

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT

Regular Meeting, July 14, 2016 at 7:30 P.M.,
Hartley Dodge Memorial Building, 50 Kings Road, Madison, New Jersey

1. CALL TO ORDER BY CHAIRPERSON

2. ANNOUNCEMENT OF NOTICE (STATEMENT OF COMPLIANCE):

A regular meeting of the Borough of Madison Zoning Board of Adjustment was held on Thursday, July 14, 2016 at 7:30 pm in Room #140 of the Hartley Dodge Memorial Building, located at Kings Road, Madison, N.J. Joseph Santoro, Chairperson opened the meeting and requested the reading of the public notice as follows

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, Diane Driscoll, Melissa Elias, Timothy Blair, Mary Sue Salko, and Anne Lawless

Excused: Roger Paetzell, Toni DeRosa, Helen Kaar,

Also Present: Keith Loughlin, Esq, Zoning Board attorney filling in for Gary Hall

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL - Regular meeting of June 9, 2016 will not be approved this evening, and Special meeting of June 13, 2016 will be approved

The minutes were distributed to all Board members prior to this meeting for their review.

6. RESOLUTIONS FOR MEMORIALIZATION:

The following Resolutions were distributed to all Board members prior to this meeting for their review.

CASE NO. Z 15-016

Resolution denying variance application to 34 Walnut Street, LLC, Block: 1601, Lot: 41, 34 Walnut Street for Preliminary and Final Site Plan and Use Variance to construct 8 townhouse condominium units in two separate buildings in an R-4 (Single/Two Family Residential) Zone. There was one change to these on Page 3 second sentence with the word "rental". Cook Avenue instead of Elmer Street change.

CASE NO. Z 16-011

Resolution granting variance application to Glenn & Linda Zenga, Block: 3902, Lot: 8, 2 Kensington Road to construct a 2nd Story Addition, Attached 1 Car Garage, and Front Porch in an R-3 (Single Family Residential) Zone requiring relief from Minimum Front Yard Setback on Kings Road and Kensington Road, Minimum Rear Yard Setback and Maximum Principal Building. Two ayes heard

from Mr. Santoro and Ms. Salko. A voice vote was heard from all eligible voting Board members in approval of this Resolution.

CASE NO. Z 16-012

Resolution granting variance application to Prestella Construction, LLC, Block: 2002, Lot: 7, 24 Rosedale Avenue to construct an Open Front Porch with Steps, Rear 2 Story Addition with Landing, Detached Garage, and make Modifications to Existing Driveway in an R-2 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage. No changes made to this Resolution.

CASE NO. Z 16-013

Resolution granting variance application to Gregory & Victoria Raudelunas, Block: 3302, Lot: 3, 38 Laurel Way to In-Fill Existing Open Front Porch, New Open Front Porch, Removal of Existing Rear 1 Story Room and Paver Patio, Proposed 1 Story Addition and Wood Deck in an R-1 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback and Maximum Principal Building. No changes made to this Resolution. A voice vote was heard from all eligible voting Board members in approval of this Resolution.

CASE NO. Z 16-014

Resolution granting variance application to Joel & Jeannie Greene, Block: 3901, Lot: 16 5 Kensington Road to construct a Rear 2 Story Addition, Existing Rear Porch to be Removed, Removal of Existing Side Sidewalk to be Replaced with Brick Paver Sidewalk, Proposed Rear Brick Paver Sidewalk, Front Entryway with Roofed Steps, Rear Property Line 6' High Solid Fence and 8' X 10' Shed Previously installed without a Zoning Permit Application/Approval in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Principle Building Coverage, Maximum Impervious Lot Coverage, and Minimum Front Yard Setback. A voice vote was heard from all eligible voting Board members in approval of this Resolution.

CASE NO. Z 16-016

Resolution granting variance application to James & Karen Leary, Block: 4301, Lot: 7 388 Woodland Road to construct a Rear 2nd Story Addition with 2' Cantilever, Front Portico over Existing Front Stoop in an R-3 (Single Family Residential) Zone requiring relief from Minimum Side Yard Setback (Left) and Maximum Impervious Lot Coverage. A voice vote was heard from all eligible voting Board members in approval of this Resolution.

CASE NO. Z 16-017

Resolution granting variance application to Due Amici Investments, LLC, Block: 1004, Lot: 37, 96 Greenwood Avenue to construct a New Single Family Dwelling in an R-3 (Single Family Residential) Zone requiring relief from Minimum Side Yard Setback (Left) and Minimum Side Yard Setback (Right). A voice vote was heard from all eligible voting Board members in approval of this Resolution.

