

**MINUTES**  
**BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT**  
**Regular (Virtual Zoom) Meeting, June 8, 2023 at 7:30 P.M.,**  
Hartley Dodge Memorial Building, 50 Kings Road, Madison, New Jersey.

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**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 12, 2023, the Board by Resolution adopted a schedule of meetings.

On January 17, 2023, 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).

Mr. Gary Hall announced and swore in the following appointments to the Board:

Adrienne Novak, Regular Member, Unexpired Four-Year Term through December 31, 2024  
Matthew Salko, Class IV, Alternate # 1, Unexpired Term through December 31, 2023

**3. ROLL CALL**

**PRESENT:** Mr. Santoro, Ms. Tiritilli, Dr. Paetzell, Ms. Silliman, Mr. Osborne, Mrs. Novak, and Mr. Salko

**EXCUSED:** Mr. DiIunno

**ALSO PRESENT:** Gary Hall, ZBA Attorney  
Dennis Harrington, Board Engineer  
Frances Boardman, Board Secretary

**4. PLEDGE OF ALLEGIANCE**

**5. MINUTES FOR APPROVAL** – The minutes of the May 11, 2023, Regular 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** –

Distributed to all Board members for their review were the following resolutions. A voice vote of “Aye” was heard from all eligible voting Board members in approval of the Resolutions.

**CASE NO. Z 23-005**

Resolution granting variance application to Gregory Bruzzone, Block: 602, Lot: 11, 23 Hoyt Street to Widen Existing Asphalt Driveway in an R-3 (Single Family Residential) Zone requiring relief from Minimum Driveway Setback.

**CASE NO. Z 23-007**

Resolution granting variance application to John & Mary Beth Forte, Block: 3001, Lot: 53, 7 Academy Road to construct a 1 Story Rear Addition with Full Basement, Basement Hatch Door, Storm-Water Management Drywell and Dumpster in an R-3 (Single Family Residential) Zone requiring relief from Minimum Side Yard Setback (Right), Minimum Rear Yard Setback, Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

**CASE NO. Z 23-009**

Resolution granting variance application to Suzanne & Drew Tepper, Block: 307, Lot: 11, 25 Crestwood Drive to construct a 1 Story Rear Addition with Egress Window, Rear 1 Story Roofed and Screened in Porch and Dumpster in an R-3 (Single Family Residential) Zone requiring relief from Maximum Principal Building Coverage.

**CASE NO. Z 23-010**

Resolution granting variance application to Vanessa & Chris Porter Block: 1601, Lot: 4, 38 Central Avenue to Remove Existing Concrete Cart Path Driveway and construct a Brick Paver Driveway in the CBD-2 (Central Business District 2) Zone requiring relief from Maximum Impervious Lot Coverage and Minimum Driveway Property Line Setback.

**7. SCHEDULING AND PROCEDURAL MATTERS –****8. OLD BUSINESS –****CASE NO. Z 22-034**

**Valeriy & Carolyn Elbert**

**Block: 4402, Lot: 27.02**

**5 Shepherd Lane**

Applicants are seeking permission to construct a Rear & Side Yard Masonry Retaining Walls, Removal and Replacement of Existing In-Ground Pool Patio, Patio with Fire Pit, Seat Wall, Hot Tub, BBQ Area, Basement Access Stairs, Front Yard Paver Walkway, Shed with Pool Equipment Pad, Pool Code Compliant Fence, Storm Water Management System with Drywell, Tree Removals, Tree Protection and Soil Erosion and Sediment Control Measures in an R-1 (Single Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage and Steep Slope Disturbance.

This application was started on January 12, 2023, but not concluded. The Board Secretary has reached out to the applicants and their intent is to return to the Board. After a brief discussion it was determined that the applicants would need to refile their application. Ms. Boardman will inform the applicants of the Board decision.

**CASE NO. Z 23-008****Mohamad Seyam****Block: 1601, Lot: 5****36 Central Avenue**

Applicant is seeking permission to remove an Existing Driveway and Rear Yard Patio and construct an In-Ground Pool with Concrete Surround Walkway, Pool Equipment, Concrete Pad around Right and Rear Sides of Existing Detached Garage, Compliant U.C.C. Swimming Pool Barrier Fence and Relocation of Outdoor Kitchen in a CBD-2 (R-4 Single Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage, Minimum Pool Side and Rear Yard Setbacks, and Minimum Driveway Sidewalk Side & Rear Setbacks.

