

ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting
February 27, 2018

The Livingston Zoning Board of Adjustment met for a Conference Meeting at 7:00 p.m. in the Conference Room with a Regular Meeting to follow in the Court Room of the Livingston Municipal & Police Building located at 357 South Livingston Avenue. Notice of both meetings was published in the West Essex Tribune and posted at the Livingston Municipal Building.

Conference Meeting:

At 7:04 p.m., Chairman Hochberg announced that proper notice had been given and Secretary Tabak-Fass called the Roll:

Present: James Hochberg, Chairman	Absent: Tony Nardone
Lauren Tabak Fass	Ed Bier
Pearl Hwang	Jared Resnick
Michael Vieira	Vineeta Khanna
Kalpesh Kenia	
Alan Ozarow, Board Attorney	
Jackie Coombs-Hollis, Planning Administrator	

Minutes. The minutes of January 23, 2018 were accepted as presented.

Adjournment. The Conference Meeting was adjourned at 7:12 p.m.

Regular Meeting:

At 7:15 p.m., it was announced that proper notice had been given and the Roll was called:

Present: James Hochberg, Chairman	Absent: Ed Bier
Tony Nardone (7:44pm)	Jared Resnick
Lauren Tabak Fass	
Pearl Hwang	
Michael Vieira	
Kalpesh Kenia	
Vineeta Khanna (7:21pm)	
Alan Ozarow, Board Attorney	
Jackie Coombs-Hollis, Planning Administrator	

Variance

Block: 4603; Lot: 5

6 Salem Place

Application No. 2017-81-V

Jason Dworkin

R-4 Zone

Applicant proposes demolition of existing house and construction of a new single family house
Violation of the following sections:

- 170-99C(2) Front Yard Setback – 40’ required, 35.3’ proposed; 4.9’ variance requested
- 170-99C(3) Side Yard Setback – 10’ required, 4.3’ proposed; 5.7’ variance proposed

- 170-99C(3) Side Yard Aggregate – 15’ required; 15.1’ proposed; .1’ variance requested

Due to deficiency in the public notice, the application was adjourned to Tuesday, March 27, 2018. No further notice by the applicant was required.

Variance

Block: 2905; Lot: 26

14 Lee Road

Application No. 2018-2-V

Hui Lu

R-3 Zone

Applicant proposes addition to existing single family house. Violation of the following section:

- 170-98C(2) Front Yard Setback – 50’ required, 32.4’ proposed; 17.6’ variance requested
- 170-98C(3) Side Yard Setback – 10’ required, 4.6’ proposed; 5.4’ variance requested
- 170-87CC(3) Habitable Floor Ratio – 21% allowed, 29.34% requested; 8.34% variance requested

The Applicant and Architect Hayk Ekshian were sworn in to offer testimony. The credentials of Mr. Hayk were accepted by the Board.

Members of the public with questions:

Michael Landsberg – 12 Lee Road

Francine Bunalski – 16 Lee Road

Angelo – 10 Lee Road

After the Board considered the testimony, the Board noted that this was a narrow, shallow, and undersize lot. On a motion made by Mr. Hochberg and second by Mr. Vieira, all members present voted to approve the variances requested subject to a memorializing resolution by the unanimous votes of the members present.

Variance

Block: 2904; Lot: 2

17 Lee Road

Application No. 2018-3-V

John & Susanna Shen

R-3 Zone

Applicant proposes two-story addition to single family house. Violation of the following sections:

- 170-98C(2) Front Yard Setback – 50’ required, 26.4’ proposed; 23.6’ variance requested

The Applicant and Architect Hayk Ekshian were sworn in to offer testimony.

Members of the public with questions:

Michael Landsberg – 12 Lee Road

Francine Bunalski – 16 Lee Road

Mr. Landsberg gave a sworn statement.

The Board recognized that due to the existing non-conformity which existed with the current placement of the house on the property, the variance was necessary. On a motion made by Mr.

Vieira and second by Ms. Tabak-Fass, all members present voted to approve the variance requested subject to a memorializing resolution by the unanimous votes of the members present.

Variance

Block: 7500; Lot: 7

14 Princeton Road

Application No. 2017-76-V

Xiangyang Ha

R-1 Zone

Applicant proposes construction of a deck in violation of the following section:

- 170-96C(3) Rear Yard Setback – 75’ required, 46’.1” proposed; 28’11” variance requested

The applicant was sworn in to offer testimony. During discussion, the Board noted this to be a shallow irregular shaped lot. On a motion made by Mr. Vieira and second by Ms. Tabak-Fass, all members present voted to approve the variance requested subject to a memorializing resolution by the unanimous votes of the members present.

The Board was in recess – 8:03pm – 8:08pm

Variance

Block: 2700; Lot: 3

10 Wardell Road

Application No. 2018-4-V

Cindy Plawner

R-4 Zone

Applicant proposes construction of an attached garage and rear addition Violation of the following section:

- 170-99C(2) Front Yard Setback – 40’ required, 29.8’ proposed; 10.2’ variance requested.
- 170-99C(3) Side Yard Setback (Left) – 10’ required, 4.6’ proposed; 5.4’ variance requested.
- 170-99C(3) Side Yard Setback (Right) – 10’ required, 5’ proposed; 5’ variance requested.
- 170-99C(3) Side Yard Aggregate – 30% required, 19.2% proposed; 10.8% variance requested
- 170-87CC(4) Habitable Floor Ratio – 30% allowed, 46%; 16% variance requested
- 170-3 Garage Size Inside Dimensions – 12’x20’ required, 12’x18.6’ proposed; 0’x1.4’ variance requested

The Applicant’s Architect Tsamticos Petires was qualified and sworn in to offer testimony. He noted a correction of the HFA as the 250 sq ft was not taken.

Members of the public with questions:

Andrew Vittoria – 12 Wardell Rd.

Frank Leck – 19 Wardell Rd

Anastasiya Talstsiankou – 16 Wardell Rd

The Board expressed concerns regarding the side yard setback. They discussed that if the application were approved, the Applicant would need to plant eight trees spaced 6-8ft. The Architect was asked to revisit the design of the house and resubmit plans for the Board’s review. The application was subsequently adjourned to the March 27, 2018 meeting. No further notice by the applicant was required.

The following Resolutions were memorialized:

Chi Fong Hai – Application No. 2017-80-V

Tao Zhang – Application No. 2017-78-V

Adam & Naomi Sutton – Application No. 2017-78-V

With no further business to be discussed, the meeting adjourned at 9:12pm

Respectfully Submitted

Jackie Hollis

Planning Administrator