CASE NO. Z 16-018

Resolution granting variance application to Janice Davey, Block: 3701, Lot: 4, 60 Green Avenue for the Restoration of a "Historic" Open Front Wrap Around Porch in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback and Maximum Impervious Lot Coverage. A voice vote was heard from all eligible voting Board members in approval of this Resolution.

7. OLD BUSINESS:

CASE NO. Z 16-015

Kevin Beach

Block: 3702, Lot: 25

41 Prospect Street

Applicant is seeking permission to make Modifications to and Conversion of Existing Gravel and Asphalt Driveway to a Brick Paver Driveway with Granite Block Curb, Rear Bluestone Patio with a < 4.0' Seat Wall, Front Side Gravel Sitting Area with a < 4.0' Seat Wall, The Removal of Existing Side and Rear Fences, Extensive Plantings, and Minor Re-grading in an R-3 (Single- Family Residential) Zone requiring relief from Minimum Driveway Setback and Maximum Impervious Lot Coverage.

Public hearing started on June 13, 2016, but not concluded. Application carried to July 14, 2016 for further proceedings if revised plans are received 10 days prior to the hearing date.

A – 4 Drainage Calculations dated 6/24/16

The applicant submitted A-4 Drainage Calculations as directed by the Board at their June 13, 2016 meeting. Mr. Santoro reviewed the requests that were made at the June meeting in detail.

Mr. Beach began by discussing the difference between gravel and pavers and their permeability. He stated that Seepage Pits will be installed. A study was performed and a seepage tank in the rear was agreed upon to assist in removing the excess runoff. Altering grades will not be changed. All changes were reviewed by the Borough Engineer and approved.

Mr. Santoro discussed the 6,000 feet of impervious coverage. The new variance that is being requested involves the one foot on the driveway where the macadam and gravel will be removed and pavers will be installed in place of both. The applicant is requesting several inches in aiding the driveway alignment. Mr. Santoro is still concerned with the impervious coverage and its solution. The discussion continued and Mr. Beach stated that his changes address what Mr. Santoro has requested. Ms. Driscoll interjected and believes that Mr. Beach has addressed the issues as best as possible. Mr. Santoro stated the ground drains be located that were approved by the Engineer, that being two 12x12 inch. This will become a condition of the Resolution.

There was no further testimony from the applicant and the public was given the opportunity to ask questions or make comments. There being none, the Board was given the opportunity to discuss the application. The applicant agreed to install ground drains as exhibited in A-3.

There being no further testimony from the applicant, the Board open the application to the public. There being no further questions or comments, the Board began their deliberation. A motion to approve the application with the condition discussed was made by Mrs. Driscoll and seconded by Mrs. Lawless.

AYES: Mr. Blair, Mrs. Driscoll, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

8. NEW BUSINESS:

CASE NO. Z 16-019

Chris & Courtney Meeker

Block: 3904, Lot: 11

3 Norman Circle

Applicants are seeking permission to construct (2) 2 Story Additions, (1) 1 Story Addition, Rear Deck, Front and Side Entry Canopy with Stoop, Bay Front Window, Retaining Wall, Expansion of Existing Driveway and Drywell in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Side Yard Setback.

Chris and Courtney Meeker, Mr. Nick Benseley, Architect were sworn in and the following exhibits were marked:

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 5/11/16

A – 1 Plans prepared by Nick Benseley, Architect

A – 2 Photos, 1, 2, 3, 4, 5, 6

Mrs. Meeker began by explaining the need for the addition to their home. Mr. Benseley began by describing the property and its location stating it slopes from front to back. The residence is non-conforming in the front yard setback. The lot is oversized and the residence is a 4 BR, 2.5 bath, with a small kitchen and small dining area and the master suite is also small and outdated. The Meeker's three boys share one bath. The applicant plans on improving all the small outdated rooms. The siding and trim on the exterior will be enhanced along with several windows. A second floor will be added over the existing first floor allowing and a bathroom. The hardship in this application is the increased setback to allow for the addition.

A seepage pit will be added as per the Borough Ordinance requirements. A canopy in the front will be added for cover from the weather. The impervious coverage will be increased along with the building coverage which is very minimal. There being no further testimony from the applicant, the Board open the application to the public. There being no further questions or comments from the public, the Board began their deliberation. The consensus of the Board was to approve the application as presented. A motion to approve the application with a waiver for the drywell as presented was made by Mrs. Lawless and seconded by Mr. Blair. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. Driscoll, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

CASE NO. Z 16-020

Robert Eick

Block: 1601, Lot: 6.01

32 Central Avenue

Applicant is seeking permission to construct a New Single Family Dwelling in the Central Business District 2 Zone (R-4 Single Family Bulk Requirements Apply) requiring relief from Minimum Front Yard Setback, Minimum Right and Left Side Yard Setback, Minimum Rear Yard Setback, Maximum Principal Building Coverage, Maximum Impervious Lot Coverage and Parking Requirements.

