

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Regular (Virtual Zoom) Meeting, August 12, 2021 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)

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, Ms. Kaar, Dr. Paetzell, Ms. Salko, Mr. Santoro, and Mr. Foster

EXCUSED: Mrs. Driscoll, Mr. Fitzsimmons and Ms. Tiritilli

ALSO PRESENT: Gary Hall, ZBA Attorney
Dennis Harrington, Board Engineer

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL – June 10, 2021 & July 8, 2021

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 with minor corrections as presented this evening.

6. RESOLUTIONS FOR MEMORIALIZATION –

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

CASE NO. Z 20-018

Resolution granting Preliminary and Final Site Plan Approval to Madison Movie Development, LLC, Block: 2702, Lot: 24, 14 Lincoln Place for the Construction of a Multi-Story Mixed-Use Building requiring Use Variance and Bulk

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Variance Approval on property located at 14 Lincoln Place, Block: 2702, Lot: 24 in the Central Business District Zone 1 (CBD-1).

CASE NO. Z 21-004

Resolution granting variance application to Christopher & Stephanie Donato, Block: 4001, Lot: 45, 241 Woodland Road to Re-Align and Expand the Existing Front Paver Driveway and Walkway, construct a Rear 2 Story Enclosed Porch Addition, Rear Blue Stone Patio with Fire Pit around Existing In-Ground Pool, Rear Stepping Stone Walkway and Retaining Wall, (4) Driveway Entrance Light Pillars in an R-1 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

CASE NO. Z 21-014

Resolution granting variance application to Herman & Ann Huber, Block: 3702, Lot: 5 54 Maple Avenue to construct a Rear 1 Story Addition, (1) Relocated Air Conditioning Unit, (1) New Air Conditioning Unit and the Removal of 890 Square Feet of Asphalt Driveway in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

CASE NO. Z 21-016

Resolution granting variance application to Jeffrey Friedel, Block: 1104, Lot: 14, 62 Ridgedale Avenue to construct a Rear 2nd Story Addition, (2) Front Dormers, Removal of and Replacement of Existing Shed, and the Partial Removal of Existing Asphalt Driveway in an R-3 (Single Family Residential) Zone requiring relief from Minimum Front Yard Setback and Minimum Side Yard Setback (Right).

CASE NO. Z 21-018

Resolution granting variance application to Carson Lu, Block: 4702, Lot: 4, 39 Noe Avenue to construct a Rear Paver Patio with Fire Pit, an Expansion of Existing Paved Driveway and Steps from Proposed Paver Patio to Proposed Expanded Driveway in an R-2 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

CASE NO. Z 21-019

Resolution granting variance application to Kevin & Julie Trapp, Block: 4004, Lot: 2, 83 Pomeroy Road to construct an In-Ground Pool with Hot Tub and Pool Equipment, Paver Patio with Seat Walls, Outdoor Gas Grill with Seating, Gas Fire Pit, Stepping Stone Walk Way, Pool Compliant Pool Fence with gates, Drywell, and 2 Areas of Existing Bluestone Walkways to be Removed in an R-2 (Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

7. SCHEDULING AND PROCEDURAL MATTERS – It was announced that the forthcoming application for Starbucks might require a special meeting date.

At the request of the applicant this applicant is being carried without further notice to the September 9, 2021 Zoning Board meeting.

CASE NO. Z 21-022

Paul Brothers

Block: 4315, Lot: 19

12 Douglas Avenue

Applicant is seeking permission to construct a 1 Story Addition with a Drywell in an R-3 (Single-Family Residential) Zone requiring relief from Minimum Rear Yard Setback, Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

8. OLD BUSINESS –

CASE NO. Z 21-020

Doug & Nancy Willis

Block: 2204, Lot: 1

7 Rosedale Avenue

Applicants are seeking permission to construct an Addition to Existing Detached Garage, Paver Path Driveway with Grass Paver In-fill Areas, and the Removal of Existing Shed, Paver Patio, Paver Sidewalk and Grass Paver Parking Area in an R-2 (Single-Family Residential) Zone requiring relief from Maximum Accessory Structure Floor Area, Minimum Accessory Structure Setback Rear to Side Yards and Minimum Driveway/Property Line Setback.

