

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Regular Meeting, April 14, 2016 at 7:30 P.M.,
Hartley Dodge Memorial, 50 Kings Road, Madison, New Jersey

1. CALL TO ORDER BY CHAIRPERSON

2. ANNOUNCEMENT OF NOTICE (STATEMENT OF COMPLIANCE):

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

At the Reorganization meeting of the Board, held on January 14, 2016, the Board, by resolution adopted a schedule of meetings.

On January 15, 2016, a copy of the schedule of meetings was posted at the bulletin board at the main entrance of the Hartley Dodge Memorial, was sent to the Madison Eagle and the Daily Record and filed with the Borough Clerk all in accordance with the *Open Public Meetings Act*.

3. ROLL CALL:

Present: Joseph Santoro, Timothy Blair, Toni DeRosa, Diane Driscoll, Helen Kaar, Melissa Elias, Roger Paetzell, and Anne Lawless

Excused: Mary Sue Salko

Also Present: Gary Hall, Zoning Board attorney

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL - Regular meeting of March 10, 2016 – The minutes were distributed to all Board members prior to this meeting for their review. There were two minor corrections to be made to the minutes. A voice vote of aye was heard from all eligible voting Board members in approval of the corrected minutes.

6. RESOLUTIONS FOR MEMORIALIZATION –

The following Resolutions were distributed to all Board members prior to this meeting for their review. There was one change made to the Putenis Resolution and a voice vote of aye was heard from all eligible voting Board members in approval of all Resolutions.

CASE NO. Z 16-003

Resolution granting variance application to Tal Kormas, Block: 3404, Lot: 24, 125 Green Village Road to construct a 2nd Story Addition with Landing and Steps, Removal of a Portion of the Existing Asphalt Drive is to be Replaced with Brick Paver Patio in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

CASE NO. Z 16-005

Resolution granting variance application to 46 North Street, LLC, Block: 404, Lot: 23 46 North Street to construct a 2 Family Dwelling in an R-4 (Single or Two-Family Residential) Zone requiring relief from Minimum Lot Width, Minimum Side Yard Setback and Maximum Principal Building Coverage.

CASE NO. Z 16-006

Resolution granting variance application to Kristina Putenis, Block: 208, Lot: 14, 37 Fairwood Road, to construct an Open Front Porch in an R-3 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback.

7. OLD BUSINESS – None

8. NEW BUSINESS –

CASE NO. Z 09-39

Madison Area YMCA

Block: 3802, Lot: 2

1 Ralph Stoddard Drive

Applicant is seeking Extension of Approval for Conditional Use (d) Variances, (c) Variances, Waivers and Site Plan Approval granted by Resolution which was adopted on August 12, 2010 to authorize addition for indoor competitive swimming pool and other improvements.

Tom Malman, Attorney representing the YMCA was present to oversee this application. The YMCA is in the process of raising funds to begin the construction of the pool, however, they need more time to do so. The public was given the opportunity to make comments or ask questions. There being none, a motion to approve the request was made by Mrs. DeRosa and seconded by Mr. Blair.

CASE NO. Z 16-004

Kathleen Colbert

Block: 3401, Lot: 6

25 Woodcliff Drive

Applicant is seeking permission to construct a Front 2 Story Addition with 2nd Story Front Stoop Overhang over Proposed Steps an R-3 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 1-6-16

A – 1 Variance Plan, prepared by Schommer Engineering, dated 1-6-16

A – 2 Survey prepared by James Deed Surveyor, dated 8-7-15

A – 3 Architectural Plans, A-1 thru A-4, prepared by Studio 1200, dated 1-29-16

A – 4 Picture of the existing residence

A – 5 Rendering of the proposed modified residence

A – 6 Existing photos

A – 7 Variance Plan Exhibit

Kathleen Colbert and Nancy Doherty, Licensed Architect were sworn in and Ms. Colbert began by describing the home and stated she is wishing to stay in Madison. It is presently a 3 bedroom home and in need of a front overhang on the front door.

Ms. Doherty then began by describing the home as it exists and explained the changes which they are requesting. The front overhang also is being sought to allow for the 3rd bedroom upstairs. A second bathroom is planned for the second floor in the future. The majority of the addition just has a

small portion which is requiring the variance. The applicant proposes to add hardi-plank siding and new windows. The home is presently 1900 sf and will be expanded to 2100 sf.

Ms. Doherty went to the photo exhibit and reviewed the photos individually. The front overhang will improve the curb appeal of the home. Ms. Doherty pointed out where the 200 sf addition is proposed, stone steps and stone water table around the foundation. The roof is being modified and the dormers that exist will be increased in size. The public was now given the opportunity to ask questions, there being none.

Mr. Richard Shommer, Engineer was sworn in and began to describe the shape of the property and where the home is located on his exhibit. He continued by describing the location and stated the nearest home is more than 200 feet from the home. He stated that the improvements will be numerous and will update the home on the exterior and interior. He continued by stating the hardship existed for a location to construct the addition. The conditions of the site, neighborhood and shape of street allow for this proposed addition and changes made to the home. Mr. Hall had several questions regarding the knuckle in the street. There being no further questions or comments from the public or the Board, the Board began their deliberation.