Mr. Robert Eick and Mr. Nick Benseley, Architect were sworn in and the following exhibits were marked:

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 5/23/16

A – 1 Plans dated 5/2/16 prepared by Nick Benseley, Architect

A – 2 Photo sheet of the Streetscape of Central Avenue

A – 3 Amended Site Plan

A – 4 Survey

Mrs. Driscoll excused herself from this application due to a conflict. Mr. Eick began by explaining when he purchased this home. He stated that the neighborhood in the past few years has changed drastically. He continued that other homes in the area have requested the same variances.

Mr. Benseley continued by reviewing the sizes of the lot and the zone in which the home is located. The lot is very narrow and parking seems to be a problem. A single family home was agreed upon for this project. The home is neighbored on the left by a multi-family residence and is close to the side yard setback and on the right by three other residences. A front facing parking scenario would be best for this location. A 4 bedroom, 3.5 bath home with a garage was decided upon. A front porch is also being considered along with a front entry garage. All the neighboring homes have front yard setbacks. An obstacle for this application is the side-yard setback. Mr. Benseley continued by discussing the variances which are being requested due to the lot being undersized. The Board had several questions regarding the parking on site.

Mr. Benseley stated there is a second parking space right in front of the garage. It was suggested to eliminate the attic bedroom and increase living space on the first floor. Mr. Blair is concerned with the side yard setbacks on the left side that it are very close and fire may be the issue. Mr. Santoro suggested the house be shifted to the right. Mr. Santoro and Mr. Loughlin asked if the applicant would be agreeable to having an easement for the driveway on the right. A grassed area was suggested by the applicant instead of the driveway. The parking would be one car in the garage and the second car would be in front of the garage with a grassed area in front. Mr. Santoro reviewed the other aspects of the application.

There being no further testimony from the applicant, the Board opened the application to the public as follows:

Kathy Doherty, 30 Central Avenue concerned with the fire issues due to the closeness to her house.

There being no further questions or comments from the public, the Board began their deliberation. The consensus of the Board was to approve the application as presented. A motion to approve the application with the building moved to the right side was made by Mr. Blair and seconded by Mrs. Lawless. The Board requested that plans be submitted indicating the changes. A motion to approve the application with the conditions as follow: The Building width changed to 28 feet from 30 feet, shifting of the building to the right with an 8' setback, reduction of the building coverage from 32% to 30% and impervious coverage reduced from 43.1 to 41.8%. Motions to approve the application were made by Mr. Blair and Mrs. Lawless. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

CASE NO. Z 16-021

David Dubman

Block: 4502, Lot: 19

10 Fox Chase Road

Applicant is seeking permission to construct a Deck and Roof over Existing Stoop in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Rear Yard Setback.

David and Lindsay Dubman were sworn in and the following exhibits were marked:

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 5/26/16

A – 1 Photos of the yard taken from the inside of the home and from the rear yard

Mr. Dubman began by explaining his family and their needs. A variance was granted prior to this request. The deck is needed to accommodate his family for recreational space.

The deck will be 3 feet off of the ground and slope to 5 feet to the rear. The rear yard has several trees and foliage which block the view from neighboring homes. The lot is undersized and causes the hardship. Mr. Dubman believes that the deck will be consistent with decks located on the neighboring homes. There being no further testimony from the applicant, the Board open the application to the public. There being no further questions or comments from the public, the Board began their deliberation. The consensus of the Board was to approve the application as presented. A motion to approve the application as presented was made to Mrs. Driscoll and seconded by Ms. Salko. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. Driscoll, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

CASE NO. Z 16-022

Christine Scher

Block: 3906, Lot: 4

67 Woodland Road

Applicant is seeking permission to construct a Detached Garage, Drywell and Removal of an Existing Shed in an R-2 (Single-Family Residential) Zone requiring relief from Maximum Height of an Accessory Structure and Maximum Floor Area of an Accessory Structure.

Christine Scher and Greg Ihnken were both sworn in and the following exhibits were marked.

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 5/8/16.

A – 1 Plans dated 11/15/13 prepared by Michael Lanzafama

A – 2 Plans prepared by Casey Keller, 11/15/13 with no proposed garage

A – 3 Country Carpenters Inc, - Construct outside walls

A – 4 Photos of various portions of the property

A letter from neighbors rejecting the application will be in the file and not listed as part of the application's exhibit.

Mr. Ihnken began and explained that there are 5 cars in the driveway and need a garage to house some of the cars. They would like to locate it in conjunction with the driveway. The existing garage is too small and serves no purpose. The height being requested can be utilized for storage. The rear yard is very beautiful and plenty of foliage and trees keeping it private from the neighbors.