This application was started at the May 11, 2023, Zoning Board meeting. Mr. Seyam remains under oath.

The following Exhibits were marked:

A – 4: 2011 Zoning Table

A – 5: Site Plan prepared by Frederick Meola dated October 4, 2022, last revised May 23, 2023.

Mr. Seyam discussed the changes that were made to the plan. He stated that he has provided two options for the Board to consider. Mr. Seyam shared his screen and discussed both options.

Ms. Silliman said that there are still inconsistencies on the Zoning table as shown and that a new zoning table was not provided for either option.

Mr. Hall asked Mr. Seyam what option he would prefer. Mr. Seyam stated that he would prefer option B, which would provide more patio room for his family but has a slightly higher impervious lot coverage.

A lengthy discussion ensued between the Board members and the applicant regarding this application. Dr. Paetzell asked if an above ground pool was considered at all. Mr. Seyam stated that he would prefer the inground pool.

Mr. Seyam gave his closing statement. The Board made their comments regarding the revised plans before them this evening and continued their discussion.

Mr. Santoro opened the hearing to the public. There were no public questions or comments on the application and that portion of the meeting was closed.

The Board began its deliberation. A motion to approve with conditions outlined by Mr. Hall was made by Mr. Osborne, seconded by Dr. Paetzell. A roll call was requested and recorded as follows:

AYES: Dr. Paetzell, Mr. Santoro, Mrs. Novak, Mr. Osborne

NAYS: Ms. Tiritilli, Ms. Silliman

A five-minute break was taken at 9:42pm. The meeting resumed at 9:49pm with all members present.

**9. NEW BUSINESS –**

**CASE NO. Z 23-011**

**Kyle O'Connor**

**Block: 4309, Lot: 15**

**10 Sunset Place**

Applicant is seeking permission to construct a Concrete Patio and Walkway in an R-3 (Single Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage. Due to insufficient noticing this application will be placed on the July 13, 2023, Zoning Board Agenda.

**CASE NO. Z 23-012**

**Matthew Wolosz**

**Block: 1102, Lot: 23**

**32 Wayne Boulevard**

Applicant is seeking permission to construct a 1 Story Rear Addition and the Reduction of Existing Rear Paver Patio Area in an R-3 (Single Family Residential) Zone requiring relief from Maximum Principal Building Coverage.

The following exhibits were marked:

B - 1: Letter of Denial issued by Danny Buckelew, Deputy Zoning Officer dated March 27, 2023

A - 1: Survey prepared by MPF Land Surveying Inc., dated February 05, 2023, having no revisions.

A - 2: Site & Architectural Plans (3 Sheets) prepared by Robert Coleman, Architect, dated March 24, 2023

A - 3: Color Photos – One Sheet

Mr. Wolosz provided an overview of the proposed application before the Board this evening. He stated that the proposed addition in the rear of the dwelling is very modest. The lot size is non-conforming and the proposed addition is only 164 square feet and would allow for a larger more modern kitchen in the home. Mr. Wolosz also stated that the current rear patio would be removed to accommodate the proposed rear addition and a new patio would be installed.

Mr. Santoro asked the Board if they had any questions, seeing none he opened the meeting to the public. There being no public wishing to be heard that portion of the meeting was closed.

The Board began its deliberation. A motion to approve was made by Ms. Silliman, seconded by Ms. Tiritilli. A roll call was requested and recorded as follows:

AYES: Mrs. Novak, Mr. Osborne, Dr. Paetzell, Mr. Santoro, Ms. Tiritilli, Ms. Silliman, and Mr. Salko

NAYS: None

**10. OTHER BUSINESS – Madison Environmental Commission Presentation**

Mrs. Claire Whitcomb, Chair of the Environmental Commission presented a power point presentation to the Zoning Board. This power point was distributed to all Board members prior to this evening.

A discussion ensued regarding the aquafer recharge which supplies the drinking water for 31 municipalities in Morris, Essex, Somerset, and Union Counties. Mrs. Whitcomb stated that the water levels are receding.

Mr. Harrington stated that he is redrafting changes to the Borough storm-water code and will present them to the Planning Board at a later date. Mrs. Whitcomb stated that she will be doing this presentation to the Planning Board at a later date.

Mrs. Whitcomb was thanked by the Board for this presentation.

**11. ADJOURNMENT** – The meeting was adjourned at 10:30pm with a motion made by Ms. Silliman and seconded by Dr. Paetzell.

Respectfully submitted,

Frances Boardman  
Board Secretary