

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Regular (Virtual Zoom) Meeting, February 10, 2022 at 7:30 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 13, 2022, the Board by Resolution adopted a schedule of meetings.

On January 14, 2022 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, Mr. Santoro, Ms. Kaar, Ms. Tiritilli, and Mr. Foster

EXCUSED: Ms. Salko

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 January 13, 2022 Re-Organization and Regular Zoning Board meeting. Also the minutes of the Regular Zoning Board November 4, 2021 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. The minutes of November 4, 2021 are carried to the March 10, 2022 agenda

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 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.

CASE NO. Z 21-031

Resolution granting variance application to Josh Auzins, Block: 1902, Lot: 3, 5 Grove Street, 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.

7. SCHEDULING AND PROCEDURAL MATTERS –**8. OLD BUSINESS –****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 March 10, 2022 meeting of the Zoning Board without further notice.

CASE NO. Z 21-033

Cynthia & Damian Pappa

Block: 3401, Lot: 13

1 Woodcliff Drive

Applicants are seeking permission to construct a 2nd Story Addition, 1 Story Addition, Paver Patio, Front Landing Roof and Air Conditioning Unit in an R-3 (Single Family Residential) Zone requiring relief from Minimum Front Yard Setback and Minimum Rear Yard Setback.

Sworn in to testify this evening were Mr. Pappa and Mr. David DellaDonna, Architect. The following exhibits were marked:

B - 1: Letter of Denial issued by Danny Buckelew dated October 29, 2021

A – 1: Survey prepared by Morgan Engineering & Surveying, dated 05/14/2021

A – 2: Site and Architectural Plans prepared by David Della Donna, Architect consisting of two sheets dated and last revised 09/24/2021

A – 3: Color Photos, consisting of Three Pages collectively.

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Mr. Pappa began his testimony; stating that he and his wife have been residents in Madison since 2008. They have established ties with other residents in town, along with a school community of friends from their children.

Mr. Della Donna began his testimony. Sharing his screen, he described the application before the Board stating that this is a corner property with several zoning constraints due to the shape of the property.

Floor plans and elevations were discussed at length. The proposed rooflines were shown and discussed. Mr. Della Donna stated that the proposed addition is achievable and would not cause a detriment to the neighborhood. The current home is a three bedroom Split Level and the addition would include a new master bedroom. He will be adding some Colonial elements but the home would still be a Split Level. The addition of a pad/walkway was discussed with Mr. Della Donna and Mr. Pappa. It was determined this would not increase the impervious lot coverage.

The addition is a vertical expansion with a proposed paver patio. The applicant has not considered a drywell as part of this application. Mr. Pappa asked for more clarification on a drywell system as being discussed. Mr. Harrington offered his comments. The Board feels that the drywell should capture the entire roof leaders. Mr. Pappa and Mr. Della Donna will work with Mr. Harrington regarding this condition of Approval. Mr. Pappa asked if a drywell was a necessity in this case. Mr. Santoro asked the Board their thoughts on the matter, Mrs. Driscoll does not feel that a drywell is necessary however; the other Board members weighed in and feel that a drywell as a condition of the resolution is warranted.

Ms. Kaar asked about the air conditioning unit. Mr. Della Donna stated that the unit would be relocated. He was reminded that the Borough Ordinance requires screening to be done around the unit.

It was determined that a site visit with Mr. Della Donna and Mr. Harrington would be scheduled regarding the determination of the drywell location.

There being no further testimony Mr. Santoro opened the meeting to the public for questions, seeing none that portion of the hearing was closed. The Board began its deliberation. Mr. Hall reiterated the conditions that would be placed in the resolution.

A motion to approve with conditions was made by Ms. Kaar, seconded by Mr. Fitzsimmons A roll call was requested and recorded as follows:

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

NAYS: None

A five-minute break was taken at 8:53pm, with all members returning and present at 9:03pm.

CASE NO. Z 21-034

Robert Bicknese

Block: 4004, Lot: 45

7 Cross Gates Road

Applicant is seeking permission to construct Interior Renovations, (1) 1 Story Rear Addition, New Front Stoop (East Lane), Modify Existing Front Stoop (Cross Gates Road), Modifications to Existing Rear Patio, Temporary Dumpster in an R-2 (Single-Family Residential) Zone requiring relief from Minimum Side Yard Setback and Maximum Principal Building Coverage.

Sworn in to testify this evening was Mr. Bicknese and Tim Klesse from Klesse Forbes Architects. The following exhibits were marked:

B - 1: Letter of Denial issued by Danny Buckelew dated November 19, 2021

A - 1: Survey prepared by Templin Surveying-Engineering of NJ, LLC, dated 11/21/2019

A - 2: Site and Architectural Plans prepared by Klesse Forbes, Architects consisting of four sheets dated 11-16-2021

A - 3: Foundation/Floor Plans and Elevations, prepared by Klesse Forbes Architects

A - 4: Color Photos, 3 Sheets, consisting of four photos total

Mr. Bicknese began his testimony; stating that the proposed addition is very minimal and will square off the rear of the home to create a natural flow to the family area and kitchen.

Mr. Klesse provided his background to the Board; he was accepted as an expert witness. Mr. Klesse shared his screen and began his testimony. He stated that the home is on an oversized lot and only adding a very small corner to the left rear of the home. The addition of 74 square feet to the home will enlarge the first floor. Mr. Klesse discussed the floor plans and the modified portico. He stated that the brick paver patio would remain. Elevations were discussed next. Mr. Klesse stated that the variances being requested are due to the configuration of the house on the lot. He also stated that the proposed addition is in the rear of the property and would not be visible from the street and the site can handle the additional building coverage.

Ms. Kaar reminded Mr. Klesse that the air conditioning unit would need to be screened. Mr. Santoro asked if the Board had any further questions seeing none that portion was closed and the meeting was opened to the public for any questions or comments. Seeing none that portion of the hearing was closed. The Board began their deliberation.

A motion to approve was made by Mrs. Driscoll seconded by Ms. Kaar. A roll call was requested and recorded as follows:

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

NAYS: None

10. OTHER BUSINESS –

Mr. Santoro asked the Board to send their thoughts and concerns about going back to in person meetings directly to Mr. Hall and himself.

Mr. Santoro asked for thoughts and suggestions to the Annual Report. A discussion was take place at the next Zoning Board of Adjustment meeting.

Mr. Santoro discussed the Historic Preservation Design Guidelines and asked that all Board members take the time to read these guidelines.

11. ADJOURNMENT – This meeting was adjourned at 10:00 pm with a motion made by Mrs. Driscoll and seconded by Ms. Kaar.

Respectfully submitted,

Frances Boardman
Board Secretary