

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Regular Meeting, November 8, 2018 at 7:30 PM
Hartley Dodge Memorial, 50 Kings Road, Madison, New Jersey

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 November 8, 2018 at 7:30 pm in Room #140 of the Hartley Dodge Memorial Building located at Kings Road, Madison, N.J.

Chairman, Joseph Santoro 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 11, 2018, the Board by Resolution adopted a schedule of meetings. On January 12, 2018, 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”.

3. ROLL CALL

PRESENT: Joseph Santoro, Roger Paetzell, Helen Kaar, Toni DeRosa and Timothy Fitzsimmons

ALSO PRESENT: Gary Hall, ZBA Attorney

EXCUSED: Diane Driscoll, Melissa Elias, Mary Sue Salko, and ChrisTomlin

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL - Special Meeting of October 29, 2018

The above minutes were distributed to all Board members prior to this meeting for their review. There were no additions or corrections. A voice vote of aye was heard from all eligible voting Board members in approval of the minutes.

6. RESOLUTIONS FOR MEMORIALIZATION –

The following Resolution was distributed to all Board members prior to this meeting for their review. Page 4 had one correction and another correction was also made. A voice vote of aye was heard from eligible voting Board members in approval of the corrected Resolution.

CASE NO. Z 18-019

ADJ Design and Construction, LLC

Resolution granting variance application to AJD Design & Construction, LLC, Block: 4302, Lot: 11, 5 Lathrop Avenue to construct a 2 Family 2 ½ Story Dwelling, removing (2) Existing Dwelling Units, Detached Garage, Patios, Sidewalks, Ramps, etc. in an R-4 (One or Two- Family Residential) Zone requiring relief from Minimum Lot Width, Minimum Side Yard Setback (Right), Minimum Side Yard Setback (Left) and Maximum Principal Building Coverage.

7. SCHEDULING AND PROCEDURAL MATTERS –

8. OLD BUSINESS –

CASE NO. Z 18-010

Robert & Renee Hauserman

Block: 1004, Lot: 21

130 Greenwood Avenue

Applicants are seeking permission to construct a Detached (2) Car Garage in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Floor Area Accessory Structure, Maximum Height of Accessory Structure and Minimum Side Yard Setback Accessory Structure. **At the request of the applicant this application has been withdrawn.**

CASE NO. Z 18-023

Bill Lee

Block: 5101, Lot: 35

2 Union Avenue

Applicant is seeking permission to construct Front and Rear 2nd Story Additions, “Re-Work/Add to Existing Front Steps and Stoop”, Roof over Front Stoop, “Re-Work/Add to Existing Rear Steps and Stoop”, Removed Existing Rear Patio, Fire Place and Walk in an R-3 (Single-Family Residential) Zone requiring relief from Maximum Number of Stories, Minimum Front Yard Setback (2nd Story), Minimum Front Yard Setback (Stoop Roof), Minimum Side Yard Setback (Left), and Maximum Impervious Lot Coverage. **This application was started at the Special Meeting of the Zoning Board on October 29, 2018 but not concluded. Revised plans must be submitted at least ten days in advance of the December 13, 2018 meeting.**

CASE NO. Z 18-025

Paul Weir

Block: 1109, Lot: 9

42 South Street

Applicant is seeking permission for the conversion of a Single Family Home with Tenant into a Two-Family Home in an R-4 (Single-Family or Two Family Residential) Zone requiring relief from Minimum Lot Width. **This application was started at the Special Meeting of the Zoning Board on October 29, 2018 but not concluded. Interior Floor Plans must be submitted at least ten days in advance of the December 13, 2018 Zoning Board meeting.**