The consensus of the Board was to approve the application as submitted. A motion to approve the application was made by Mrs. Elias and seconded by Ms. Kaar. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. DeRosa, Mrs. Driscoll, Mrs. Elias, Dr. Paetzell, Mr. Santoro, Ms. Kaar and Mr. Santoro

CASE NO. Z 16-007

Peter Jackson

Block: 905, Lot: 17

30 Knollwood Avenue

Applicant is seeking permission to construct a 1 Story Rear Addition, Extension of Existing Deck, Relocation of Existing Air Conditioning Unit and Relocation of Existing Shed to Required "Compliant" Side and Rear Setbacks in an R-3 (Single Family Residential) Zone requiring relief from Maximum Principal Building Coverage. **DUE TO INSUFFICIENT NOTICING THE APPLICANT HAS ASKED TO BE PLACED ON THE MAY 12, 2016 AGENDA.**

CASE NO. Z 16-008

Jamie & Anonio Nicotra

Block: 3404, Lot: 29

347 Woodland Road

Applicants are seeking permission to construct a Deck, Patio, Covered Storage Area under Deck, Unenclosed Cooking Area, Pergola, Drywell, 6' High Fence, 3' Retaining Wall, Front Yard Arbor, Paved Ramp, Relocated Air Conditioning Units, 6 Borough Trees to be Removed, (1) within the Borough Right of Way, and Landscaping within Borough Right of Way in an R-3 (Single Family Residential) Zone requiring relief from Minimum Side Yard Setback (Deck), Minimum Rear Yard Setback (Deck), Maximum Impervious Coverage, and Maximum Height of Fence.

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew, dated 2-26-16

A – 1 Copy of Boundary and Topo Survey, dated 2-4-16

A – 2 Architectural Plans prepared by Alan Andreas, ASA Architects, dated 1-26-16

A – 3 Photos of homes on Green Village with fences

Jaime and Antonino Nicotra and Alan Andreas, ASA, Architect were sworn in and Mr. Andreas began by reviewing the application and stating that the house is situated on an piece of property. A patio that exists will be removed and in place of that a new deck and pergola will be constructed. The changes in the rear is being proposed for safety reasons for the applicant's children. Plantings are proposed along the slope so a lawn does not have to be maintained, and they will soften the fence which exists on the neighboring property. The plantings will also assist in stabilizing the soil on the slope.

The height of the wall and fence will only be viewed from the inside of the property and will be softened with plantings. The applicant is willing to take a portion of the fence down to four feet. Mr. Santoro informed Mr. Andreas and the applicants that the Shade Tree Committee will have to give them the authority to remove the tree in the right-of-way. He suggested a solution to the slope in the rear of the property by moving the fence up the hill and install it as a four foot solid fence. Several Board members had issues with the height and location of the fence, the size of the deck and a discussion took place between Mr. Andreas and Board members to resolve the issues. The house is located on a corner of a busy intersection. The applicant would like to have the opportunity to discuss the suggestions from the Board. Mr. Andreas would like any other suggestions from the Board and he stated a drywell system will be installed. **The applicant will return with the changes to the application at the next meeting scheduled for May 12, 2016.**

CASE NO. Z 16-009

Vincent DeProssino

Block: 2101, Lot: 1.01

4 Highland Avenue

Applicant is seeking permission to construct an In-Ground Pool with Spa and Waterfall, Pergola, Brick requiring relief from Moderate and Critical Slope Disturbance.

B – 1 Letter of Denial from the Borough of Madison, Deputy Zoning Officer, Dan Buckelew, dated 3-7-16

A – 1 Partial Topo Survey, dated 1-21-16

A – 2 Variance Plan rev. 3-7-16, prepared by Schommer Engineering

A – 3 Colored rendering of the property and proposed project

Mr. DeProssino and Richard Schommer, Engineer were sworn in and Mr. DeProssino began by explaining why he would like the expansion to the rear of his home. A large portion of the land is a steep slope and the applicant would like to improve the property by adding a pool, patio and other amenities. The steep slope will be disturbed, however, the location indicated is the best location for this project.

Mr. Schommer began by describing the property and stated it is unique in that the frontage is short, however, is over 300 feet in depth. The house has been onsite for many years. The rear of the home is exposed and from the back of the house to the back of the property it sloped about 20 feet. The slopes have been created by slope disturbances. This slope area contains both moderate and critical slopes. Mr. Schommer stated that the steep slopes in this area creates hardships. They can be mitigated in several ways, soil erosion control plan, a lot grading plan and control plan. He stated the area can be stabilized. The applicant is proposing several drywells on the property from the patio and

other areas on site. The fence has been moved as a result of the neighbors input and also drywells be installed to collect water from the patio area.

Mr. Schommer continued by stating any of the issues that are existing can be mitigated by the storm-water plan, lot grading plan and control plan. Mr. Santoro gave his input with regard to this application and a prior similar application from the past. Several Board members questioned the applicant with regards to the type of pool, fencing, and the water runoff. The public was now given the opportunity to include their input.

Darin Elsner, 18 Lewis Drive, Madison reiterated what the Board had requested, storm-water plan, soil erosion, etc. He also questioned whether drywells will be the solution to this area's water problem. He was also concerned with the outdoor lighting fixtures for the pool project.

Adam Eckhart, 16 Lewis Drive, Madison biggest concern is water runoff.

Mr. Santoro reviewed what was just discussed and added that the Borough Engineer should be contacted for guidance with the application. **The applicant will return for the meeting scheduled on May 12, 2016 with additional information and revised plans.**

10. OTHER BUSINESS:

11. ADJOURNMENT: The meeting was adjourned at 10 pm with motions made by Mr. Blair and Mrs. DeRosa.

Respectfully submitted,

Lorraine Sola
Recording Secretary