutes. The minutes from October 10th, 2024 were accepted and adopted. No one voted against, Mr. Birrell abstained.

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

RESOLUTIONS

BA24 R-14

BA23-12 Brandywine – Application Withdrawal

Resolution to withdraw Brandywine application BA23-12 without prejudice. Applicant filed in 2023 and requested to withdraw since property is under new ownership. Mr. Huntsinger on motion to withdraw the application, seconded by Mr. Taraschi.

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

BA24 R-15

CASE NO.: BA 24-02; Demirgil

55 Acorn Rd.
BLOCK 1201 LOT 1.03
RR ZONE

Applicant initially proposed a sports court buy revised the application to only request the retaining wall and dry well. Motion to accept the resolution was made by Mr. Huntsinger and seconded by Mr. Taraschi.

Roll Call

Member	Motion to APPROVE the Application Date: October 10, 2024						Resolution of Memorialization Date: November 14, 2024					
	Motion	2nd	Aye	Nay	Abstain	Absent	Motion	2nd	Aye	Nay	Ineligible	Absent
Cronheim			X						X			
Hunsinger			X				X		X			
Terrezza		X	X					X	X			
Sopko			X						X			

Panzarella			X						X			
Taraschi	X		X						X			
Birrell									X			
Van de Castle (Al. 1)			X						X			
Xie (Al. 2)			X									X

NEW APPLICATION

CASE NO.: BA 24-07; Anderson

108 Johnston Dr

BLOCK 5101 LOT 2

ZONE: RB

Expiration: **December 22, 2024**

To Access Plans Click [Here](#)

The subject property is located on the northwestern corner of the intersection of Upper Drive and Johnston Drive and is considered a corner lot. The lot is developed with a two-story framed dwelling and a freestanding two-car garage that has the driveway connection on Upper Drive. The property is in the R-B Residential zoning district. The Applicant is proposing to demolish and reconstruct the existing retaining wall on the east side of the driveway. In doing so, the Applicant is removing the curve in the retaining wall that limits the width of the driveway to a pinch point of 16 feet. By straightening the wall, there is an increase in coverage of 55 SF and the driveway then runs closer to the side property line than what currently exists. The Applicant is seeking an impervious lot coverage variance, 39.7% was proposed and maximum allowed is 30% in the R-B zoning district. Applicant is expanding the non-conformance of the driveway and seeking a variance from section 28-401 W.3.b(1) where 8 feet (principal side yard setback in the R-B district) is required, the driveway/retaining wall is located 3 feet from the sideline.

Applicant, Jon Anderson, approached the Board. Mr. Sobieski confirmed Applicant noticed properly and the Board has jurisdiction to hear the case. Mr. Anderson and Board Engineer, Mr. Stires, were both sworn in. Applicant provided background explaining the need for a retaining wall and expanding the driveway. Mr. Anderson entered in colored photos [Exhibit A-1 Retaining Wall Exhibit](#). Applicant reviewed photos showing the need for the retaining wall and where it would be located. Mr. Sobieski reviewed the Engineer’s Report and the requirements for approval with the Applicant and Mr. Stires.

Mr. Sobieski opened it up for public comment and questions, hearing none the public portion was closed. Mr. Sobieski reviewed the variances being sought. Motion to approve made by Mr.

Huntsinger and seconded by Mr. Terrezza. The Board voted to approve the application 8 to 0.

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

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

OLD APPLICATIONS

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

1040 Johnston Drive
 Block 6402, Lot 13
 RR Zone

To Access Plans [Click Here](#)

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 43.23 ft.
- Building Coverage 15% max permitted, and applicant is proposing 17.7%
- Lot Coverage 15.2% max allowed, and applicant is proposing 23.1%
- 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.)

Matt Flynn, Planner, and Applicant approached the Board to summarize the case. Mr. Sobieski confirmed there was enough Board members present to vote on the D variance and Board members who missed the previous meeting had time to review the recordings and signed the

voting certifications. One member of the public was present that requested to speak since he missed the prior meetings. It was opened up to Public Comment and Questions again.

PUBLIC COMMENTS

Mr. Abhay Gurjal from 1001 Johnston Drive approached the Board and was sworn in. He provided testimony against the Applicant citing too many variances. He also mentioned fences and the Board clarified there would be no fences just a retaining wall. Objector also mentioned too many old growth trees were being removed. Mr. Gurjal said the house does not conform to other homes on Johnston and they should build it on a different lot that is more suitable. The Applicant is asking far too many variances and if the Board approves this more people will come and ask for a similar number of variances. Mr. Gurjal asked the Board to put themselves in the neighbors’ shoes and ask if they would consider it acceptable if they lived next door. The public portion was closed.

Mr. Flynn and the Applicant approached the Board again. Mr. Sobieski confirmed they received a letter from the Fire Chief. The Chief said there is no problem with the design so long as a truck can fit into the driveway. This email was entered into evidence as [Exhibit B-1](#) dated November 13th. Matt Flynn provided closing testimony and summarized the variances. Mr. Sobieski confirmed with Mr. Flynn that he provided no new testimony in his closing. The Board discussed and clarified variances sought and Mr. Sobieski reviewed variances. Mr. Taraschi spoke to approve the application and provided his reasoning such as the difficulties in building on the lot. Next, Mr. Huntsinger spoke but was concerned about the height of the back of the house for neighboring homes. Then, Mr. Sopko spoke and also expressed concern with the design of the house in the rear with the weight of the pool. Chairman Cronheim spoke next expressing concern with water run-off entering the property below. Mr. Stires the Board Engineer interjected with his approval conditions set forth in his report regarding drywells and run off. Mr. Terrezza spoke next, agreeing with the challenges in developing the property but said he would be in favor of the application. Mr. Birrell spoke in favor of the application as well saying the Applicant has gone above and beyond. Mr. Van de Castle spoke against the application maintaining the Applicant was seeking to many variances.

Mr. Terrezza made a motion to approve the application and was seconded by Mr. Terrezza. Application was denied 4 (Nay) to 3 (Aye).

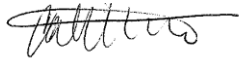
Mr. Daniel Cronheim, Chairman -Nay	Mr. DJ Hunsinger – Nay
Mr. PJ Panzarella – Ineligible	Alex Xie – Absent
Mr. Mitchell Taraschi – Aye	Graeme Birrell - Aye
Mr. Anthony Terrezza – Aye	Mr. John Van De Castle – Nay
George Sopko – Nay	

Board announcement for Tree of Lights December 7th at 5:30PM on the Village Green. All Board members were invited to be honored by Watchung Rescue Squad.

The next meeting will be Thursday, December 12th, 2024. Motion to adjourn by Mr. Taraschi and seconded by Mr. Huntsinger. Meeting Adjourned at 8:31pm.

ADJOURN

Respectfully Submitted,

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

Catherine Furlan
Board Clerk