

ORIGINAL

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JAN 31 2023

Form 01/Board Application

TOWNSHIP OF CRANFORD - ZONING DEPARTMENT

8 Springfield Avenue - Cranford, NJ 07016

Phone: (908) 709-7216 • Fax: (908) 276-7664

Email: [Zoning@CranfordNJ.org](mailto:Zoning@CranfordNJ.org)

PLANNING & ZONING OFFICE  
TOWNSHIP OF CRANFORD



Form Updated 10-12

The application, with supporting documentation, must be filed with the Planning and Zoning Department of the Township, and will be reviewed by Township professionals prior to scheduling the meeting at which the application is to be considered.

**To Be Completed by Township Staff Only**

Dated Received: 01/31/23

Application No.: ZBA-23-002

**To Be Completed by Applicant**

**1. Subject Property**

Location/Address: 33 Keith Jeffries Ave  
Tax Map: Block: 445, Lot(s): 3  
Block: \_\_\_\_\_, Lot(s): \_\_\_\_\_  
Dimensions: Frontage: 60 ft Depth: 110 ft Total Area: 6,600 ft  
Zoning District: R-4

**2. Applicant Information**

Name: Jonmichael Caldarone  
Address: 33 Keith Jeffries Ave, Cranford NJ 07016  
Phone: 201-563-5167 Email: JCALDARONE@OUTLOOK.COM

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual   
Limited Liability Company \_\_\_\_\_ Other (Specify) \_\_\_\_\_

**3. Disclosure Statement**

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55d-48.2 that disclosure requirement applies to any corporation, limited liability company or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate

stockholders and partners exceeding the 10% ownership criterion have been disclosed. [Attach pages as necessary to fully comply.]

Name(s) Address(es)

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**4. If Owner is other than the Applicant -  
Please provide the following information on the Owner(s):**

Owner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

**5. Property Information:**

Present use of the premises: Primary Residence (Single-family home)  
Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
Yes [attach copies]: \_\_\_\_\_ No:   
Proposed use of the premises: Primary Residence (Single-family home)

**NOTE: All deed restrictions covenants, easements, and association by-laws, existing and proposed, must be submitted for review and must be written in easily understandable English.**

**6. Licensed professionals representing the Applicant before the Board (if any):**

A. Attorney's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

B. Planner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

C. Engineer's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

D. List any other Expert who will submit a report or will testify for the Applicant:  
[Attach Additional sheets as may be necessary.]

Name: \_\_\_\_\_  
Area of Expertise: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**7. Application Type**

A. SUBDIVISION

\_\_\_\_\_ Minor Subdivision Approval  
\_\_\_\_\_ Subdivision Approval [Preliminary]  
\_\_\_\_\_ Subdivision Approval [Final]

B. SITE PLAN

\_\_\_\_\_ Minor Site Plan Approval  
\_\_\_\_\_ Preliminary Site Plan Approval [Phases (if applicable)]  
\_\_\_\_\_ Final Site Plan Approval [Phases (if applicable)]  
\_\_\_\_\_ Amendment or Revision to an Approved Site Plan  
\_\_\_\_\_ Request for waiver from Site Plan review and approval

Reason requesting waiver of site plan approval (use additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. INFORMAL REVIEW: \_\_\_\_\_ Subdivision \_\_\_\_\_ Site Plan

D. CONDITIONAL USE APPROVAL per N.J.S.A. 40:55D-67

E. DIRECT ISSUANCE OF A PERMIT:

\_\_\_\_\_ N.J.S.A. 40:55D-34 (permit building or structure in the bed of a mapped Street or public drainage way, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32)  
\_\_\_\_\_ N.J.S.A. 40:55D-36 (permit building or structure not related to an official suitably improved street pursuant to N.J.S.A. 40:55D-35).

F. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.C

- (C1) "Hardship" Variance
- (C2) "Flexible" Variance (benefits v. detriments)

G. VARIANCES PURSUANT TO N.J.S.A. 40:55D-70.D

- (D1) A use or principal structure in a district restricted against such use or principal structure
- (D2) An expansion of a nonconforming use
- (D3) Deviation from a specification or standard pursuant to Section 54 of P.L. 1975, c.291 (C.40:55D-67) pertaining solely to a conditional use
- (D4) An increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4)
- (D5) An increase in the permitted density as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.
- (D6) A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

H. APPEAL/INTERPRETATION PURSUANT TO N.J.S.A. 40:55D-70, (a) & (b):

- (a) Appeal to Board of Adjustment of Order, Requirement, Decision or Refusal by an administrative officer based on or made in the enforcement of the zoning ordinance.
- (b) Request for Interpretation of the zoning map or ordinance or for Decisions upon other special questions upon which the Board of Adjustment is authorized to pass by any zoning or offered map or ordinance.

