

## **MINUTES - ZONING BOARD**

October 19, 2015

The workshop portion of the meeting was called to order at 8:10 P.M. by Mr. Marotta

### **RESOLUTIONS OF MEMORIALIZATION:**

Adoption of the Resolutions was carried to the meeting of October 26, 2015.

### **COMMUNICATIONS:**

1. None

### **MINUTES:**

Minutes of September 21 2015 were carried to next meeting.

### **OLD/NEW BUSINESS:**

The workshop portion of the meeting concluded at 8:14 P.M.

### **PUBLIC MEETING:**

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on October 19, 2015 at 8:15 P.M. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Mr. Bovasso announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader or Star Ledger has been notified and the agenda posted in the municipal building as required.

### **ROLL CALL:**

#### **Members Present:**

Mr Marotta  
Mr. Bovasso  
Mr. Illing  
Mr. Mallon  
Mr. Pistol

#### **Members Absent:**

Ms. Hay  
Mr. Higgins

#### **Alternates Present:**

None

**Alternates Absent:**  
Mr. Salomon

**Also present:** David Weeks, Esquire and Ruthanne Della Serra, Administrator.

Mr. Marotta explained the protocol, purpose and procedure that will be followed during the hearing.

1. **Application #ZBA-15-021:**  
**James McSherry, Applicant**  
**111 Herning Avenue, Block 206, Lot 13, R-4 Zone**  
**Site plan approval to permit replacement of an existing garage with the following variances: less than the required minimum distance from the side lot line for an accessory structure (§136-34A(2) and to exceed the maximum allowable lot coverage (§136-30, Schedule 1, Attachment 1)**

James McSherry, Applicant, appeared and was sworn in. He explained they are seeking to replace an existing 10 X 20 garage on the same footprint, possibly a foot larger. All information is contained in the application package. Existing garage is 70 years old, foundation cracked and is rotted. Reason before the Board is the location of the garage as exists is too close to property line at 2.2 feet and the ordinance requires 5 feet which would result in it being located in the center of yard. At present, the garage is a safety hazard and an eye sore for neighborhood.

Questions posed by the Board ascertained the following:

Proposing a pre-fab garage that keeps within the character of the neighborhood. Mr. Weeks requested clarification as applicant's testimony stated new garage is 10 X 20, however plans by Shed Unlimited states a 12 X 24 garage. Applicant agree to whatever size the Board would approve, but everything submitted is based on 12 X 24 foot due to ordinance requirements regarding area and space. Applicant was concerned if submission was for the 10 X 20 version, the area would not meet the ordinance requirements resulting in another variance. New garage will be pre-assembled and put on slab, materials will match house and will be used for parking and equipment storage. Pre-fab plans do not have gutters, will install, if required, but existing garage does not have gutters at present.

Member indicated the application was submitted for a 10 X 20 garage and engineering based their calculations based on that size, need to determine whether the application needs to be resubmitted to professionals if requesting 12 X 24. Applicant stated would prefer the 10 X 20 garage. Discussion on same. Mr. Weeks confirmed 10 X 20 is the minimum allowable garage size and will meet area requirements. Applicant will speak with the company to ensure the correct size is ordered.

Mr. Weeks confirmed applicant will obtain updated plans for the 10 X 20 garage and confirmed the company does in fact make a 10 X 20 pre-fab. After further Board review, it was confirmed the application submitted is based on a 10 X 20 garage as well as the photos included. No professional report indicated a larger garage with further variance relief.

There were no further questions posed by the Board.

Mr. Marotta opened the application to the public for questions of the witness with no one appearing and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Marotta opened the application to the public for comments with no one appearing and this portion of the hearing was closed with the matter referred back to the Board.

DELIBERATION of APPLICATION #ZBA-15-021

**Application #ZBA-15-021:**

**James McSherry, Applicant**

**111 Herning Avenue, Block 206, Lot 13, R-4 Zone**

**Site plan approval to permit replacement of an existing garage with a 10 X 10 garage the following variances: less than the required minimum distance from the side lot line for an accessory structure (§136-34A(2) and to exceed the maximum allowable lot coverage (§136-30, Schedule 1, nd**

Mr. Marotta reviewed the testimony.

Board comments consisted of the following:

No issue with replacement of the pre-existing garage, rather concerned that no gutters are provided, which could impact neighboring property. Engineering did not comment on the gutters, and small roof surface would result in more of an impact if gutters were included that needed to be run to street. Engineering did in fact comment and read into the record. Replacing a 70-year old deteriorated garage, improving the site, as well as safety issues, located on the same footprint and size as existing. Good to see homeowners investing in their properties.

Motion to approve Application # ZBA-15-021 was made by Mr. Illing with the condition that the garage will be a maximum of 10 X 20. The motion was seconded by Mr. Bovasso with the following voting in favor of the motion: Mr Marotta, Mr. Bovasso, Mr. Illing, Mr. Mallon and Mr. Pistol.

**PUBLIC PORTION:**

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**None**

**CONCLUSION:**

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 8:35 P.M.

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Mary Ann Hay, Secretary