

MINUTES - ZONING BOARD

March 20, 2017

The workshop portion of the meeting was called to order at 8:06 P.M. by Mr. Illing, Chairman.

ROLL CALL:

Members Present:

Mr. Illing
Mr. Pistol
Mr. Bovasso
Ms. Drake
Ms. Hay

Members Absent:

Mr. Marotta
Mr. Higgins

Alternates Present:

Mr. Trelease

Alternates Absent:

Ms. Dehnhard

Also in attendance: Ruthanne Della Serra and Nicholas Giuditta, Esquire.

COMMUNICATIONS:

None

RESOLUTIONS OF MEMORIALIZATION

APPLICATION NO. ZBA-16-020

Steven Piskadlo, Applicant

443 Manor Avenue, Block 244, Lot 19

Applicant obtained approval to construct a rear yard patio. Impervious coverage requirement for the R-3 zone is 38% whereas the applicant proposed 43%.

The Resolution of Memorialization (attached and made part of these minutes) as amended was reviewed by the Board. After discussion, a motion to approve the resolution was made by Ms. Hay, seconded by Ms. Drake and passed with the following voting in favor of the motion: Robert Bovasso, Mary Ann Hay, Jeffrey Pistol, Kevin Illing, Victoria Drake and Brian Trelease.

APPLICATION NO. ZBA-16-022:

Roseli Serna, Applicant

511 Gallows Hill Road, Block 143, Lot 17

Applicant obtained approval to construct a rear deck. The proposed deck will be 10 feet from the property line whereas 20ft minimum is required.

The Resolution of Memorialization (attached and made part of these minutes) as amended was reviewed by the Board. After discussion, a motion to approve the resolution was made by Mr. Bovasso, seconded by Mr. Pistol and passed with the following voting in favor of the motion: Robert Bovasso, Jeffrey Pistol, Kevin Illing, Victoria Drake and Brian Trelease

APPLICATION NO. ZBA-16-024:

William & Nora Babos, Applicant

127 Oak Lane, Block 238, Lot 23

Applicant obtained approval for a front covered porch. In the R4 Zone a roof with unenclosed sides over an entrance platform of a dwelling may not exceed the total area of exceed 25 square feet. The proposed roof over the porch is 44.1 square feet.

The Resolution of Memorialization (attached and made part of these minutes) as amended was reviewed by the Board. After discussion, a motion to approve the resolution was made by Mr. Pistol, seconded by Mr. Bovasso and passed with the following voting in favor of the motion: Robert Bovasso, Victoria Drake, Brian Trelease, Kevin Illing, Jeffrey Pistol and Mary Ann Hay

MINUTES:

Outstanding minutes were carried.

OLD/NEW BUSINESS

None

The workshop portion of the meeting concluded at 8:10 P.M.

PUBLIC MEETING:

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Illing on March 20, 2017 at 8:19 P.M. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Mr. Pistol 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.

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

1. **Application #ZBA 16-013:
Richard Barry, Applicant
210 Maple Place, Block: 268 Lot: 12 Zone: R-3 Zone
Applicant is proposing to construct a new detached two-car garage with the following variances: less than the minimum allowable side and rear yard setbacks §136-34(A)2 and less than the minimum required distance from a principal structure §136-34(A)7.**

Richard Barry, Applicant appeared and was sworn in. He explained Purchased property in November 2015, married in August 2016. When purchased the property, knew the existing garage structure was essentially falling down, in disrepair and completely deteriorated. Request is for a 1 ½ car garage of a more modern style and to relocate the garage on the right side of the house where more area permits. Trying to bring lot into its former glory.

Questions posed by the Board ascertained the following:
Proposal will not fit in the original garage location. Met with the DRC, who indicated fire rating construction materials would be required and is part of plans.

There were no further questions posed by the Board.

Mr. Illing 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.

Arthur Henn, Architect, appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert witness in the field of architecture. He explained the existing lot is undersized with 8,000 square feet required and existing is 7,305 square feet. Analysis of lots on block - 8 of 12 have a lot depth of 150 feet, while applicants lot is at 101 feet in depth, if had the lot size would not be here. Main dwelling structure would conform to bulk requirements, if it was moved, but cannot move the house. Would be considered a hardship due to lot size. Can present numbers, but will still be nonconforming with impervious pavers to be used resulting in a 3% reduction in impervious surface coverage, as exists is 24 square feet over maximum allowable and therefore non-conforming. Garage will now be useful and doubles available space to park car and for storage. Increasing the distance between structure and garage versus

existing. Proposed garage offers some privacy for neighbors, no negative impact on neighbor to rear as garage.

