

Rider to Application for Modification of Minor Subdivision Approval, Planning Board
Borough of Madison, Morris County, New Jersey Application

Applicant: Meredith Felice and Michael Coviello
Property: 44 Brooklake Road, Madison, New Jersey
Block: 2304 Lot: 15

1. Response to Checklist A – Item 3; Checklist C – Item 2

The Applicant is respectfully requesting a waiver from the submission of architectural plans and elevations, to the extent such plans are required for this application. Architectural plans, elevations, and details were previously submitted and approved by the Board following testimony by the Applicant's architect, Alan Andreas. The Applicant is not proposing any changes to those plans in connection with this application.

2. Response to Checklist A – Item 8

The Applicant is respectfully requesting a waiver from the submission of photographs of the Property, to the extent necessary. Such photographs were previously submitted to the Board in connection with the prior, approved Application. No site work has been performed since the Board's prior approval.

3. Response to Checklist A – Item 15

As noted in the Application, the Board previously approved a two-lot minor subdivision of the Property, with variances, via resolution (the "Resolution") on February 4, 2020 (PB-19-008).¹ A copy of the Resolution is included with this Application. As noted in the Resolution, the Board approved the following variances in connection with that application:

- Minimum Lot Size for both lots: (9,375 s.f. required, 7,500 s.f. approved);
- Minimum Lot Size within 125 of the ROW for both lots: (9,375 s.f. required, 6,250 s.f. approved);
- Minimum Lot Width for both lots; (74 feet required; 50 feet approved);
- Maximum Principal Building Coverage:
 - For Lot 15.01: 15% permitted; 17.7% approved;
 - For Lot 15.02: 15% permitted; 17.85% approved;
- Minimum Side-Yard Set Back:
 - For Lot 15.01: 12 feet required, 9.8 feet approved (interior setback);
 - For Lot 15.02: 12 feet required, 9.8 feet approved (interior setback);
 - For Lot 15.02: 12 feet required; 11.2 feet approved (exterior setback)

The Applicant is not request any new variances, nor any modifications to those variances, in connection with this Application.

¹ As noted in a letter to the Board and the Board's attorney from the Applicant's attorney, the Board's prior approval is subject to the automatic tolling provisions of the Permit Extension Act of 2020.

This Application concerns condition 9 of the Resolution, which states:

“The Applicants are to obtain necessary and required demolition permit and/or any other permits required for the removal of the existing dwelling with related improvements on the property with such dwelling and related improvements to be fully removed from the premises prior to the signing of the subdivision plat and or deeds by the appropriate officers of the Planning Board[.]”

The Applicant is respectfully requesting that this condition be modified or eliminated to permit the Applicant to the construct the new residence on Lot 15.01 without first demolishing the existing residence that is situated on Lot 15.02. The Applicant requests this modification for the following reasons.

In the time that has elapsed since the Board approved the subdivision in February, 2020, the COVID-19 pandemic, and the concomitant economic fallout, occurred throughout the United States and particularly affected the New York-New Jersey area. The Applicant has suffered personal loss of family and has been affected by the pandemic and the economic hardship that swiftly followed during this time. In addition, the Applicant personally resides at the existing dwelling and would have trouble relocating a new residence (or moving in with family) while the existing building is demolished and during the intervening time when resolution compliance, permitting, and construction will occur.

In light of the foregoing, the Applicant is humbly requesting that the Board permit construction of the new residence to occur without the requirement that the existing building be demolished. To illustrate what the contemplated, temporary arrangement will look like, the Applicant’s engineer has prepared a subdivision plan that depicts the proposed residence on Lot 15.01 beside the existing residence on Lot 15.02. As mentioned previously, no new variances or modifications to the previously granted variances are being requested.

4. Response to Checklist C – Items 23 & 35

The Applicant requests that a circulation and traffic impact study be waived. The Applicant previously requested and was granted this waiver.

5. Response to Checklist C – Item 30

The Applicant is respectfully requesting a waiver from the requirement to submit an Environmental Impact Assessment required by Section 195-20(F) of the Borough’s ordinances. The Applicant previously submitted this statement and checklist with the prior Application.