

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT

Regular Meeting, August 11, 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, August 11, 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, Toni DeRosa, Melissa Elias, Timothy Blair, Dr. Paetzell, and Helen Kaar

Excused: Mary Sue Salko and Ann Lawless

Also Present: Gary Hall, ZBA attorney

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL – Regular meeting of July 14, 2016

The minutes were distributed to all Board members prior to this meeting for their review. There was one correction made to the minutes. Mary Lou Salko's name was corrected to Mary Sue.

6. COMMENTS BY THE PUBLIC:

Samuel Epstein, 16 Rolling Hill Court, Madison was present and approached the Board with his request. Mr. Santoro informed him that if he wanted to have the application re-heard, there is a process which he would have to follow. Mr. Hall than continued to explain what Mr. Epstein would have to do. It is a Rule 2, A Re-hearing Modification. This can be done within 45 days of the actual application before the Board and the Opposer must show the reason he is requesting a re-hearing.

7. RESOLUTIONS FOR MEMORIALIZATION:

The following Resolutions were distributed to all Board members prior to this meeting for their review. There were no additions or corrections made to any of the following Resolutions. A voice vote of aye was heard from all eligible voting Board members in approval of the Resolutions.

CASE NO. Z 16-015

Resolution granting variance application to Kevin Beach, Block:3702, Lot: 25, 41 Prospect Street 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.

CASE NO. Z 16-019

Resolution granting variance to Chris and Courtney Meeker, Block: 3904, Lot: 11, 3 Norman Circle 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

CASE NO. Z 16-020

Resolution granting variance to Robert Eick, Block: 1601, Lot: 6.01, 32 Central Avenue 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.

CASE NO. Z 16-021

Resolution granting David Dubman, Block: 4502, Lot: 19, 10 Fox Chase Road, to construct a Deck and Roof over Existing Stoop in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Rear Yard Setback.

CASE NO. Z 16-024

Resolution granting variance application to James and Gina Trimaglozzi, to construct a 2 ½ Story Rear Addition at 20 Rosedale Avenue, Block: 2002, Lot: 9, with 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

CASE NO. Z 16-025

Resolution granting variance application to Jon Mazzacano, Block: 909, Lot: 2, 11 Hillview Avenue 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.

8. OLD BUSINESS:

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.

The applicants, Lauren Brown, fiancé and Michael Loughman was sworn in and the following exhibits were marked.

B – 1 Letter of Denial from the Borough of Madison Construction Official, Dan Buckalew, dated 6/7/16

A – 1 Survey copy dated 5/23/16 prepared by Benjamin Wizorek

A – 2 Marked copy of the same survey with proposed improvements

A – 3 4 Photos of the proposed shed

A – 4 Two shed examples

Mr. Loughman stated that after purchasing the home, there was no place to store lawn equipment. He is proposing a shed to do so. Backing out of the driveway is unsafe and the applicant would also like to construct a turn around to be able to pull out of the driveway in a safe manner. They are planning to install a graveled and some paved area to do the turn around.

There being no further testimony from the applicant, the public was given the opportunity to ask questions and make comments. There being none, the Board began their deliberation. The consensus of the Board was to approve the application as presented. A motion to approve the application was made by Mr. Blair and seconded by Mrs. DeRosa. A roll call vote was requested and recorded as follows:

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

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.

The applicant 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 6/13/16

A – 1 Architectural Plans prepared by Daniel Kopeck, Architect, dated 6/10/16, 5 sheets

Mr. Kopeck began by describing the application and what the applicant is seeking. He stated that the lot is non-conforming to the zone, given its size and shape, it is irregular and causes a hardship in the rear clipping the corner of the home. The Building and Impervious Coverages have been addressed as best as possible. He believes there would not be a variance issue if the lot was not irregular. A drywell will be constructed and placed on site to catch all of the new roof runoff plus the leaders from the garage. There is no water going down the driveway or onto the property.

Ms. Driscoll asked if some other product could be utilized for the bluestone patio. The applicant would like to keep the bluestone product. The applicant stated he would like to remove the end portion of the driveway keeping in mind a safe area for a turn around. Mr. Kopeck agreed to remove approximately 150 sf from the driveway and a 20% reduction off of the patio making a total reduction of 239 sf, 1.5% reduction.