Questions posed by the Board ascertained the following:

Proposed garage is being relocated to right side of property as well as driveway with pervious material used. Existing garage is non-conforming as 1 foot off property line, proposal provides 2 feet. Existing garage is 7.5 feet from existing structure, proposing 8 feet and 11.9 feet from actual structure – main body of the house. Landscaping and grass will be put into the area once the existing garage is removed. Width of existing driveway is 9.5 feet and new will be approximately the same.

There were no further questions posed by the Board.

Mr. Illing opened the application to the public for questions of the witness with the following appearing:

Julie Fitzgerald, next door neighbor appeared. She questioned how wide the new driveway will be and distance from the covered porch. Advised driveway will be 8 feet from back door porch, and driveway will be 10 feet wide with a small section approximately over a foot or so from house to edge of driveway that will be 1 foot distance.

Board confirmed the variance requested is for the garage itself with the proposed driveway in conformance with the ordinance requirements.

Diane Wilverding, appeared. She indicated the garage is along her uncle's estate property. Mr. Henn explained the proposal in detail to Ms. Wilverding and confirmed the new garage will be 2 feet from property line. Distance between uncle's garage and proposed will be approximately 3 to 4 feet and will provide sufficient space in between for property maintenance.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Illing opened the application to the public for comments with the following appearing:

Diane Wilverding, representing estate of Deacon Daniel W, appeared and was sworn in. As long as sufficient space between garages, she has no objection, wants to be able to conduct maintenance.

Julie Fitzgerald, appeared and was sworn in. She advised not mentioned in the presentation is the new area where driveway is proposed will require removal of 5 to 6 mature trees and is last thing needed to be removed in this town. She will stand in her den and see the side of a garage and if it should catch fire, all three garages will go up in flames. Proposal is not necessary, owners should fix the garage that exists.

No one else appearing and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Barry, applicant responded. He does not wish to anger or upset neighbors, confirmed will need to remove trees, but will also be planting additional trees and hopes the proposal will enhance the neighborhood.

Questions posed by the Board ascertained the following:

Replacing the garage for several reasons. Size of existing garage is insufficient to fit a vehicle, built at a time when the cars were not as wide. If attempted to make the existing garage functional, it will be closer to the house and does not believe you could get in a vehicle as presently exists. Mr. Henn commented that will also inhibited from gaining access to the garage itself, as will be closer to the dwelling structure.

The applicant's hearing was closed with the matter referred back to the Board.

- 2. Application #ZBA 17-003:
Nicole and Philip Pawelko, Applicant
8 Greaves Place, Block: 174 Lot: 26 Zone: R-3 Zone
Applicant is proposing to increase the volume of the existing walk up attic with the following variances: to exceed the maximum allowable stories §136 Attachment 1 Schedule 1 and to increase additional volume §136-31(E)**

Nicole Pawelko, Applicant appeared and was sworn in. She explained they are seeking add space to their attic. The house was built in 1930 and is located in a single-family zone. There will be no increase to footprint area. Pre-existing non-conforming conditions include lot area and lot width. Proposed design blends with architecture of the house. Proposal is for construction of a rear attic dormer. The attic is currently access by stairs and used as a bedroom. Proposed expansion will include a bathroom and increase the bedroom size for additional family space. Walls will be setback by 2 foot from roof overhang. Height of structure will not change. New space will be in compliance with ordinances, and code safety. No detriment or negative impact. Will not impair the intent and purpose of Zoning or Master Plans.

Questions posed by the Board ascertained the following:

Addition will only be in rear and therefore, not visible from the street. Already have a walking stair case that will remain and will not be converting a pull down.

There were no further questions from the Board.

Mr. Illing 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. Illing 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-16-013

Application #ZBA 16-013:

Richard Barry, Applicant

210 maple Place, Block: 268 Lot: 12 Zone: R-3 Zone

Applicant is proposing to construct a new detached two-car garage with the following variances: less than the minimum allowable side and rear yard setbacks §136-34(A)2 and less than the minimum required distance from a principal structure §136-34(A)7.

Mr. Illing reviewed the testimony.

Board comments consisted of the following:

Did not get any input from professionals, and is certainly needed in this application. Understand needs of applicant and house location on lot, would ask that the professionals review and ask the applicant to work closely with the Zoning Office to achieve desire, but to ease concerns of the neighbor. Clearly a hardship situation and recognizes what applicant is trying to accomplish, was in favor, but once neighbor testified, proposal could be a potential detriment and agrees no reports provided. professional reports were in file and read into the record: Fire Department advised new garage must be 1-hour fire rated in materials; Historical Advisory Board had no comments; Traffic & Safety Department indicated no negative; Health Department stated no negative; and Environmental Commission indicated no negative impact. There is no report in file from Engineering Department. Tree removal would be under Environmental Commission; however, tree ordinance does not apply to residential applications and applicant is willing to plant new trees. Sounds as if some trees may span the property line and clearly applicant cannot remove those trees, but none are shown on drawings. Concern is original garage was built before fire safety was a concern and gaining fire safety trumps tree removal and driveway is in compliance.

