

**ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting**

April 30, 2019

Conference Meeting Agenda:

At 7:03 PM, Vice Chair Nardone announced that proper notice had been given and Board Secretary Fass called the Roll:

Present: Tony Nardone, Vice Chair
Jared Resnick
Ed Bier
Lauren Tabak-Fass
Pearl Hwang
Vineeta Khanna
Laurie Kahn
Richard Vallario, Board Attorney
Jackie Coombs-Hollis, Planning Administrator
Catherine Maddrey, Planning Assistant

Absent: James Hochberg, Chairman
Kalpesh Kenia

Minutes: The minutes of March 26, 2019 were accepted as presented.

New Business – Oath of Office for New Appointees/Re-Appointments

Laurie Kahn was appointed to Alternate Member No. 2, filling an unexpired term ending December 31, 2019.

Vineeta Khanna was appointed as Member, filling an unexpired term ending December 31, 2020.

Executive Session: The Board went into Executive Session at 7:11 PM and ended at 7:24 PM.

Regular Meeting Agenda

At 7:28 PM., it was announced that proper notice had been given and the Roll was called: The Regular Meeting continued with the same attendees.

The following Resolutions were memorialized:

- 1) Purnima Chakraborty – 41 Brookside Avenue – Application No. 2018-56-V
- 2) Danny & Sarah Birnbaum – 23 Amherst Place – Application No. 2019-8-V
- 3) Craig & Susette Lerman – 5 Langtree Drive – Application No. 2019-9-V
- 4) Susan & Michael Berliner – 21 Morningside Drive – Application No. 2019-14-V
- 5) True Auto Sales – 142 South Livingston Avenue – Application No. 2018-78-NC

Variance (*Adjourned to May 28, 2019*)

Block 6001; Lot 56

17 Tower Road

Application No. 2019-1-V

Weikuang & Chenchi Lien

R-2 Zone

Applicant proposes to construct a new single family home.

Vice Chair Nardone announced that the application for 17 Tower Road was being adjourned to May 28, 2019 and that new notices would be required. Prior hearing date was February 26, 2019.

Variance (*Continued from January 22, 2019*)

Block 4305; Lot 2

87 Irving Avenue

Application No. 2018-65-V

Yong Jiang & Xiaoai Sun

Applicant proposes an addition in violation of the following sections:

170-99C3 Aggregate Side Yard Setback – 30% required; 27.98% proposed; 2.02% variance requested.

170-87CC4 Habitable Floor Ratio – 30% required; 34.28% proposed; 4.28% variance requested.

Yong Jiang (Applicant) and Margaret Petersen (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. Upon motion made by Ms. Hwang and second by Ms. Khanna. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 4505; Lot 52
170 West Northfield Road
Application No. 2019-16-V
Tamarand Properties, LLC

Applicant proposes a second floor addition and entry portico addition in violation of the following sections:
170-99C2 Front Yard Setback – 40’ required; 34.36’ proposed; 5.64’ variance requested.
170-99C3 Side Yard Setback – 10’ required; 6.13’ proposed; 3.87’ variance requested.

The applicant, David Zalayet, Esq. represented himself and Peter Weissman (Co-Applicant). Peter Weissman was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (narrow lot) upon motion made by Mr. Resnick and second by Mr. Bier. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 2200; Lot 37
4 Westminster Drive
Application No. 2019-17-V
George Tabatadze

Applicant seeks approval to keep retaining wall built without required permits and in violation of the following section:
170-72C(5)(c) Wall Setback – Retaining walls shall be set back at a minimum of 5 feet from any property line; new existing wall is 8 inches off the property line; 4 feet and 4 inches variance requested.

George Tabatadze (Applicant) appeared and was sworn in and offered testimony. The applicant agreed to comply with the Building & Zoning Department. No members of the public appeared in support or objection to the application. The application was adjourned to May 28, 2019.