Mr. Ihnken continued by describing the photos and what they represent. The shed that presently exists will be removed. The color of the proposed garage will be painted the same color of the home. A drywell is planned which is required by the Borough Ordinance. Mr. Santoro reviewed the reasons

that he would not approve this application and suggested that the applicant return with a revised plan at the next regular meeting scheduled for August 11, 2016.

The public was given the opportunity to make comments and ask questions as follows:

Chris Meeker, 3 Norman Circle, had issues with the following aspects of the proposed project: height, maintenance of the trees, believes the garage will be very visible from their property. He is concerned with the height affecting the value of his home.

CASE NO. Z 16-023

Arthur Tutela

Block: 4402, Lot: 34

164 Green Avenue

Applicant is seeking permission to remove portion of Existing Asphalt Driveway, Reinstallation of Removed Portion of Asphalt Driveway, and the Installation of (2) Driveway Entrance Piers in an R-1 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

Application carried to the next regular meeting scheduled for August 11, 2016.

CASE NO. Z 16-024

James & Gina Trimiglozzi

Block: 2002, Lot: 9

20 Rosedale Avenue

Applicants are seeking permission to construct a 2 ½ Story Rear Addition, Brick Paver Patio and Fire Pit in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

James and Gina Trimiglozzi, Gary Musciano, Architect were sworn in and the following exhibits were marked.

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

A – 1 Plans prepared by Gary Musciano, Architect, Boonton, NJ

A – 2 Map of Property from surveyor, dated 2016

Mrs. Trimiglozzi stated that her family is growing and is the reason for the addition. Mr. Musciano continued by stating the addition is very modest. A master suite and spacious kitchen is planned. The lot is undersized. He then began to review the plan of the home, presently the house is 24x24. An addition is planned in the rear and will be two stories.. Shrubbery is planned in the rear.

Presently water is directed to the driveway. The present leaders can be connected to a proposed drywell. A flagstone patio near the garage presently exists.

There being no further questions or comments from the public, the Board began their deliberation. The consensus of the Board was to approve the application with the conditions that a drywell be installed to capture any runoff, also the garage.

A motion to approve the application as presented was made to Mr. Blair and seconded by Mrs. Lawless. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

NAYS: Mrs. Driscoll

CASE NO. Z 16-025

Jon Mazzacano

Block: 909, Lot: 2

11 Hillview Avenue

Applicant is seeking permission to construct a 1 Story Addition, and the Relocation of Existing Air Conditioning Units in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

Jon Mazzacano was sworn in and the following exhibits were marked.

B – 1 Letter of Denial from the Borough of Madison Deputy Zoning Officer, Dan Buckelew dated 5/18/16

A – 1 Map of the property dated 12/6/07 with the two story addition

A – 2 Survey map with proposed addition

A – 3 Rear elevation of the proposed 2nd story

A – 4 Left side elevation

A – 5 Front elevation

A – 6 Right side elevation

Mr. Mazzocano explained his need for additional space as his family is growing. His concern is on the first floor which needs expansion. The home is old and the rooms are small and a one story addition in the rear adjacent to the family would allow for a better flow of the home. Storage areas will also be a benefit to the family. .

There being no further questions or comments from the public, the Board began their deliberation.

The consensus of the Board was to approve the application as presented.

A motion to approve the application as presented was made to Mrs. Lawless and seconded by Mrs. Elias. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. Driscoll, Mrs. Elias, Mr. Santoro, Ms. Salko and Mrs. Lawless

CASE NO. Z 16-026

Michael Loughman

Block: 1601, Lot: 37

45 Ridgedale Avenue

Applicant is seeking permission to install an 8' x 10' Shed and Expansion of Existing Driveway with Retaining Wall in a R-4 (Single or Two-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage. **Application to be carried to the next regular scheduled meeting on August 11, 2016.**

CASE NO. Z 16-027

Christopher Sands

Block: 4502, Lot: 22

4 Fox Chase Road

Applicant is seeking permission to construct a 1 Story Rear Addition with Exterior Wood Stoop and Stairs, Blue Stone Stoop and Stairs with Blue Stone Walkway, Rear Blue Stone Patio, Drywell, Removal of Existing Concrete Patio and Portion of Existing Asphalt Driveway in an R-1 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage, Maximum Impervious Lot Coverage and Minimum Rear Yard Setback. **Application to be carried to the next regular scheduled meeting on August 11, 2016.**

10. OTHER BUSINESS: Mr. Santoro suggested that the Board should have discussions regarding what has taken place to date in 2016.

11. ADJOURNMENT: The meeting was adjourned at 10:35 pm with motions made by Mrs. Driscoll and seconded by Mr. Blair.

Respectfully submitted,

Lorraine Sola
Recording Secretary