8. **Explain in detail** the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [attach additional pages if needed]

Please see attached response

**Response to Item #8 of Form 01/Board Application – Cranford Zoning Department**

***Submitted by Jonmichael Caldarone, 33 Keith Jeffries Ave, Cranford***

We are hoping to get a variance approved for a dormer to what has been deemed an existing non-conforming third story per Section 255-34-Schedule 1 of the Cranford Land Development Ordinance.

The issue is that the grade of the land along the back side of the house is lower than it is at the front and both sides of the house. The lower grade in the back means our basement is deemed by the Ordinance as our first story, and therefore our existing top story is technically a non-conforming third story. The Ordinance limits the height at 2.5 stories. For the sake of clarity, looking at the house from the outside from the front or from either side, it *visually* meets the 2.5 story requirement. It is only at the back of the house where there is the appearance of a third story due to the basement height above grade.

The house, also, when measured from the back at the point of lowest grade, is well within the 32ft height requirement outlined by the Ordinance and our proposed renovation will not increase the height of the highest point of the structure (i.e. tip of the roof).

I would also like to note that a majority of the rear span of the house is already dormered leaving only a small <3ft span to be dormered in the rear under our plans. The vast majority of the dormer work is planned for the front of the house.

The premises currently is in use as our primary residence in the form of a single-family home and the proposed use is for the same.

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9. Is a public water line available? Yes
10. Is public sanitary sewer available? Yes
11. Does the application propose a well and septic system? No
12. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A
13. Are any off-tract improvements required or proposed? N/A
14. Is the subdivision to be filed by Deed or Plat? \_\_\_\_\_
15. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

16. Other approvals which may be required and date plans submitted:  
Yes \_\_\_\_\_ No  Date Plans Submitted \_\_\_\_\_

- \_\_\_\_\_ Any Utilities Authority
- \_\_\_\_\_ County Health Department
- \_\_\_\_\_ County Planning Board
- \_\_\_\_\_ County Soil Conservation District
- \_\_\_\_\_ NJ Dept. of Environmental Protection
- \_\_\_\_\_ Sewer Extension Permit
- \_\_\_\_\_ Sanitary Sewer Connection Permit
- \_\_\_\_\_ Stream Encroachment Permit
- \_\_\_\_\_ Waterfront Development Permit
- \_\_\_\_\_ Wetlands Permit
- \_\_\_\_\_ NJ Department of Transportation
- \_\_\_\_\_ Public Service Electric & Gas Company
- \_\_\_\_\_ Other \_\_\_\_\_

**17. List of maps, reports and other materials accompanying the application (attach additional pages as required for complete listing.)**

Quantity	Description of Item
1	Original sealed property survey
3	Copies of property survey
4	Architectural plan drawings

**18. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals.**

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

**Reports Requested:**

**Send reports to:**

\_\_\_\_\_

Name/Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name/Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name/Address \_\_\_\_\_

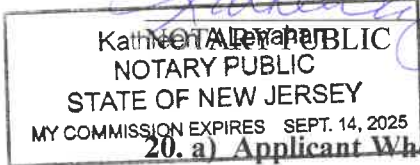
\_\_\_\_\_

# Certifications

Complete #19 *or* #20 a and b as indicated:

**19. Applicant is Property Owner:** I certify that I am the Owner of the property which is the subject of this application, for which I am also the Applicant, and that the foregoing statements and the materials submitted are true. As such, I further certify that I am authorized to sign this application, and that I agree to be bound by the application and the decision. [If the Owner who is also the Applicant is a corporation this must be signed by an authorized corporate officer. If the Owner who is also the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
27 day of January, 2023

  
Kathleen A. Pappalardo  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES SEPT. 14, 2025

  
SIGNATURE OF APPLICANT and OWNER

**20. a) Applicant Who is Not the Property Owner:** I certify that the foregoing statements and materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF APPLICANT

**b) Owner Who is Not the Applicant:** I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the Applicant. [If the Owner is a corporation this must be signed by an authorized corporate officer. If the Owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
SIGNATURE OF OWNER



