

ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting

July 28, 2020

The Zoning Board of Adjustment met for its Conference and Regular Meeting by means of Zoom Webinar telecommunications and a link to Facebook Live at 7:05 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
Pearl Hwang
Jared Resnick
Kalpesh Kenia
Ed Bier (*Joined meeting at 7:15 PM*)
Vineeta Khanna
Lauren Tabak-Fass
Richard Vallario, Esq., Board Attorney
Jackie Hollis, Planning Administrator
Catherine Maddrey, Planning Assistant

Absent: Tony Nardone, Vice Chair
Laurie Kahn

Minutes: The minutes of June 23, 2020 were accepted as presented.

Communications:

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

- a) TRI Owners Realty, LLC: Elizabeth Durkin, Esq. - The Durkin Firm, LLC / Lisa John-Basta, Esq - Chiesa, Shahiniah & Giantomasi, PC
- b) 7 Downing Place; CW Development, LLC; App No. 2020-12-V
- c) 10 Dogwood Terrace; Sharon Shliechkorn; App No. 2020-16-V
- d) 6 Bear Brook Lane; Lisa Wahler; App No. 2020-17-V
- e) 2 Browning Drive; Ryan & Corey Watson; App No. 2020-19-V

Variance (Continued from June 23, 2020)

Block 3000; Lot 102
16 Bowling Drive
Application No. 2020-18-V
Rajiv Sohal

The Applicant seeks approval to construct an addition in violation of the following Sections:
170-98C2 Front Yard Setback – 50' required; 48' proposed; 2' variance requested.
170-87CC3 Habitable Floor Ratio – 21% allowed; 22% proposed; 1% variance requested.

Rajiv and Ritu Sohal (Applicants) appeared to offer testimony. No members of the public appeared in support of or in objection to the application. The applicants testified that they revised the plans to reduce

the mass of the home to comply with the Board's request. A motion made by Member Fass and second by Member Kenia. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 4403; Lot 2

53 Berkeley Place

Application No. 2020-24-V

Giovanni Rodriguez

The Applicant seeks approval to construct a second addition in violation of the following Sections:

170-99C2 Front Yard Setback – 40' required; 23.4' proposed; 16.6' variance requested.

170-99C3 Side Yard Setback – 10' required; 5.9' proposed; 4.1' variance requested.

170-87CC4 Habitable Floor Ratio – 30% allowed; 53.3% proposed; 23.3% variance requested.

Christine Miseo (Architect), Giovanni and Toni Rodriguez (Applicants) appeared and were sworn in to offer testimony.

Members of the Public with Questions/Comments:

James and Carolyn Forte – 19 Berkeley Terrace

The applicant agreed to revise plans based on the neighbors and Board comments. The application is continued to the August 25, 2020 meeting. No further notices are required.

Variance

Block 6001; Lot 12

39 Baker Road

Application No. 2020-23-V

Cheryl Gilberg

The Applicant seeks approval to construct a rear addition and keep an existing non-conforming garage in violation of the following Sections:

170-97C4 Rear Yard Setback – 60' required; 41.83' proposed; 18.17' variance requested.

170-87CC2 Habitable Floor Ratio – 18% required; 33.8% proposed; 15.8% variance requested

170-87I(2) Minimum Garage Size:

12'x20' or 240 sq ft required; 173 sq ft proposed; 67 sq ft variance requested

No building permit shall hereafter be granted for the conversion of a garage serving a dwelling in a residence district or use as livable floor space.

Thomas Baio (Architect and Cheryl Gilberg (Applicant) appeared to offer testimony. No members of the public appeared in support of or in objection to the application. The rear yard setback variance was corrected to 8.17' (50' required; 41.83' proposed; 8.17' variance requested). A motion was made by Member Resnick and second by Member Bier, with a condition that the Applicant submits to the Planning Dept. copies of the prior plans showing the garage with two doors and must maintain the garage doors. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution. The applicant was required to provide the Planning Department two revised, sealed plans showing the correct Zoning table on Sheet C-1 before memorializing the Resolution.

Variance
Block 6900; Lot 26
184 E Northfield Avenue
Application No. 2019-64-V
Pedro Gomes

The Applicant replaced a portion of an existing fence, without the required permits, violating the following Sections:

170-91B(2) Front Yard Fence:
48” required; 96” proposed; 48” variance requested
Not less than 50% open required; privacy fence installed

Pedro Gomes (Applicant) appeared and was sworn in to offer testimony.

Members of the Public with Questions/Comments:

Margie Rieger – 190 E Northfield Road
Robert Chapman – 192 E Northfield Road

The Board requested the Applicant submit a updated Survey showing the location of the fence. The application is continued to the September 22, 2020 meeting. No further notices are required.

The Board went into Recess at 9:36 PM and resumed at 9:50 PM.

Jeannette Hardbudy, Township Engineer & Donna Holmqvist, Planner, joined the meeting.

Preliminary Final Site Plan & Use Variance (*Continued from May 12, 2020*)

Block 5601; Lot 104
203 Hillside Avenue
Application No. 2016-65-PFSP-UV
JD Fitness Institute, LLC & Properties 143 LLC

Appearing for the Applicant: Steven Azzolini, Esq. of Azzolini & Benedetti, LLC

Witnesses for the Application: Donald R. Fiore, AIA of Heintz & Fiore, LLC
Jack DaSilva, Applicant
Richard Keller, PE, PP & CME of Casey & Keller Inc.

Members of the Public with Questions: Christine Jung – 4 Essex Court
Richard Allen – 3 Essex Court
Gary Weeks – 2 Essex Court

It was agreed that the hearing would be continued to a Special Meeting at 7:00 PM on Thursday, August 13, 2020 with no further notice by the Applicant required.

With no further business, the meeting adjourned at 11:09 PM.

Respectfully submitted,

Catherine Maddrey, Planning Assistant