

MINUTES – ZONING BOARD – March 27, 2023

The Cranford Zoning Board of Adjustment meeting scheduled for Monday, March 27, 2023, at 7:30 p.m. was conducted virtually.

This meeting is in compliance with the “Open Public Meetings Act” as adequate notice of this meeting has been provided to the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

The workshop portion of the meeting was called to order at 7:33 p.m. Ms. Daly, Chair.

ROLL CALL:

Members Present:

Ms. Daly
Mr. Marotta
Mr. Aschenbach
Mr. Cukierski
Mr. Quinn
Mr. Rees

Members Absent:

Mr. Lucas

Alternates Present:

Ms. Oliver

Alternates Absent:

Mr. Giuditta

Also, in attendance: Mark Rothman, Esq., Kathy Lenahan, Board Administrator, Jacque Dirmann, Board Engineer

COMMUNICATIONS:

None

MINUTES:

A motion to adopt the minutes of the February 13, 2022 meeting, was made by Mr. Marotta, seconded by Mr. Aschenbach and passed on unanimous voice vote.

A motion to adopt the minutes of the February 27, 2023 meeting, as amended, was made by Mr. Quinn, seconded by Mr. Rees, and passed on unanimous voice vote.

RESOLUTIONS:

1. Application #ZBA 22-010
Arlene & David Weichert
6 Park Drive
Block: 197 Lot: 3, R-1 Zone

The applicant is requesting c(1) variance relief to allow for the elevation of a house and the construction of additions and a deck. Rear yard setback to house required is 37.4 ft., where 30.7 ft. is existing and 30.24 ft. is proposed, §255-34, Attachment 1, Schedule 1. Rear yard setback to

deck required is 28.4 ft., where 18 ft. is existing and 18 ft. is proposed, §255-34, Attachment 1, Schedule 1. The maximum allowed building coverage is 25%, where 22.7% is existing and 31.5% is proposed §255-34, Attachment 1, Schedule 1. Maximum allowed impervious coverage is 35%, where 38.67% is existing and 38% is proposed §255-34, Attachment 1, Schedule 1. Minimum side yard setback combined is 19.4 ft., where 17.6 ft. is existing and 16.36 ft. is proposed, §255-34, Attachment 1, Schedule 1. The alteration cannot constitute a substantial improvement (50% or more of the structure's market value). The proposed increases the market value greater than 50%, §255-36G(6)(c)(2). Any increase in volume or area shall not exceed an aggregate of more than 25% of volume or area during the life of the structure. Proposed is an increase in volume greater than 25 %, §255-36G(6)(c)(3).

The Resolution of Memorialization was reviewed by the Board. After discussion, a motion to approve the resolution, as amended, was made by Mr. Quinn, seconded by Mr. Cukierski, and passed by roll call vote:

Affirmative: Ms. Daly, Mr. Cukierski, Mr. Quinn, Mr. Rees

Opposed: None

The workshop portion of the meeting concluded at 7:40 p.m.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Ms. Daly on March 27, 2023, at 7:45 p.m. via Google Meet. Ms. Daly announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader and the Star Ledger have been notified and the agenda posted in the municipal building as required.

Ms. Daly explained the protocol, purpose and procedure that will be followed during the hearing.

1. Application # ZBA 23-001
Frank Litterio
322 Manor Avenue
Block: 235 Lot: 14, R-4 Zone

Applicant is requesting "c" variance relief where the maximum story height is 2.5 stories and 3.5 stories is proposed, §255-34, Attachment 1, Schedule 1. Maximum building coverage is 30%, where 34.25% is existing and 34.8% is proposed, §255-34, Attachment 1, Schedule 1. Existing uncovered front steps with nonconforming setback may be replaced but not expanded (current encroachment of 7 ft.) where proposed is to relocate the front steps and encroach 5 ft. into the existing nonconforming front yard setback, §255-35D (3).

Gary Goodman, Esq. appeared. Reviewed the application and the variances requested. Stated the applicant is asking for relief due to the ordinance for a story. The basement from the ground up, is approximately 10 inches above the 3 ½ foot restriction. The basement is considered a story. The front stairs are being reduced from a seven-foot to a five-foot encroachment; but considered a variance since the stairs are being relocated. There is also an overhang that is creating a building coverage variance. Many houses in the neighborhood have been renovated with second floors and this house will fit into the neighborhood.

Mr. Rothman explained the criteria for the c(1) and c(2) variance relief.

Michael Keating appeared and was sworn in. He presented his qualifications to the Board and was accepted as an expert in architecture.

Questions from Mr. Goodman to this witness, ascertained the following:

Presented the plan for the renovations. Reviewed the front stair setback, the maximum building coverage, which is due to a second story overhang, and the building height, which will be within the maximum building height allowed. House will go from 2 ½ to 3 ½ stories and there will be a slight reduction in the impervious coverage. Discussed the elevations and presented pictures of the surrounding neighborhood. The new square footage of the home will be 2429. It currently has 1 bathroom and 3 bedrooms; it will become 2 ½ bathrooms and 4 bedrooms. Proposing standard vinyl siding and an asphalt shingle roof.