Motion to approve Application # ZBA-16-013 was made by Ms. Drake, seconded by Mr. Bovasso with the following voting in favor of the motion: Mr. Illing, Mr. Pistol, Mr. Bovasso, Ms. Drake and Mr. Trelease. Voting in opposition to the motion: Ms. Hay.

DELIBERATION of APPLICATION #ZBA-17-003

Application #ZBA 17-003:

Nicole and Philip Pawelko, Applicant

8 Greaves Place, Block: 174 Lot: 26 Zone: R-3 Zone

Applicant is proposing to increase the volume of the existing walk up attic with the following variances: to exceed the maximum allowable stories §136 Attachment 1 Schedule 1 and to increase additional volume §136-31(E)

Mr. Illing reviewed the testimony.

Board comments consisted of the following:

Minimal impact and improves quality of life for applicant, minimal development. Believes many houses in this area have performed same construction. Quality of life aspect is extremely important and is increasing.

Motion to approve Application # ZBA-17-003 was made by Ms. Hay, seconded by Mr. Pistol with the following voting in favor of the motion: Mr. Illing, Mr. Pistol, Mr. Bovasso, Ms. Drake, Ms. Hay and Mr. Trelease.

3. Application #ZBA 16-023:

Yvonne Munoz, Applicant

32 Grove Street, Block: 487 Lot: 23 Zone: R-5 Zone

Applicant is proposing to construct a new two-family home with the following variances: Less than the minimum require lot width (§136-30 Attachment 1 Schedule 1) and less than the minimum required lot area (§136-30 Attachment 1 Schedule 1).

Alex Mosquera, appeared on behalf of his mother Yvonne Munoz, who does not speak English and he is authorize to speak on her behalf and was sworn in.

Christine L. Miseo, AIA PP, appeared and was sworn in. Her credentials were presented to the Board and she was accepted as expert in the field of architecture and planning.

Small rendering of appearance of building marked Exhibit A-1. Style of the house is very residential and, hopefully, does not look like a two-family home. Believes this would be a good addition to the neighborhood. Here tonight as property is 50 feet wide where 70 feet is required for a two-family dwelling. Does not need any other bulk variances -

meets all side setbacks, front yard setback, side combined and rear yard setbacks. Proposed construction saves approximate 416 square feet of impervious surface as compared to pre-existing that had a large paved area along the side and rear of previous dwelling. Proposing driveways that will be located in the front of the house. Previous house was built right on one property line with pavement on the other side for approximately 100 or more feet, good portion of the lot was impervious lot line to lot line. Proposal is for two 7.5-foot side yard setbacks where 7 feet is required; 30% combined side yard setback is required or 15 feet and met; 25-foot front yard setback is required and proposing 35 feet; providing minimum of two off street parking spaces. Doesn't believe proposal will impact on street parking. Existing lot has 10,217 square feet in area. 50-foot lot is consistent with the neighborhood.

Surveyed houses both on tax maps as well as conducting visual survey of lots in neighborhood. Two family homes were 12,000 square feet lots and above with single family lots at 7,000 to 8,000 square feet. Went up and down Grove and counted mailboxes which is telltale sign of how many are single or multifamily. 4 two-family residences, one next door and three across the street; farther down there are four-family towards Retford Avenue. Makeup of homes are mixed.

Questions posed by the Board ascertained the following:

Three two-families across the street are on lot numbers 4, 5, 6 are not on 70-foot wide lots, but are 60 feet, adjacent lot 22 is a two-family. Lots 11, 12 and 13 are four-families – Exhibit A-2 marked and tax map marked depicting multi-family dwellings. Built in maybe 1960s, older homes – did not look up dates the homes were built. Older neighborhood.

Floor plan shows bedroom and rec room on the attic floor – will count as half story as perimeter is only about 4 to 5 feet high, with living space in center and all sloped ceiling.

Garage space is 276 square feet per unit, first floor 1,683 and second floor area includes stairwells with each unit being 2,000+ square feet. Some of homes on applicant's side of street are single homes of lesser square footage with multi-families probably close to proposed.

Both units will be for rent.

Exterior finishes described as wood as intention is not to use vinyl siding, but rather small stone along the bottom with small front porch and standing seam metal roof, hardy plank and shakes on eaves with asphalt roof shingles.