9. NEW BUSINESS –

Case No. Z 14-006

Jayneil Shah

Block: 1203, Lot: 23

7 Elm Street

Applicant is seeking One Year Extension of Approval for Variance Approval granted by Resolution which was adopted on December 11, 2014 to authorize construction of a 2-Family Residence requiring variance of Minimum Front Yard Setback, Minimum Front Yard Setback, Side Yard setback (Left), Side Yard setback (Right), Rear Yard setback, Maximum Building Stories Maximum Principal Building Coverage, Maximum F.A.R., Driveway Setback, Maximum Impervious Lot Coverage and Principal Permitted use of 2-Family in an R-5 Zone. **A Two Year extension has been previously granted; Applicant now requests a further one year extension.**

A discussion took place regarding the applicant having already requested two extensions. The Board granted an additional extension with a roll call as follows:

AYE: Mr. Santoro, Ms. Kaar, Dr. Paetzell, Mrs. DeRosa and Mr. Fitzsimmons

CASE NO. Z 18-026

Katherine & John Hearn

Block: 4001, Lot: 14

59 Pomeroy Road

Applicants are seeking permission to construct a Covered Front Porch, Covered Front Entry, and Expansion of Previously Approved Front Brick Paver Sidewalk in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Front Yard Setback and Maximum Impervious Lot Coverage. **This application was not**

reached at the Special Meeting held on October 29, 2018 and carried to the Regular Meeting of November 8, 2018.

Katie and John Hearn and John Ferrante, Site Engineer, were sworn in and the following exhibits were marked.

- B – 1 Letter of Denial dated 9-17-18 from the Deputy Zoning Officer of the Borough of Madison, Dan Buckelew.
- A – 1 Architectural Plans prepared by Frank J. Rawding
- A – 2 Survey dated 10-25-17
- A – 3 Plans prepared by Mr. Ferrante, rev. 9-17-18, 2 sheets
- A – 4 Copy of the tax map showing the neighborhood

Mrs. Hearn began by explaining that she and her family love living in Madison, she stated that some work was done and in 2015 they had a fire and now they are planning to redo the home adding the front porch and portico. Mr. Ferrante began by stating that the fire allowed the applicant to re-design the home and a side-yard and rear yard setbacks are fully combined. The larger front entrance and portico allows for a front yard setback being required. The actual increase is .8% that is required. He stated most of the homes on the street have front porches and some have porticos.

He believes the upgrade of the front façade will be in keeping with neighboring homes. Mrs. Hearn stated they love the front exposure and can connect with their neighbors with the use of the porch. Mr. Ferrante stated the Hearn would not have any objection to removing the pavers and will reduce the impervious coverage further. Drywells will be installed to also catch the drainage as well. Mr. Ferrante stated that the impervious coverage is diminimus. There being no further testimony from the applicant, the Board began their deliberation.

The public was given the opportunity to ask questions, there being none, Mr. Ferrante gave his summary. 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 Dr. Paetzell. A roll call vote was requested and recorded as follows: AYES: Mr. Santoro, Ms. Kaar, Dr. Paetzell, Mrs. DeRosa and Mr. Fitzsimmons

CASE NO. Z 18-027

Alison & George Karounis

Block: 1102, Lot: 7

4 Wayne Boulevard

Applicants are seeking permission to construct a 1 Story Rear Addition with Steps, Removal of Existing Rear Deck and Concrete Patio below Deck in R-3 (Single-Family Residential) Zone requiring relief from Maximum Principal Building Coverage and Maximum Impervious Lot Coverage.

Mr. and Mrs. Karounis was sworn in and the following exhibits were marked.

- B – 1 Letter of Denial dated 9-26-18 from the Deputy Zoning Officer of the Borough of Madison, Dan Buckelew.
- A – 1 Survey copy prepared by Eric Sylvestro, dated 5-16-18
- A – 2 Set of 5 photos
- B – 2 Resolution dated 5-9-13
- A -4 Architectural Plans dated 9-24-18

Mrs. Karounis began by stating that they want to improve the beauty of their home. Mr. Karounis stated 5 years ago the home was converted into a two story. At this point in time they really would like to re-design the flow of the home and now they can also afford to do so. He stated many of the homes in the area have a kitchen in the rear of the home. He stated his lot is one of the smaller lots in the neighborhood. He believes the improvements will enhancement to the community.