Mr. & Mrs. Willis remain under oath. The following exhibit was marked:

A-3: Architectural Plan for Proposed Addition and Renovation to Existing Garage, consisting on 1 Sheet, dated 2/28/2021, last revised 7/23/2021.

Mr. Willis began by stating that they had taken the comments made at the last meeting and the application was revised to remove a portion of the garage to increase the front setback to 20 feet in order to have sufficient space for vehicles to park in front of the garage without extending into the public sidewalk.

Mr. Santoro asked the Board if they had any further questions on this application, seeing none he opened the meeting to the public. There being no public that wished to be heard that portion of the meeting was closed. The Board began its deliberation. A motion to approved by made by Mr. Foster, seconded by Ms. Kaar. A roll call was requested and recorded as follows:

AYES: Mr. DiIonno, Ms. Kaar, Dr. Paetzell, Mr. Santoro, and Mr. Foster .

NAYS: None

9. NEW BUSINESS –

CASE NO. Z 21-021

Tim & Erin Nastro

Block: 905, Lot: 9

30 Longview Avenue

Applicants are seeking permission to construct a 2nd Story Addition, Covered Terrace and to Reconfigure an Existing Dry Laid Walkway in an R-3 (Single-Family Residential) Zone requiring relief from Minimum Side Yard Setback (Right) and Maximum Principal Building Coverage.

Sworn in to testify this evening was Mr. & Mrs. Nastro and Mr. Nick Bensley. The following exhibits were marked:

- B - 1: Letter of Denial issued by Danny Buckelew dated May 13, 2021
- A – 1: Survey prepared by JY Land Surveying, Inc, dated 12/26/2019.
- A – 2: Architectural Plan prepared by East/West Architecture, LLC dated May 10, 2021
- A – 3: Color Photo Sheet – 6 photos collectively, 1 sheet

Mr. Nastro began his testimony; he stated that the family needs additional living space, the addition would provide a Master Bedroom Suite, as well as providing a protected outdoor living space.

Mr. Bensley began his testimony proposing the construction of a second story addition, which is increasing the Maximum Principal Building Coverage only slightly on an oversized lot. The Minimum Right Side Yard Setback is maintaining the nonconforming existing 7.5 square feet. Storm-water Management was discussed and the applicant agreed to modify the

proposal to address runoff from the rear roof leaders. It was determined that this application would not have any adverse impact on the adjacent properties.

Mr. Santoro asked the Board if they had any further questions on this application, seeing none he opened the meeting to the public. There being no public that wished to be heard that portion of the meeting was closed. The Board began its deliberation. A motion to approved by made by Ms. Kaar, seconded by Ms. Salko. A roll call was requested and recorded as follows:

AYES: Mr. DiIonno, Ms. Kaar, Dr. Paetzell, Ms. Salko, Mr. Santoro, and Mr. Foster

NAYS: None

CASE NO. Z 21-023

Alison & Jake Catchpole

Block: 4103, Lot: 2

4 Harwood Drive

Applicants are seeking permission to construct a 1 Story Addition, Extension of Existing Open Porch with Stairs, Deck with Stairs, Paver Patio with Sidewalk, Removal of Existing Slate Patio, Removal of a Portion of the Existing Driveway, Replacement of Existing Bilco Doors and Relocation or Replacement of Existing Air Conditioning Unit in an R-1 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

Sworn in to testify were Mrs. Catchpole and Cindy Boerner-Lay. The following exhibits were marked:

B-1: Letter of Denial from Danny Buckelew, dated May 19, 2021

A – 1: Survey prepared by Dykstra Walker Design Group, dated April 15, 2021.

A – 2: Architectural Plan prepared by Boerner-Lay Architects, dated March 26, 2021, last revised May 12, 2021

Mrs. Catchpole began her testimony explaining the need for the addition. The Catchpole's are trying to make their forever home, work for their family and bring the home that was built in the 60's up to modern standards.

Ms. Boerner-Lay explained that the lot is nonconforming for the R-2 Zone and that the increase in the proposed building coverage and impervious lot coverage are miniscule. The proposed deck is replacing a larger slate patio. The addition is resulting in the removal of a driveway turnaround area. Storm-water management was discussed and the applicants agreed to install a drywell to capture the runoff from all rear roof leaders. The proposed improvements will not have any negative impacts to the neighboring properties. The additions will enhance the existing home and blend into the character of the neighborhood.

