

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

**April 27, 2021**

The Livingston Township Zoning Board of Adjustment met for its Conference and Regular Meeting by means of Zoom Webinar telecommunications at 7:03 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 Fass called the Roll:

Present:	James Hochberg, Chairman Anthony Nardone, Vice Chair Jared Resnick Ed Bier Pearl Hwang Lauren Tabak-Fass Kalpesh Kenia Laurie Kahn Ketan Bhuptani Richard Vallario, Esq., Board Attorney Jackie Hollis, Planning Administrator Catherine Maddrey, Planning Assistant	Absent:	None
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Communications:     None

Minutes:            The minutes of March 23, 2021 was accepted.

Old Business:

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

- a) 13 Marisa Court; Application No. 2021-12-V; Falak & Pooja Pandit
- b) 17 Congressional Parkway; Application No. 2020-55-MSUBV; Craig Naylor; John & Rebecca Tsihlas
- c) 13 Taconic Road; Application No. 2021-7-V; Xuezeng Wu
- d) 13 Dogwood Terrace; Application No. 2021-9-V; Amy & Sean Mahoney

New Business:

Variance  
Block 6601; Lot 9  
8 Stratford Drive  
Application No. 2021-15-V  
Jason Savage & Alexis Sherry

The Applicant seeks approval for a deck in violation of the following Section:  
170-96C4 Rear Yard Setback – 75' required; 69' proposed; 6' variance requested.

Jason Savage & Alexis Sherry, Applicants and Peter Serpico, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. A motion to approve was made by Member Resnick 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.

Variance  
Block 5100; Lot 28  
13 Wychwood Road  
Application No. 2021-14-V  
Adam & Sarah Weinstein

Applicant seeks approval for a second floor addition in violation of the following Section:  
170-87CC3 Habitable Floor Ratio – 21% allowed; 22.8% proposed; 1.8% variance requested.

Adam & Sarah Weinstein, Applicants and John Brower, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. A motion to approve was made by Member Kenia and second by Member Resnick. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 2802; Lot 21  
6 Arlington Drive  
Application No. 2021-13-V  
Yanzhon Niu

Applicant seeks approval for a sun room in violation of the following Sections:  
170-98C3 Aggregate Side Yard Setback – 31.5' required; 21.8' proposed; 9.7' variance requested.  
170-87CC3 Habitable Floor Ratio – 21% allowed; 23% proposed; 2% variance requested.

Yanzhon Niu, Applicant appeared and was sworn in to offer testimony.

Member(s) of the Public with Questions or Statements:

Jake & Janet Elkins – 8 Arlington Drive, Represented by Emily Weiner, Esq.

The Applicant requested to adjourn the application to June 22, 2021 in order to revise plans. No new notices required.

Variance  
Block 3203; Lot 13  
12 Dougal Avenue  
Application No. 2020-43-V  
Kemal Reyhan

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

170-98C3 Right Side Yard Setback – 10' required; 6' proposed; 4' variance requested.  
170-87CC3 Habitable Floor Ratio – 21% allowed; 34.7% proposed; 13.7% variance requested.

Frank Hall, Architect appeared for the Applicant and was sworn in to offer testimony. The Board felt the size of the home was too large for the lot size and requested the Applicant to confirm the height of the proposed home. The Applicant requested to adjourn the application to June 22, 2021 in order to revise plans. No new notices required.

Preliminary & Final Site Plan with Variances (*Amendment*)  
Block 5700; Lot 1  
395 W Northfield Road  
Application No. 2014-86-PFSPV (Amendment)  
Livingston Circle Car Wash, LLC

The Applicant proposes to construct three accessory structures at the northeast corner of the existing car wash and to relocate parking spaces.

Board Attorney Vallario was recused from this Application; Gary Hall, Esq. acted as Board Attorney for this Application.

Township Engineer, Jeannette Harduby and Township Planning Consultant, Barbara Ehlen, AICP, PP, Beacon Planning and Consulting Services, LLC joined the meeting for this Application.

Appearing for the Applicant: Steven Schepis, Esq.

Witnesses for the Applicant: Larry Ritter, Owner  
Paul Ritter, Owner  
Anthony Garrett, Planner of Billow Garrett Group

Members of the Public with Questions or Comments:  
Jude Nedza – 373 W Northfield Avenue  
John & Beth Casola – 11 Penwood Drive

The Board felt the Application is an improvement to the site and that there is no detriment to the public. A motion to approve was made by Chairman Hochberg and second by Vice Chair Nardone. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 7300; Lot 20  
26 Ross Road  
Application No. 2021-21-V

Applicant seeks approval to construct a pool cabana and patio in violation of the following Sections:  
170-87BB1 Habitable Floor Area – 6200 sq ft allowed; 9477 sq ft proposed; 3277 sq ft variance requested.  
170-87CC1 Habitable Floor Ratio – 15% allowed; 25.12% proposed; 10.12% variance requested.

The Applicant was represented by Matthew Posada, Esq. who requested the Application be adjourned to May 25, 2021.

Adjournment

With no further business, the meeting adjourned at 10:40 PM.

Respectfully submitted,

Catherine Maddrey, Planning Assistant