Mr. Karounis went through the plans explaining where the deck is located and also the steps leading to the pergola in the rear. Some walls in the home will be re-located allowing for more space to accommodate family and friends who visit. The patio under the deck will be removed. Board members asked if the applicant has experienced any water problems, and the applicants replied "no". Mrs. DeRosa stated that the area has been inundated with water problems. There being no further testimony, the public was given the opportunity to question the applicant. There being none, the Board began their deliberation.

The consensus of the Board was to approve the application as presented based upon the applicant's lot being undersized. A motion to approve the application as submitted was made by Mr. Fitzsimmons and seconded by Ms. Kaar. A roll call vote was requested and recorded as follows:

AYES: Mr. Santoro, Ms. Kaar, Dr. Paetzell, Mrs. DeRosa and Mr. Fitzsimmons

CASE NO. Z 18-028

Ron Chopoorian

Block: 4903, Lot: 11

26 Dellwood Parkway South

Applicant is seeking permission to construct an In-Ground Pool, In-Ground Spa, Rear Yard Wet-Laid Paver Patio and Walkway, Outdoor Kitchen, Pool Equipment, Storm Water Management System with (7) Yard Inlets and a Drywell in an R-1(Single-Family Residential) Zone requiring relief from Maximum Impervious Lot Coverage.

Ron Chopoorian was sworn in along with Peter Korzen, Engineer and the following exhibits were marked:

- B – 1 Letter of Denial from the Deputy Zoning Officer of the Borough of Madison, Dan Buckelew. dated 9-25-18
- B – 2 Resolution from the Planning Board, dated 12-6-11
- B – 3 ZBA Resolution dated 12-6-14
- B – 4 Document dated 6-12-14
- A – 1 Lot Grading Plan prepared by Korzen Engineering, 3 sheets dated 9-25-18
- A – 3 Harmony Design Group Landscape Architect, dated 9-28-18
- A – 3 Two photos
- A – 4 Rear view of house
- A – 5 Rear view of the yard
- A – 6 Borough Tax Map Sheet 49
- A – 7 Lot Line Adjustment prepared for 12-6-14 Resolution

Mr. Chopoorian began by stating the family plans to live in Madison for a long time. He stated the current coverage was over and he relied on the survey which was incorrect. He gave background stating a pool in the rear yard is a want for his children and he believes the lot in the rear will be improved with the construction of the pool. He stated many people in the neighborhood have pools. He has one of the smallest lots in the Dellwood area. His property includes the pavement of the private road and is included in the impervious coverage. He explained that the most important factor is that he works hard and hee has designed a stormwater system that would be advantageous to the property. A landscape architect has been engaged to beautify the property. Trees will be added to screen the rear from the neighbors and the street.

Mr. Santoro discussed the building coverage with Mr. Chopoorian and stated the amount that he is over and he is presently at 31.5%.

Mr. Korzen began his testimony with the Topographic Survey and described where the home and the patio is located. Total sf of the lot is 28,000 sf and the application is barely over the minimum. He stated the topography slopes east to west. Two evergreen buffers exist. He continued by describing the grading plan with the proposed improvements in the rear yard. A proposed storm drainage system will be installed to capture all waters and conveyed to a drywell located on the property, which is quite large.

Mr. Korzen discussed A-2 the Landscape Plan which contains decorative trees and Leland Cyprus in the rear , on the west side some crab apple trees are being proposed. Mr. Korzen continued by reviewing A – 6 Borough Tax Map. Mr. Korzen also reviewed A – 7 which shows the lot line adjustment. He reviewed the numbers and indicated the disparities. The project will be increased by 2,000 sf. Mr. Santoro stated he would like the Board’s opinion regarding the increase which is substantial. He believes that the impervious coverage can be reduced. Board members agreed with Mr. Santoro and he explained their beliefs to the applicant and Mr. Korzen, ie: reduce impervious coverage, etc. Mr. Fitzsimmons gave his input as to where the impervious coverage can be reduced. The public was given the opportunity to ask questions. There being none, the applicant will return to the next regular scheduled meeting on December 13, 2018 with a revised plan.