There being no further testimony from the applicant, the public was given the opportunity to ask questions and make comments. There being none, the Board began their deliberation. The

consensus of the Board was to approve the application with the conditions that a drywell be installed, and the driveway be reduced as discussed. A motion to approve the application was made by Mrs. Elias and seconded by Mrs. DeRosa . A roll call vote was requested and recorded as follows:
AYES: Mr. Blair, Mrs. DeRosa, Mrs. Driscoll, Mrs. Elias, Dr. Paetzell, Ms. Kaar and Mr. Santoro

CASE NO. Z 16-022

Christine Scher

Block: 3906, Lot: 22

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 areas of an accessory structure. **At the request of the applicant, this application has been withdrawn.**

9. NEW BUSINESS:

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. **At the request of the Applicant this application will be carried to the September 8, 2016 Zoning Board of Adjustment meeting. Applicant will re-notice.**

CASE NO. Z 16-028

Christoper Neumann

Block: 3702, Lot: 33

1 Washington Street

Applicant seeking permission to construct a 1-1/2 story addition with lower level garage, retaining wall, covered unenclosed front entry way, removal of portions of existing driveway and existing paver patio in an R-2 (single family residential) zone requiring relief from minimum front yard setback (addition) minimum front yard setback (front entry way), minimum rear yard setback, maximum principal building coverage and maximum impervious lot coverage.

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

A – 1 Copy of survey, Swanson, Paulsy and Associates

A – 2 Set of Architectural Plans dated 6/2/16

A – 3 Photo of the rear dated 3/17/16

Marjorie Roller, Architect, ASA Architecturals, and Christopher Neumann were sworn in. Ms. Roller began by describing the application. The purpose of the removal of the driveway is to allow the applicant to have a backyard. The front cover is to keep the elements from individuals entering the home. Ms. Roller reviewed the variances which are being requested. Mr. Santoro was concerned with the numbers that were granted on the prior Resolution. She stated that patio is larger than what was granted on the last Resolution. She believes the past architect did not perform the calculations on a computer. She believes the prior architect was off by at least 5% which Mr. Santoro agreed to.

The applicant inherited what presently exists. Ms. Roller stated that the property has 3 fronts, and the fourth side is a 30 foot wide easement. The house itself is skewed causing problems. It is also part of a cul-de-sac which causes a hardship to the setback. Ms. Roller stated to mitigate some of the problems, parts of the driveway will be removed, totaling net 330 sf. She continued by describing what is being proposed. The original basement exists, with a two car garage and a family room. The applicant's goal is to have a backyard. A big portion of the patio will be removed and a grassed area is proposed. A deck is proposed and the stormwater will be managed by capturing all of the roof leaders to a drain.

There being no further testimony from the applicant, the public was given the opportunity to ask questions and make comments. There being none, the Board began their deliberation. The consensus of the Board was to approve the application. A motion to approve the application was made by Mrs. Driscoll and seconded by Mr. Blair. A roll call vote was requested and recorded as follows:

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

CASE NO. Z16-029

David and Lisa MacNair

Block: 908, Lot: 16

44 Valley Road

Applicants are seeking permission to construct a deck (greater than 24" off the ground) in an R-3 (single family residential) zone requiring relief from minimum rear yard setback (deck).

The applicants 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 5/4/16

A – 1 Copy of Survey, dated 7/17/15

A – 2 Sketch of Property and proposed deck

A – 3 2 pages of 4 photos

Mr. Mac Nair stated the deck which exists is reaching its useful life. The proposed deck will be a little smaller than the one that presently exists. The old deck will be replaced with a Trex Deck. The higher section of the deck will be replaced and it will be two tier leveling to the door. A paver patio will be adjacent to the deck.

There being no further testimony from the applicant, the public was given the opportunity to ask questions and make comments. There being none, the Board began their deliberation. The consensus of the Board was to approve the application. A motion to approve the application was made by Ms. Kaar and seconded by Mrs. Elias. A roll call vote was requested and recorded as follows:

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

CASE NO. Z-16-031

Danielle Dixon

Block: 103, Lot: 20

22 Shadylawn Drive

Applicant is seeking to construct a front covered "Open Porch", 2nd story addition, 1 story addition, expansion of existing rear patio and front walkway and stoop, previously installed fence, shed and patio without a zoning permit application/approval, relocation of existing air conditioning unit in an R-3 (single family residential) zone requiring relief from Minimum front yard setback, maximum principal building coverage and maximum impervious lot coverage. **Due to insufficient noticing this application will be placed on the September 8, 2016 Zoning Board Agenda.**

10. OTHER BUSINESS: A discussion took place regarding Mr. Samuel Epstein who wanted a Re-heard of the David Dubman application, located at Fox Chase Road.

11. ADJOURNMENT: The meeting was adjourned at 9:20 pm with a motion made by Mrs. Driscoll seconded by Mrs. Elias.

Respectfully submitted,

Lorraine Sola
Recording Secretary