

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

**April 26, 2022**

The Livingston Township Zoning Board of Adjustment met for its Conference, Re-organization and Regular Meeting by means of Zoom Webinar telecommunications at 7:01 PM. Chairman Hochberg announced that proper notice had been given pursuant to the Open Public Meetings Act and guidance provided by the State's Division of Local Government Services. Secretary Bier called the Roll:

Present:	James Hochberg Lauren Tabak-Fass Anthony Nardone Edward Bier Pearl Hwang Laurie Kahn Ketan Bhuptani Richard Vallario, Esq., Board Attorney Jackie Hollis, Planning Administrator Catherine Maddrey, Planning Assistant	Absent:	Jared Resnick
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Communications: Board to review & Annual Report and submit comments.

Minutes: The minutes of March 22, 2022 was accepted as presented.

Old Business:

The Board voted unanimously in favor of memorializing the following Resolutions:

- 54 Collinwood Avenue; Application No. 2021-75-V; Danial Dubinett
- 183 Beaufort Avenue; Application No. 2022-5-V; Anish Kapadia
- 195 Beaufort Avenue; Application No. 2022-6-V; Aniket Deshpande & Swarada Malode
- 33 Marisa Court; Application No. 2022-8-V; Vincent & Lucyanna Rubino
- 12 Morningside Drive; Application No. 2022-7-V; Nimesh Majmudar

New Business –

Variance (*Adjourned to May 24, 2022*)

Block 4203; Lot 14

12 Spalding Drive

Application No. 2022-17-V

Hengfeng Liao & Wenyu Chien

Applicant seeks approval for a garage and first floor addition in violation of the following Sections:

170-99C2 Front Yard Setback – 40' required; 35.73' proposed; 4.27' variance requested.

170-99C3 Right Side Yard Setback – 10' required 4.5' proposed; 5.5' variance requested.

170-99C3 Aggregate Side Yard Setback – 30% required; 29% proposed; 1% variance requested.

The Chairman announced that the application was adjourned to May 24, 2022. The Applicant will cure the deficient notice and publish a notice in the newspaper.

Variance

Block 902; Lot 4

26 North Ridge Road

Application No. 2022-15-V  
Steven & Jeannette Podgorski

Applicant seeks approval for a front porch and sunroom addition in violation of the following Sections:  
170-99C2 Front Yard Setback – 40’ required; 34’ proposed; 6’ variance requested.  
170-99C3 Aggregate Side Yard Setback – 30% required; 23.6% proposed; 6.4% variance requested.

Jeannette Podgroski (Applicant) and Christine Miseo (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 hardship was reconfirmed (irregular shaped lot) upon a motion to approve made by Member Bier and second by Member Kahn. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 3811; Lot 24  
9 Tuscan Road  
Application No. 2021-12-V  
9 Tuscan Road, LLC

Applicant seeks approval for to construct a new single family home in violation of the following Sections:  
170-87L(1)(d) Front/Side Yard Setback – 35’ required; 20.4’ proposed; 14.6’ variance requested.  
170-87CC4 Habitable Floor Ratio – 30% allowed; 35% proposed; 5% variance requested.

Appearing for the Applicant: Dennis Francis, Esq. of Law Offices of Dennis J. Francis, Esq., LLC

Witnesses for the Applicant: Jose Carballo, AIA of Jose Carballo Architectural Group, PC

Members of the Public with Questions/Comments: None

Upon hearing the concerns and comments of the Board regarding the size of the home, the Applicant requested an adjournment to amend the plans without further notice. The Board granted an adjournment to June 28, 2022.

Variance  
Block 4800; Lot 14  
22 Collins Terrace  
Application No. 2022-21-V  
22 Collins, LLC

Applicant seeks approval for a second story addition in violation of the following Section:  
170-99C3 Right Side Yard Setback – 10’ required; 5’ proposed; 5’ variance requested.  
170-87CC4 Habitable Floor Ratio – 30% allowed; 34.9% proposed; 4.9% variance requested.

Appearing for the Applicant: Steven C. Schepis, Esq. of The Law Office of Steven C. Schepis, LLC

Witnesses for the Applicant: Jonathan Babula, AIA of Babula Architecture, LLC

Members of the Public with Questions/Comments: None

Upon hearing testimony, the hardship was reconfirmed (undersized, narrow lot) upon a motion to approve made by Member Nardone and second by Member Fass. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 6001; Lot 55  
21 Tower Road  
Application No. 2022-14-V  
21 Tower LLC

Applicant seeks approval to construct a new 2-story single family home in violation of the following Sections:

170-87CC2 Habitable Floor Ratio – 18% allowed; 22% proposed; 4% variance requested.

Appearing for the Applicant: Matthew Posada, Esq. of Sills Cummis & Gross P.C.

Witnesses for the Applicant: Jose Carballo, AIA of Jose Carballo Architectural Group, PC

Members of the Public with Questions/Comments: None

Upon hearing testimony, the hardship was reconfirmed (undersized, irregular shaped lot) upon a motion to approve made by Member Bhuptani and second by Member Fass. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 1302; Lot 5.01  
17 Congressional Parkway  
Application No. 2022-24-V  
Congress Builders LLC

Applicant seeks approval for a detached garage (in same location as current garage) in violation of the following Sections:

170-87E(1)(d)[4] Right Side Yard Setback – 5' required; 2.77' proposed (existing); 2.23' variance requested.

170-87E(1)(d)[4] Rear Yard Setback – 5' required; 2.57' proposed (existing); 2.43' variance requested.

Appearing for the Applicant: Matthew Posada, Esq. of Sills Cummis & Gross P.C.

Witnesses for the Applicant: Chris Szymczak, AIA of APPEL DESIGN GROUP, PA Architects  
Jeffrey Rosenblum, Applicant

Members of the Public with Questions/Comments: None

Upon hearing testimony, the hardship was reconfirmed (undersized and narrow lot) upon a motion to approve made by Member Kahn and second by Member Bier. The remaining 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 8:36 PM.

Respectfully submitted,

Catherine Maddrey, Planning Assistant