

ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting

July 11, 2023

The Livingston Township Zoning Board of Adjustments met for its Conference, Re-organization and Regular Meeting by means of Zoom Webinar telecommunications at 7:07 PM. Chairwoman Fass 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 Kahn called the Roll.

Present:	Lauren Tabak Fass	Absent:	Anthony Nardone
	Edward Bier		Michael Affrunti
	James Hochberg		
	Pearl Hwang		
	Laurie Kahn		
	Jared Resnick		
	Ketan Bhuptani		
	Richard Vallario, Esq. – Substitute Attorney		
	Jackie Hollis, Planning Administrator		
	Catherine Maddrey, Planning Coordinator		

Communications: Special Meeting Request. Planning Administrator Jackie Hollis informed the Board of the Special Meeting for 50 E. Mount Pleasant Associates, LLC scheduled for August 8, 2023 at 7:00 PM.

Adjournment. It was announced that the application for 68 Irving Avenue was adjourned to the regular meeting scheduled for September 12, 2023. The Board announced that this will be an “In-person” meeting to be held at the Livingston Municipal & Police Building, 357 South Livingston Avenue, Livingston, New Jersey; with no further notices by the Applicant required.

Resignation from Zoning Board. Chair Tabak Fass and members of the Board expressed appreciation to Member Hwang for her years of service to the Board.

Minutes: The minutes of June 27, 2023 were accepted.

Old Business: The memorializing of the following Resolutions were moved to the Special Meeting scheduled for August 8, 2023:

27 West Harrison Place; Application No. 2022-70-V; Denis & Lachin Saparova
35 Lee Road; Application No. 2023-13-V; Property Maintenance Group, LLC
30 Springbrook Road; Application No. 2023-15-V; Evan Jaffe
8 Hawthorne Drive; Application No. 2023-16-V; S2 Homes LLC / Yanchun Song

Continued Hearing (*Continued from 6/27/2023*)

Variance

Block 2905; Lot 28

18 Lee Road

Application No. 2023-12-V

Rodak Builders

Applicant is seeking approval to construct a new single family residence in violation of the following Section:

170-87CC3 Habitable Floor Ratio – 21% allowed; 30.89% proposed; 9.89% variance requested.
(Revised 6/29/2023)

Appearing for Applicant: Adam Faiella, Esq. of Sills Cummis Gross P.C.

Witnesses for Applicant: Hayk Ekshian, Architect of Space & Mark, LLC
John McDonough, P.P. of John McDonough Associates, LLC

Member(s) of the Public with Questions/Comments:

Daniel Suraci – 20 Lee Road

Francine Bunalski – 16 Lee Road

Nicholas Diangelo – 39 Hampton Terrace

After hearing testimony and public comments, a motion to approve the application was made by Member Bier and second by Member Hochberg. Members Resnick and Bhuptani (acting in place of Member Nardone) voted against the motion. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

New Business

Extension of Resolution of Approval

Block 4703; Lot 26

36 Midway Drive

Application No. 2021-76-V

Rebecca & Donald Campbell

Applicant is seeking a one-year extension of the previously approved variance relief and Resolution memorialized on February 24, 2022.

No members of the public appeared to ask questions or give a sworn statement.

Rebecca & Donald Campbell, Applicants appeared and were sworn in to offer testimony. After hearing testimony, a motion to approve the Extension of Resolution with an expiration date of February 24, 2023 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 1306; Lot 24

26 Cobblewood Road

Application No. 2023-24-V

Jared Prince

Applicant seeks approval for a one story rear addition in violation of the following Section:

170-87BB4 Habitable Floor Area – 3220 sf allowed; 3313 sf proposed; 93 sf variance requested.

Jared Prince, Applicant and Matthew Martinique, Architect of Appel Design Group appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was made by Member Kahn 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 3901; Lot 106.15
25 Marisa Court
Application No. 2023-10-V
David Wilner

Applicant seeks approval for an In-ground Pool/Fence in violation of the following Sections:
170-96(A)8(f) Rear Yard Setback – 20’ required; 4’ proposed; 16’ variance requested.
170-96(A)8(f) Right Side Yard Setback – 20’ required; 17.1’ proposed; 2.9’ variance requested.
170-96(A)8(f) Left Side Yard Setback – 20’ required; 16.5’ proposed; 3.5’ variance requested.
170-96(A)8(a) Rear Yard Aggregate – 10% allowed; 11.4% proposed; 1.4% variance requested.

David Wilner, Applicant and Gabriel Ricciardi, Jr., Fact Witness, appeared and were sworn in to offer testimony.

Members of the Public with Comments/Questions:
Majid Navi – 29 Marissa Court
Vijay Koppiseti – 21 Marissa Court
Falak Pandit – 13 Marissa Court
Pratik Patel – 17 Marissa Court

After hearing comments from the Board and the public, the Applicant requested an adjournment to the meeting scheduled for September 12, 2023 to revise plans; no further notices required. The public was informed that the meeting would take place at the Municipal Building (Town Hall).

The Board went into recess from 9:30 PM to 9:42 PM.

Variance
Block 5301; Lot 10
3 Apple Tree Court
Application No. 2023-17-V
Lauren & Matthew Silver

Applicant seeks approval for a second floor addition in violation of the following Section:
170-97C2 Front Yard Setback – 60’ required; 57’ proposed; 3’ variance requested.

Lauren & Matthew Silver, Applicants and Danial Dubinett, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was made by Member Bhuptani (acting in place of Member Nardone) 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 1304; Lot 58
20 Beverly Road
Application No. 2023-22-V
Stefan Tiuca

Applicant seeks approval to construct a new single family residence in violation of the following Sections:
170-99C2 Front Yard Setback – 40’ required; 30’ proposed; 10’ variance requested.
170-87L(1)(d) Corner Lot Setback – 35’ required; 28.4’ proposed; 6.6’ variance requested.

Stefan Tiuca, Applicant and Hayk Ekshian, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was 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.

Members of the public were again reminded that the Board was returning to “In-person” meetings beginning on September 12, 2023, and two earlier applications for 68 Irving Avenue and 25 Marisa Court were adjourned to that meeting date.

Adjournment. With no further business, the meeting adjourned at 10:24 PM.

Respectfully submitted,

Catherine Maddrey, Planning Coordinator