Variance
Block 2503; Lot 19
20 West Lawn Road
Application No. 2019-18-V
Seth Saltzman & Debra Simet

Applicant proposes an addition at rear of the house in violation of the following sections:
170-98C3 Side Yard Setback – 10’ required; 6.3’ proposed; 2.7’ variance requested.
170-98C3 Aggregate Side Yard Setback – 30% required; 25.80% proposed; 4.2% variance requested.
170-87CC3 Habitable Floor Ratio – 21% required; 28.82% proposed; 7.82% variance requested.

Seth Saltzman (Applicant) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. Mr. Bier was recused from this application. The hardships were reconfirmed (narrow and shallow lot) upon motion made by Mr. Resnick and second by Ms. Fass. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 1603; Lot 37
88 Elmwood Drive
Application No. 2019-21-V
Felipe & Isaura Pintinha

Applicant proposes an addition violation of the following sections:
170-99C2 Front Yard Setback – 40’ required; 37.5’ proposed; 2.5’ variance requested.
170-99C3 Side Yard Setback – 10’ required; 6.8’ proposed; 3.2’ variance requested.
170-87BB4 Habitable Floor Area – 3220 sq ft required; 3821 sq ft proposed; 601 sq ft variance requested.
170-87CC4 Habitable Floor Ratio – 30% required; 32.19% proposed; 2.19% variance requested.

Seth Saltzman (Applicant) and Joseph Primiano (Architect) appeared and were sworn in to offer testimony. The hardships were reconfirmed (existing nonconforming) upon motion made by Ms. Khanna and second by Ms. Kahn. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Members of the Public with Questions:
Sima Rosennerg – 90 Elmwood Drive

Variance
Block 4500; Lot 51
5 Woodcrest Drive
Application No. 2019-15-V
Ming Chen & Yanhua Jiang

Applicant proposes an addition and expansion of a one car garage into a two car garage in violation of the following sections:
170-99C2 Front Yard Setback – 40’ required; 35’ proposed; 5’ variance requested.
170-99C3 Side Yard Setback – 10’ required; 7.8’ proposed; 2.2’ variance requested.
170-87BB4 Habitable Floor Area – 3220 sq ft required; 3275 sq ft proposed; 55 sq ft variance requested.
170-87CC4 Habitable Floor Ratio – 30% required; 30.63% proposed; 0.63% variance requested.
170-3 Garage Size – 12’x20’ required; 10’x6” (steps) and 11’x6” x 40’ proposed.

Yanhua Jiang (Applicant) and Margaret Petersen (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (narrow, existing and nonconforming lot) upon motion made by Ms. Fass and second by Ms. Hwang with a condition that the applicant recesses the step into the mudroom in order for the garage to have the full 12 foot width. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 3203; Lot 14
14 Dougal Avenue
Application No. 2019-11-V
Su Ma

Applicant proposes to add a two story rear addition in violation of the following sections:
170-99C2 Front Yard Setback – 50’ required; 22’ proposed; 28’ variance requested.
170-99C3 Side Yard Setback – 10’ required; 4’ proposed; 6’ variance requested.
170-87FF3 Habitable Floor Area – 3520 sq ft required; 3811 sq ft proposed; 291 sq ft variance requested.
170-99CC3 Habitable Floor Ratio – 21% required; 38.11% proposed; 17.11% variance requested.
170-89A1 Non-Conforming Buildings – The total alterations made in any such building shall not exceed 50% of the value of existing structure.
170-87E1B Accessory Structures (Garage) – 10’ required; 2.4’ proposed; 7.6’ variance requested.

Su Ma (Applicant) and Frank Hall (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The Board voted to remove the variance for the accessory structure; motion made by Mr. Resnick and second by Mr. Bier; Ms. Khanna abstained from voting. The applicant agreed to file an amended site plan to correct the zoning table. The hardships were reconfirmed (narrow undersized lot) upon motion made by Ms. Fass and second by Ms. Hwang. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Adjournment

With no further business, the meeting adjourned at 9:53 PM.

Sincerely,



Catherine Maddrey, Planning Assistant