

**MINUTES**  
**BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT**  
Regular Meeting, September 8, 2016 at 7:30 P.M.,  
Hartley Dodge Memorial, 50 Kings Road, Madison, New Jersey

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**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, September 8, 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, Toni DeRosa, Melissa Elias, Timothy Blair, Dr. Paetzell, Ann Lawless and Helen Kaar

**Excused:** Diane Driscoll and Mary Sue Salko

**Also Present:** Gary Hall, ZBA attorney

**4. PLEDGE OF ALLEGIANCE**

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

**5. MINUTES FOR APPROVAL** - Regular meeting of August 11, 2016 and Regular Meeting of June 9, 2016. There were minor corrections made to both sets of minutes. A voice vote of aye was heard from all eligible voting Board members in approval of the minutes as corrected.

**6. RESOLUTIONS FOR MEMORIALIZATION –**

The following Resolutions were distributed to all Board members prior to this meeting for their review. There were no 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 16-026**

Resolution granting variance application to Michael Loughman, Block: 1601, Lot: 37 45 Ridgedale Avenue to install an 8’ x 10’ Shed and Expansion of Existing Driveway with Retaining Wall in an R-4 (Single or Two-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

**CASE NO. Z 16-027**

Resolution granting variance application to Christopher Sands, Block: 4502, Lot: 22, 4 Fox Chase Road 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.

**CASE NO. Z 16-028**

Resolution granting variance application to Christopher Neumann, Block: 3702, Lot: 33, 1 Washington Avenue 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 (Entry Way), Minimum Rear Yard Setback, Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

**CASE NO. Z 16-029**

Resolution granting variance application to David & Lisa MacNair, Block: 908, Lot: 16, 44 Valley Road to construct a Deck (greater than 24" off the ground) in a R3 (Single-Family Residential) Zone requiring relief from Minimum Rear Yard Set Back (Deck).

**7. SCHEDULING AND PROCEDURAL MATTERS -**

**8. OLD BUSINESS –**

**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 was to be carried to the September 8, 2016 Zoning Board of Adjustment meeting. Applicant was advised that he would need to re-notice. Applicant failed to notice in a timely fashion and will be placed on the November 10, 2016 Zoning Board of Adjustment Agenda. Applicant must re-notice for the October hearing.**

**CASE NO. Z 16-030**

**Parisi Builders & Developers, LLC**

**Block: 2401, Lot: 11**

**19 Bruns Street**

Applicant is seeking permission to construct a New 2 ½ Story Single Family Home in an R-3 (Single-Family Residential) Zone requiring relief from Minimum Side Yard Set Back (Left), Minimum Side Yard Setback (Right) and Maximum Principal Building Coverage.

Mrs. Lawless excused herself from this application. Kevin G. Page, Licensed Engineer and Carlotta Budd, attorney were sworn in and the following exhibits were marked.

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

A – 1 Survey dated 5/2/16

A – 2 Floor plans and elevations, prepared by Roger Winkle Architect dated 7/25/16

A – 3 Plans prepared by Kevin Page, 7/16/16

Mr. Page began describing the plans depicting the location of the proposed home, which presently contains an existing home. A new 2 story, 2 car garage is planned for the property. The lot size is 6250 feet, the lot is deeper and the lot width is 50 feet in width. The applicant is requesting to build a new home requiring several variances. The applicant built 3 homes in the year 2014 in the area. The proposed home is the same as the three homes built in 2014. The applicant is applying the same standards that were applied for the 3 homes. The home will be 32 feet in width, leaving 9 foot side yards.

The impervious coverage will be reduced. A front loading 2 car garage is being proposed. The home frontage will be set back. The design is very compact and Mr. Page believes that the proposed home will fit well on the property. He believes that the proposed home will have a positive impact upon the neighborhood. Mrs. Elias questioned what exists in the rear of the property. The contractor, Mr. Parisi will give testimony regarding what exists on the property. Mr. Page assured the Board that a sump pump and drywell will be installed on the property.

Mr. Wayne Parisi, Contractor was sworn in and two photos were marked A – 4 and A – 5. Mr. Parisi continued to describe the photos. He stated what presently exists in the rear of the property. Mr. Parisi explained to the Board what was taking place on the property and on Kings Road stating he made major repairs and sold the house. A two car garage was of importance due to the lack of parking on the street. The air conditioners will be placed in an appropriate location so as to block their view from the neighbors.

Ms. Budd believes that the proposed home will be an improvement to the neighborhood. The public was now given the opportunity to either ask questions or 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 Ms. Kaar. A roll call vote was requested and recorded as follows:

AYES: Mr. Blair, Mrs. DeRosa, 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 permission to construct a Front Covered “Open” Porch, 2<sup>nd</sup> Story Addition, 1 Story Addition, Expansion of Existing Rear Patio and Front Walkway & Stoop, Previously Installed Fence, Shed and Patio without a Zoning Permit Application/Approval, also the 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.

Danielle Dixon and David Delladonna, Architect were both sworn in and the following exhibits were marked.