# Checklist Certification

**21. To be completed by the applicant:** I certify that all of the required checklist items and any waiver requests (which includes a listing of each waiver requested and a statement of arguments in support of granting each waiver requested) have been provided as part of this application. I understand that a determination of completeness is not a determination of approval and that the Board of jurisdiction has the right to request additional information. [If the Applicant is a corporation this must be signed by an authorized corporate officer. If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this  
27 day of January, 2023

*[Signature]*  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

NOTARY PUBLIC  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES SEPT. 14, 2025

# Escrow Certification

**21. Escrow Certification** I (please print name) Jonmichael Caldarone  
understand that I have provided the non-refundable sum of \$ 3,000.00 to be deposited in a Township of Cranford escrow account. In accordance with the Ordinances of the Township of Cranford, I further understand that the escrow account is established to cover the cost of professional services including but not limited to engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned upon my written request to the Zoning Department for same. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen, (15) days.

*[Signature]*  
\_\_\_\_\_  
SIGNATURE OF APPLICANT

1/27/23  
\_\_\_\_\_  
DATE

TAX STATEMENT

22. Applicant is to complete and sign form, and bring it to the Cranford Township Tax Collector for signature. If you would like the signed form returned to you by mail, please provide a self-addressed, stamped envelope for same. One copy of the signed Tax Statement should be included in each of the eighteen completed sets of Form 01.

I, Jonmichael Caldarone of 33 Keith Jeffries Ave, Cranford, NJ 07016  
Name Address

am submitting an application to the

PLANNING BOARD  ZONING BOARD OF ADJUSTMENT

for the development of Block 445 Lot 3 in Zone R-4

located at 33 Keith Jeffries Ave, Cranford, NJ 07016.  
Address

The owner of record is Jonmichael Caldarone of 33 Keith Jeffries Ave.  
Name Address

I acquired interest in this property on June 1, 2012 and request the Tax  
Date

Collector to determine whether or not there are any delinquent taxes or other assessments due.

Jonmichael Caldarone  
Applicant's Signature

1/27/23  
Date

TO BE COMPLETED BY TAX COLLECTOR

- All taxes due have been paid.
- All assessments due have been paid.
- The following are delinquent and past due:  
*I verify that this information accurately reflects municipal tax records.*



[Signature]  
Tax Collector  
Cranford Township  
Union County



01/27/2023  
Date

# Form 04/Appeal for Relief from Zoning Requirements

**NOTE: For "C" Variances and Design Waivers Only**

**TOWNSHIP OF CRANFORD - ZONING DEPARTMENT**

8 Springfield Avenue - Cranford, NJ 07016

Phone: (908) 709-7216 • Fax: (908) 276-7664



Form Updated 8-12

## To be completed by Township Staff Only

Application No.: ZBA-23-002 Date received: 01/31/23

Appeal is hereby made by the applicant pursuant to N.J.S.A. 40:55D-70(c) of the New Jersey Municipal Land Use Law, for permission to vary from the requirements set forth in the Land Development Code of the Township of Cranford as follows:

### 1. Applicant information

Name: Jon Michael Caldarone

Address: 33 Keith Jeffries Ave

Phone: 201-563-5167 Email: JCALDARONE@OUTLOOK.COM

### 2. Appeal information

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Relief Requested
255-34 - Schedule 1	Maximum story height allowed is 2.5	Allow attraction to existing non conformity in the form of a dormer

**3. Please list all pre-existing non conforming conditions**

Section(s) of Land Development Code	Requirement(s) set forth in the Land Development Code	Existing Conditions
255-34 Schedule 1 Pertaining to story height	Maximum story height allowed is 2.5 stories.	The existing top story is deemed non-conforming due to ground area along part of the back side of the house. Code deems basement to be a full story, making existing top story above the 2.5 story limit.

**4. Arguments submitted in support of the requested relief.**

On a separate sheet of paper, for each variance requested, explain fully how the physical characteristics of the property in question prevents compliance with the strict application of the code requirements creating an undue hardship for the applicant.

**5. Public Hearing Notification Information**

Notice shall be given by the applicant at least ten (10) days prior to the date of the hearing to the following parties where applicable. Notice shall be by personal service or certified mail. An affidavit of proof of service demonstrating compliance with this requirement shall be filed with the Board Administrator in the Planning and Zoning Department at least four (4) business days prior to the date of the hearing.

**Please circle responses:**

1. Is the subject property located within two hundred feet (200') of any municipal boundary?

YES  NO If yes, Municipal Clerk of adjacent municipality and County Planning Board shall be notified of hearing by applicant. (Note 1)

2. Is the subject property adjacent to an existing or proposed county road or adjoining other County Land?

YES  NO If yes, County Planning Board shall be notified of hearing by applicant. (Note 1).

