

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Regular (Virtual Zoom) Meeting, January 13, 2022 at 7:41 P.M.,
Hartley Dodge Memorial Building, 50 Kings Road, Madison, New Jersey.

1. CALL TO ORDER BY CHAIRMAN Joseph Santoro

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, 2021, the Board by Resolution adopted a schedule of meetings.

On January 15, 2021 a copy of the schedule of meetings was posted at the bulletin board at the main entrance of the Hartley Dodge Memorial Building, 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*.

Beginning in **April 2020**, in response to public safety considerations and legal authorization, the Board of Adjustment began conducting its monthly meetings on the previously noticed dates remotely using the Zoom platform, and subsequently separate notices have been published each month advising of this change and indicating that the procedures and requirements for monitoring such meetings and for making public comment, along with an explanation of the audio muting function of the electronic communications platform being utilized, is provided with detailed information on “How to Use Zoom and Participate” found on the Rosenet Webpage Communications / Virtual Meetings at [HTTP://www.rosenet.org/1273/Virtual-Meetings](http://www.rosenet.org/1273/Virtual-Meetings).

3. ROLL CALL

PRESENT: Mr. DiIonno, Mrs. Driscoll, Mr. Fitzsimmons, Dr. Paetzell Ms. Salko, Mr. Santoro
and Mr. Foster

EXCUSED: Ms. Kaar and Ms. Tiritilli

ALSO PRESENT: Lisa Bonsall, Substitute ZBA Attorney
Dennis Harrington, Board Engineer
Frances Boardman, Board Secretary

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL – The minutes of the December 9, 2021 Zoning Board meeting.

The above referenced minutes were distributed to all Board members for their review prior to this evening’s meeting. A voice vote of aye was heard from all eligible voting Board members in approval of the minutes.

6. RESOLUTIONS FOR MEMORIALIZATION –

CASE NO. Z 21-017

Resolution granting Preliminary and Final Site Plan Approval with Variances to The Heller Group, Block: 2208, Lot: 27, 306 Main Street as Applicant is seeking Preliminary & Final Site Plan approval, Conditional Use, Bulk Variances and Waivers to permit certain alterations for the adaptive use of the former bank building with Drive-Thru access and reconfiguration of the existing parking lot. This resolution for memorialization will be carried to the next meeting of the Zoning Board to be held on February 10, 2022.

7. SCHEDULING AND PROCEDURAL MATTERS – It was noted at the beginning of the meeting that Mr. John DeLaney . Esq. was in attendance as opposing council for Case No. Z 21-032. Ms. Rosemary Stone-Dougherty was not aware of opposing council’s objection letter that was dated January 6, 2022 on this case matter and after discussing with her clients, she asked that the case be carried to the February 10, 2022 meeting of the Zoning Board of Adjustment.

8. OLD BUSINESS –

CASE NO. Z 21-031

Josh Auzins

Block: 1902, Lot: 13

5 Grove Street

Applicant is seeking permission to construct a Detached 2 Car Garage, Dormer addition to Existing Principal Dwelling, Bilco Doors, Wood Deck, Paved Patio, Paving of Portion of Existing Gravel Driveway, Removal of Portion of Existing Gravel Driveway, Topsoil, Seed and Fertilize Area of Removed Gravel Driveway. Note: Roadway Drop Curb and Portion of Existing Driveway is “Shared” with Adjacent Property located at 3 Grove Street in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Accessory Structure Floor Area, Minimum Property Line to Driveway Setback and Maximum Impervious Lot Coverage. This application was started at the December 9, 2021 but not concluded. Revised plans were submitted for this application.

Previously Sworn in to testify was Mr. Josh Auzins. Sworn in this evening were Mr. Arthur Henn, Architect and Ms. Peggy Liu, Neighbor.

The following exhibits were marked:

Exhibit A – 5: Revised Plans, dated January 4, 2022, prepared by Arthur Henn, consisting of one sheet

Exhibit A - 6: Letter from Ms. Liu in support of the Driveway Setback, this also includes a survey dated 1953 and a survey dated 2015.

Mr. Henn began his testimony on the revised plans set forth before the Board this evening. Mr. Henn shared his screen at this time. He indicated that the size of the proposed garage had increased to 22 x 24 and that the garage had been slid over creating a 3-foot side yard setback. This additional variance will need to be paid to the Board office. Mr. Henn and Mr. Auzins, indicated that no trees would be removed for this project. Mr. Henn confirmed that the garage height is at the maximum permitted height in the zone. He also stated to the Board that the lot size creates a hardship for the applicant.

Several items were discussed that need to be incorporated into the Resolution of approval. The applicant was told that an As- Built Survey/Foundation Location must be provided. The drywell should capture all roof area of the garage. It was suggested that a Trench Drain be installed as an extra measure of precaution Mr. Harrington will work with Mr. Henn regarding the drywell conditions.

Mr. Santoro asked if the Board had any questions for the applicant or Mr. Henn. Mrs. Driscoll asked if the application could be approved this evening without the neighbor at 3 Grove Street’s application for her driveway. After some discussion it was determined that the application before the Board could be approved without the neighboring application.

Ms. Lisa Bonsall, Esq. provided a list of the conditions that will be incorporated into the resolution. Mr. Santoro asked if there was any public that wished to be heard this evening on this matter. Seeing no public, that portion of the hearing was closed. The Board began its deliberation.

A motion to approve with conditions was made by Mr. Foster seconded by Mrs. Driscoll. A roll call was requested and recorded as follows:

AYES: Mrs. Driscoll, Mr. Fitzsimmons, Dr. Paetzell, Ms. Salko, Mr. Santoro, and Mr. Foster

NAYS: None

9. NEW BUSINESS –

CASE NO. Z 21-032

Tamara Feldman & Jeffery Witz

Block: 4802, Lot: 22

2 Winding Way

Applicants are seeking permission to construct a 2nd story Addition, Open Front Porch and an Air Conditioning Unit in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback – Winding Way, Minimum Front Yard Setback – Sinclair Terrace, Minimum Side Yard Setback – Right, Maximum Principal Building Coverage and Maximum Impervious Lot Coverage. At the request of the applicant's Attorney this application will be carried to the February 10, 2022 meeting of the Zoning Board without further notice.

10. OTHER BUSINESS – Shade Tree Management Board Presentation

A power-point presentation was distributed to the Board and its Professionals from Mr. Gene Cracovia, Chairman of the Shade Tree Management Board. Mr. Cracovia shared his screen and began his presentation. The main message that was discussed is that Madison is losing its tree canopy.

Mr. Richard Wolowicz, Borough Arborist provided an analysis of the 2021 tree removal data that was collected.

Challenges for 2022 were discussed at length and Mr. Cracovia, stated that Shade Tree Management looks forward to working together with the Zoning Board to protect and restore Madison's tree canopy.

11. ADJOURNMENT – The meeting was adjourned at 9:30 .pm with a motion made by Mrs. Driscoll and seconded by Mr. Fitzsimmons.

Respectfully submitted,

Frances Boardman
Board Secretary