Questions from the Board for this witness ascertained the following:

Garage will stay and materials will be same as for the house. Not adding anything else. Basement will be used for storage. Height proposed will be the same as neighboring homes. It will look like 2 ½ stories from the outside. The height of the house will be 31.25. If it was 10 inches closer to grade, it would not count as a story.

Ms. Daly asked if anyone from the Public has questions for this witness, no one appeared.

Frank Litterio appeared and was sworn in. Stated he lives at 420 Manor Avenue. He renovated the house next door about 20 years ago. Also renovated another house on the same block about 10 years ago.

There were no questions from the Board or the Board's professionals for this witness.

Ms. Daly asked if anyone from the Public has questions for this witness, no one appeared.

Ms. Daly asked if anyone from the Public had a comment about this application, no one appeared.

Mr. Goodman summarized the application. Stated the benefit outweighs the detriment to the neighborhood. Stated the professionals might want to rethink the definition of a story. It is a good application and asked for the Board's support.

2. DELIBERATION – APPLICATION # ZBA 23-001
Frank Litterio
322 Manor Avenue
Block: 235 Lot: 14, R-4 Zone

Applicant is requesting "c" variance relief where the maximum story height is 2.5 stories and 3.5 stories is proposed, §255-34, Attachment 1, Schedule 1. Maximum building coverage is 30%, where 34.25% is existing and 34.8% is proposed, §255-34, Attachment 1, Schedule 1. Existing uncovered front steps with nonconforming setback may be replaced but not expanded (current encroachment of 7 ft.) where proposed is to relocate the front steps and encroach 5 ft. into the existing nonconforming front yard setback, §255-35D (3).

Board comments consisted of the following:

New house would fit in well in the neighborhood. Should address the story. A good project. A sensible project with the reduction of the size of front stairs and front sidewalk. Modernizing the structure. Garage will be redone with same finish as the house. Foundations may have been set up higher due to water. Above grade should be revisited at some point. Is still within the height allowed in the zone. Straightforward application.

A motion to approve the application was made by Mr. Marotta, seconded by Mr. Aschenbach and was passed on roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Aschenbach, Mr. Cukierski, Mr. Quinn, Mr. Rees, Ms. Oliver

Opposed: None

3. Application #ZBA 23-002
Jonmichael Caldarone & Erin Snyder
33 Keith Jeffries Avenue
Block 445 Lot: 3, R-4 Zone

Applicant is requesting "c" variance relief where the maximum story height is 2.5 stories and 3.5 stories is proposed 255-34, Attachment 1, Schedule 1.

Jonmichael Caldarone appeared and was sworn in. Stated the basement is above the 2.5 feet allowed in the ordinance. It is only a portion of the home in the back, the front and sides meet the requirement. Not proposing 3.5 stories, the roofline will not be raised and the house will still be within the 32-foot height requirement. Presented a drawing of all sides of the home. The basement is a walk out onto the patio. Will dormer out the top floor. The back of the house has a section 3-foot wide that will also be dormered to get a square shaped room. The slope of roof would be at a shallower angle. There is a faux overhang for aesthetics.

Questions from the Board for this witness ascertained the following:

Would go from left to right to have one structure. The ridgeline would be in the same place and the height is at 32 feet.

There were no questions from the Board's professionals for this witness.

Ms. Daly asked if anyone from the Public has questions for this witness, no one appeared.

Ms. Daly asked if anyone from the Public had a comment about this application, no one appeared

4. DELIBERATION – APPLICATION #ZBA 23-002
Jonmichael Caldarone & Erin Snyder
33 Keith Jeffries Avenue
Block 445 Lot: 3, R-4 Zone

Applicant is requesting "c" variance relief where the maximum story height is 2.5 stories and 3.5 stories is proposed 255-34, Attachment 1, Schedule 1.

Board comments consisted of the following:

A straightforward application. Improvements are beneficial. Improves the look of the home and cleans up the lines. What is existing is not changing much.

A motion to approve the application was made by Mr. Marotta, seconded by Mr. Quinn, and was passed on roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Aschenbach, Mr. Cukierski, Mr. Quinn, Mr. Rees, Ms. Oliver

Opposed: None

PUBLIC PORTION:

Gerry Grillo – 4 Seneca Place appeared. Stated he spoke with the zoning officer about the story variance. Stated that surrounding towns have ordinances that take the average of the four corners. Believes this ordinance should be modify or taken off the books. There is a 32-foot height maximum. Would like to know how to have ordinance abolished or amended.

Ms. Daly stated that any changes to an ordinance, must go through the Township Committee.

Next meeting is scheduled for April 17th at 7:30 p.m.

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 8:37 p.m.

Daniel Aschenbach, Alternate Secretary