3. Is the subject property adjacent to a State highway?

YES  NO If yes, applicant shall notify the Commissioner of Transportation of the hearing. (Note 2).

4. Is the subject property greater than one hundred fifty (150) acres or involve more than 500 dwelling units?

YES  NO If yes, applicant shall notify the Director of New Jersey State Planning Commission of the hearing. Notice shall include a copy of any maps or documents required to be on file with the Municipal Clerk. (Note 3).

THE APPLICANT SHALL NOTIFY ALL OWNERS OF PROPERTY LOCATED WITHIN TWO HUNDRED FEET (200') IN ALL DIRECTIONS OF THE PROPERTY IN QUESTION AND OTHERS AS REQUIRED.

#### **6. Disclosure Information**

Is applicant and/or owner a corporation, Limited Liability Company or partnership and does the application involve variances to construct a multiple dwelling of twenty-five (25) or more family units or approval of a site to be used for commercial purposes?

YES  NO If yes, submit disclosure of all stockholders holding ten percent (10%) or greater interest in the partnership pursuant to N.J.S.A. 40:55D-48.1 et.seq. (see Form 01)

#### **NOTES:**

“1” Union County Planning Board  
Attn: Union County Department of Engineering and Planning  
Union County Administration Building, Elizabethtown Plaza  
Elizabeth, New Jersey 07207

“2” New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625

“3” New Jersey Business Action Center  
Office for Planning Advocacy  
State Planning Commission  
Department of State  
P.O. Box 820  
Trenton, New Jersey 08625-0820

**Response to Item #4 of Form 04/Appeal for Relief from Zoning Requirements – Cranford  
Zoning Department**

***Submitted by Jonmichael Caldarone, 33 Keith Jeffries Ave, Cranford***

Along the back side of our house, there is a paver patio that is at a lower grade than all the other land surrounding our house. When measured from the pavers up, the house is 3 stories tall (provided Ordinance definition of what constitutes a basement to count as a story). However, when measure from the front and sides of the house, the structure is within the 2.5 story limit outlined in the Section 255-34-Section 1 of the Cranford Land Development Ordinance.

Our current structure and our proposed plans both meet the 32ft height requirement set out in the Ordinance. It is only the 2.5 story requirement that our home is currently not conforming to and would continue to be not conforming to should our renovations be completed.

We are hoping to dormer the portions of our top story that are currently not already dormered. These sections are mostly along the front of the house and a small <3ft wide span at the rear of the house. The height of the structure measured from the ground to the tip of the roof will not be changed.

Our house is currently not and would continue to not be the tallest house on our street.

It is my belief that absent of the way the Ordinance is written, our house would be judged for all intents and purposes as a two-story home with a half-submerged basement rather than a three story home.

The current sloped ceilings on our top floor create two main issues that we are hoping to solve for:

- (1) A safety concern as my wife, myself, and several guests have hit their heads on the sloped ceilings numerous times over the years.
- (2) A lot of our usable space is limited by the sloped ceilings and we hoping to simply take what are currently awkwardly shaped rooms and make them into better utilizable spaces.

**Hold Harmless And Indemnification Agreement**

FORM 15/Updated 4/09

This agreement made this 27 day of January, 2023, witnesses:

WHEREAS, Jonmichael Caldarone, Applicant, has submitted an application to the Zoning (Board) of the Township of Cranford with said application designated as Application No. \_\_\_\_\_; and

WHEREAS, it may be necessary for the members of the Zoning (Board) to inspect and walk the subject property known as 33 Keith Jeffrey Ave Block 455, Lot 3; and

WHEREAS, the Zoning (Board) deems it advisable and fiscally prudent to obtain permission from the individual applicants for the members inspection of said property and to preclude claims for alleged damage in connection with the inspection;

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the mutual promises and covenants made by and between the parties, and is hereby agreed as follows:

I, Jonmichael Caldarone, Applicant, shall indemnify and hold harmless the Zoning (Board) with regard to claims for damages associated with the inspection and shall preclude claims for alleged damage in connection with the inspection and give my permission for members of said Board to walk the property listed above.



Signature of Applicant

Sworn and subscribed to before me this 27 day of January, 2023



Notary Public of the State of New Jersey  
My Commission Expires on \_\_\_\_\_

Kathleen A Lenahan  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES SEPT. 14, 2025