B – 1 Letter of Denial from the Borough of Madison Construction Official, Dan Buckalew, revised dated 7/19/16

A – 1 Copy of survey, prepared by Benjamin & Wizorek, dated 4/17/12

A – 2 Plans prepared by Mr. Delladonna, Architect dated 7/19/16

A – 3 and 4 - 2 Photo sheets of the home

Mr. Delladonna began by describing the home and the reason for the location of the addition. The first floor will house a kitchen and a rear porch will be removed measuring 95 square feet. An unusable bathroom on the second floor will be expanded which will cause the variance being requested. A front porch addition will also cause a variance due to the lack of space. The second floor's bathroom is presently 8 x 8 and will be expanded. Mr. Delladonna continued by reviewing the proposed plans and offering the reasons for the variances which are being requested.

The Cape Cod style of the home will remain the same and the hardship that exists is that the lot is 2/3 undersized. The building coverage being proposed is 19.1%, impervious coverage is increased to 36%. An old slate patio which exists is 80 sf and will be increased to 230 sf of pavers and is located on the right hand side of the house.

A new shed was constructed approximately one year ago, and an old shed is located on the side of the garage. Mr. Santoro questioned whether any portion of the fence is non-conforming. Mr. Delladonna stated the length and is 6 feet in height. New gutters will be constructed on the addition and the water will run into the backyard. The entire home will be resided.

There being no further testimony, the public was given the opportunity to either question the applicant or 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 Ms. Kaar and seconded by Mr. Santoro. A roll call vote was requested and recorded as follows: AYES: Mr. Blair, Mrs. DeRosa, Mrs. Elias, Dr. Paetzell, Ms. Kaar, Mr. Santoro and Mrs. Lawless.

Ms. Kaar recused herself from the following application.

**CASE NO. Z 16-032**

**Andrew & Sonia Dutton**

**Block: 1001, Lot: 22**

**7 DeHart Place**

Applicants are seeking permission to construct a 2 Story Addition in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Principle Building Coverage and Maximum Impervious Lot Coverage.

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

A – 1 Marked copy of survey, dated 6/2/15

A – 2 Sheet with two photos and two elevations

Andrew and Sonia Dutton were sworn in and Mr. Dutton began by describing the reason the family wants to live in Madison. He continued by stating that there is only one bathroom in the home. He is requesting an additional bathroom and slightly expand one of the bedrooms. The bathroom will be located on the main floor. The basement does have a commode and the applicant would like to also improve it. The addition will be located in the rear and not visible to anyone from the front of the home. An overhang will be added to the front porch.

The hardship is the undersized lot which also drives up the impervious coverage. There being no further testimony, the public was given the opportunity to either question the applicant or 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. Elias. A roll call vote was requested and recorded as follows:  
AYES: Mr. Blair, Mrs. DeRosa, Mrs. Elias, Dr. Paetzell, Mr. Santoro and Mrs. Lawless.

**CASE NO. Z 16-033**

**Steve First**

**Block: 4601, Lot: 58**

**15 Olde Greenhouse Lane**

Applicant is seeking permission to construct a Patio with Seat Wall and Fire Pit, Existing Wood Walk and Shed are to be removed; Portion of Existing Deck is also to be removed in an R-1 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

B – 1 Letter of Denial from the Borough of Madison Construction Official, Dan Buckalew, dated 8/12/16

A – 1 Site Plan, 2 sheets, dated 8/1/16 prepared by Call Design Group

A – 2 Two 3 D renderings of the proposed patio

A – 3 Photos of the existing conditions

Barry Call, Architect, Call Design Group and Mr. Steve First were sworn in and Mr. First began by explaining the reason for this application.

Mr. Call began by explaining what the applicant is planning for the rear of the property. A patio footprint will not be much larger than what presently exists. The increased coverage would be 8,203 feet an increase of 2.55%. The construction of the pool house has maximized the coverage on the property. The patio to replace the deck will not pose a detriment to the public. The hardship is the caused by the lot size. The proposed patio area will join with the area near the pool which presently exists. The area behind the deck will be removed and grassed. There is a drywell off the driveway which connects into the Borough drainage. Mr. First described the existing conditions in the rear of the property with regard to drainage.

There being no further testimony, the public was given the opportunity to either question the applicant or make comments as follows:

Jason Crane, 122 Shunpike Road, Lot 44, directly behind the applicant's home. He is presently in the midst of a large drainage project on his property.

Mr. Santoro asked that the applicant make sure that the back corner near Mr. Crane's property is pitched correctly so the water does not flow onto his property. Mr. Hall suggested that the applicant can make this better and a condition be set that the applicant take reasonable efforts to work this out with his neighbor.

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 with the condition that the Borough Engineer be contacted for his approval and for the applicant to take reasonable actions if any to reduce existing storm water so it does not flow into the neighbor's property was made by Mrs. DeRosa and seconded by Mrs. Lawless. A roll call vote was requested and recorded as follows:  
AYES: Mr. Blair, Mrs. DeRosa, Mrs. Elias, Dr. Paetzell, Ms. Kaar, Mr. Santoro and Mrs. Lawless.

**10. OTHER BUSINESS** – The Planner of June was discussed and other issues in Madison such as Use Variances, etc. Mr. Santoro stated some of his concerns that he sees either from the Board

members or the public. He discussed the deliberation process and how each Board member affects the other when making their decision. Also each Board member should focus on the facts. Limit personal likes and dislikes. Several other items were discussed.

**11. ADJOURNMENT** – The meeting was adjourned at 10:13 pm by a motion made by Mrs. Kaar and seconded by Mrs. Elias.

Respectfully submitted,

Lorraine Sola  
Recording Secretary