CASE NO. Z 18-029

Lisa Wang

Block: 1105, Lot: 4

75 Park Avenue

Applicant is seeking permission to construct a 2 ½ Story Rear Addition, Convert Single Family Use to Two-Family Use. Removal of Existing Detached Garage Structure, Con B – 1, A – 1 concrete Slab to Remain for Parking. A Portion of the Driveway is to be removed and Drywell Installed in an R-4 (Single Family or Two Family Residential) Zone requiring relief from Minimum Lot Width and Maximum Impervious Lot Coverage.

Lisa Wang and Jonathan Babula, Architect were sworn in and the following exhibits were marked as follows:

B – 1 Letter of Denial from the Deputy Zoning Officer of the Borough of Madison, Dan Buckelew. dated 9-26-18

A – 1 Survey copy dated 1-10-18

A – 2 Architectural Plans dated 7-27-18, 4 sheets prepared by Babula Architects

Mr. Babula began by describing the property and what is being proposed in the rear of the property. This home will be converted into a two family home. A detached garage will be torn down to allow for more space. The existing impervious coverage is over and the driveway improvements will reduce it with the work that is being performed. A drywell is proposed in the rear of the property to catch any water from the roof leaders which service the entire home.

Mr. Babula explained Sheet 4 of the Architectural Plans, 1st floor will house one family and the second floor will house another family. There are 4 bedrooms on the 1st floor and 4 bedrooms on the second floor. The sf of each unit is 1500 sf. There is a basement which will be used for storage and there is nothing planned for the attic. A two family duplex allows 5 parking spaces for the two units. There is a fence on the property line which the applicant would like to remove. The garage slab will be left for parking and where the garage existed will be asphalt. Both properties abutting the applicant’s are two family. Mr. Santoro stated he has a number of concerns. He stated the property is exceptionally narrow and the driveway is problematic. The number of 8 bedrooms is too much. He is concerned by the implications that may exist. Ms. Kaar also had several concerns with the proposed application and she listed them. She believes there are 3 landlocked bedrooms in the rear. There is a lack of windows and the plan is not acceptable. Several of the Board members also had issues with the design. Mr. Hall added to obtain a variance there should be a hardship and there is no hardship with this application. The public was given the opportunity to speak and give their opinion as follows:

Donna Dellacalce, 71-73 Park Avenue, stated that the proposed home is long and it has not been well maintained, garbage in the front and she is concerned with the length of the home and the parking

Scott Marinaccio, 77 Park Avenue, addressed concerns of drainage and impervious coverage due to the slope of the proposed property and that it slopes to his property, he believes in keeping the integrity of his property. His major concern is the parking.

Patricia Petro, 73 Park Avenue, is concerned with the overcrowding which exists.

The consensus of the Board is that the applicant return with a revised plan at the December 13, 2018 regular meeting.

CASE NO. Z 18-024

127 Kings, LLC

Block: 3801, Lot: 4

127 Kings Road

Applicant is seeking to construct a New 2 Family Residence in an R-3 (Single-Family Residential) Zone requiring relief from Single-Family Use to a 2 Family Residential Use, Minimum Front Yard Setback, Maximum Principal Building Coverage, Maximum Impervious Lot Coverage, and Minimum Rear Yard Setback. **This application was not reached at the September 13, 2018 meeting and carried without further notice to the October 11, 2018 agenda. At the request of the Applicant's Attorney this application will be carried to the Special Meeting to be held on October 29, 2018. At the request of the Applicant's Attorney this application will be carried to the December 13, 2018 ZBOA meeting.**

10. OTHER BUSINESS –

11. ADJOURNMENT – The meeting was adjourned at 9:42 pm with motions made by Ms. Kaar and Mrs. DeRosa.

Respectfully submitted,

Lorraine Sola
Recording Secretary