Mr. Santoro asked the Board if they had any further questions on this application, seeing none he opened the meeting to the public. There being no public that wished to be heard that portion of the meeting was closed. The Board began its deliberation. A motion to approved by made by Mr. Foster, seconded by Dr. Paetzell. A roll call was requested and recorded as follows:

AYES: Mr. DiIonno, Ms. Kaar, Dr. Paetzell, Ms. Salko, Mr. Santoro, and Mr. Foster

NAYS: None

A five-minute break was taken at 9:10pm. The meeting resumed at 9:20pm with all members present. At this time Mr. Foster left the meeting at 9:20pm.

CASE NO. Z 21-024**David & Lisa Molinaro****Block: 3901, Lot: 38****263 Kings Road**

Applicants are seeking permission to construct a 1 Story Addition, Covered Patio, Compressor on a Concrete Pad and a Storm Water Management System in an R-3 (Single Family Residential) Zone requiring relief from Maximum Principal Building Coverage, Maximum Impervious Lot Coverage and Minimum Rear Yard Setback.

Sworn in to testify this evening was Mr. & Mrs. Molinaro and Mr. Anthony Addesso. The following exhibits were marked:

B - 1: Letter of Denial issued by Danny Buckelew dated June 1, 2021, Revised June 30, 2021

A - 1: Survey prepared by ABC Surveys, LLC, dated 04/05/2021.

A - 2: Architectural Plan prepared by Paradigm Architecture, dated May 21, 2021

A - 3: Color Photo Sheet - 4 photos collectively, 2 sheets

Mr. Addesso began to describe the application before the Board. He stated that the lot size is only 6,000 square feet creating a hardship for the homeowners. The addition would provide a family room for the Molinaro's with access to a proposed covered raised patio. The design and location of the addition contribute to the rear setback variance. A drywell will be installed, which will capture the roof leaders of the proposed addition. The proposed one story addition will not result in any negative impacts on the neighboring properties.

Mr. Santoro asked the Board if they had any further questions on this application, seeing none he opened the meeting to the public. There being no public that wished to be heard that portion of the meeting was closed. The Board began its deliberation. A motion to approved by made by Dr. Paetzell, seconded by Ms. Kaar A roll call was requested and recorded as follows:

AYES: Mr. DiIonno, Ms. Kaar, Dr. Paetzell, Ms. Salko, and Mr. Santoro

NAYS: None

CASE NO. Z 21-025**Anna Wronka****Block: 1801, Lot: 15****17 Chapel Street**

Applicant is seeking permission to construct a 2 ½ Story Addition, Removal of Portion of Existing Asphalt Driveway and Drywell in an R-4 (Single or Two Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

Sworn in to testify this evening was Mrs. Wronka. The following exhibits were marked:

B - 1: Letter of Denial issued by Danny Buckelew dated June 22, 2021

A - 1: Survey prepared Morgan Engineering, dated March 16, 2017 (Inclusive on Heyrich Architects sheets)

A - 2: Architectural Plan prepared by Heyrich Architects, dated June 14, 2021

Mrs. Wronka began her testimony stating the need for additional space in the home since the addition of two children. The proposed first floor addition will provide a one-car garage and the second floor will provide a Master Bedroom suite and an additional bedroom to the rear of the main residence. Mrs. Wronka stated that the home would be enhanced by this proposed addition. Storm-water management was discussed and a drywell system is proposed. Due to the size of the lot a hardship is created. The proposed improvements will not have any negative effect on the adjacent properties.

Mr. Santoro asked the Board if they had any further questions on this application, seeing none he opened the meeting to the public.

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Mrs. Jenn Klas Palma, 18 Greenwood Avenue, was in support of the application.

Mrs. Hillary Rahman, 27 Greenwood Avenue, Madison was in support of the application.

The Board began its deliberation. A motion to approved by made by Dr. Paetzell, seconded by Ms. Kaar A roll call was requested and recorded as follows:

AYES: Mr. DiIonno, Ms. Kaar, Dr. Paetzell, Ms. Salko, and Mr. Santoro

NAYS: None

10. OTHER BUSINESS –

11. ADJOURNMENT – The meeting was adjourned at 10:10pm with a motion made by Mr. Santoro and seconded by Dr. Paetzell

Respectfully submitted,

Frances Boardman
Board Secretary