Board asked how many multi-family homes are on 50 foot lots? Three – lots 22, 4 and 5. Further down, lot 14 is 35-foot lot, only 3 other lots are larger. 4 families are on 50 X 160. Some single family are on larger lots with larger on other side of the street. Does

not believe there are any structures on neighborhood over proposed of 4,000 square feet.

Lot 2.02 is a two-family and understand that lot 5 has been converted back to a one-family. Lot 15 is multi-family and is not certain whether two-family or more.

There were no further questions from the Board.

Mr. Illing opened the application to the public for questions of the witness with the following appearing:

Nino Della Serra, appeared. He asked if the proposed construction will be townhouse or two-family rental dwelling. Going to be a two-family house as does not believe zone permits townhomes. Did investigate over and under two-family design and came to conclusion that no one wants to live above or below someone else. Confirmed former house was a one-family, but as existed was a hazard. Concerned with on-street parking. Confirmed front yard setback will be foot more that former home that had a 34-foot front yard setback.

Board confirmed dwelling will be a rental property that may be sold, determined after pre-hearing meetings that the dwelling would not be either a duplex or a townhouse. Mr. Giuditta explained if the property was converted to either a duplex or a townhome, the applicant would need to go before a Board for review and approval. As far as condition of approval to restrict conversion of property would applicant agree? Applicant advised originally looking at one unit townhouse style, and does not know if he could control any future purchaser.

Roger Held, appeared. He questioned the characterization of that side of Grove and number of two families stated. Believes 3 multi-families on that side with one just converted back to a one-family on other side. May have missed testimony, but only one two-family next door on that side of the street. Reviewed exhibit and agrees one has been converted back to a one family; not a big street, just shy of 200 feet away there are other two family homes. Other issue is when looking at both diagram and houses referred to on Lincoln Avenue East appear to be 3-story and is out of character to the neighborhood with Zillow website showing as 3-story. Asked how applicant would characterize. Property is characterized as a 2.5 story, there are 3 levels of living space, attic is not nearly as large as the first or second floor, with only main area in middle of the attic having sufficient head height. Not a real massive home and is below allowable height of 32 feet. Questioned by virtue of two driveways takes away from on-street parking that is currently used by other multi-families in the neighborhood. Former home had a driveway that was 13 to 14 feet wide, and proposed is 22 feet wide, would lose about 1.2 parking spaces and in turn would gain more onsite parking.

Rich Portupse, appeared. Referring to architectural rendering that is very similar to homes built on Lincoln Avenue, and confirmed not affiliated with that builder. When you have real tight lot, not much that can be done except for what is proposed and is similar to those she has designed in Millburn. Parking question – made statement that driveways are big enough with 2 garages, and could accommodate 4 vehicles with 2 in garage – honestly believe that is going to happen as in his experience that does not happen with neighboring property having a full driveway with garage and only one car uses the driveway, rest are on the street. Cannot say what situation was 100 years ago, but that is not what Cranford is about now. As property owner in town would want to see something attractive built, which this is, but is overreaching proposal. Confirmed his is 35 feet wide with Ms. Miseo confirming proposed house is also 35 feet wide and meets all bulk requirements and therefore will look no wider than Mr. Portupse's home.

Christine Kroyer, appeared. She questioned water drainage as structure will be twice the size as previous. She lives in the middle of Grove Street and concerned with displacement and that water will flow to the middle of the neighborhood. Ms. Miseo explained previous house was developed lot line to lot line and proposed impervious surface is less than previous, also proposing more grass in side and rear yards than previous which had almost entire backyard of pavement. Ms. Kroyer was very concerned with drainage. Applicant will address drainage thru the Engineering Department during the permitting process, however will be less than existing.

Board confirmed Cranford has very strict guidelines as to drainage due to flooding problems in the Township and explained full review process from Development Review Committee to hearing and permitting process. Ms. Miseo advised already being addressed with the Engineering Department.

Sue Portupse, appeared. She confirmed the property will be sold as a one two-family to one individual not as separate residential units.

Kurt Decker, appeared. He asked the square footage of the house that was demolished. Ms. Miseo had the building coverage not square footage, which was 1378 square feet and if full 3-story would be approximately 2,700 square feet. Proposed coverage is 2,294 that includes porches and former driveway was much longer netting more impervious surface coverage. Mr. Decker stated from metric standpoint, proposed structure is larger by almost 1,300 square feet and asked how many homes in the neighborhood have front facing garages? One that he knows of with all other garages detached in rear of properties. Asked if any reason why a single-family home cannot be constructed with Ms. Miseo advising that was not something the applicant requested.

Joe Kolangelo, appeared. He questioned the adjacent vacant property. Ms. Miseo was aware of other vacant lot next door, believes one home owns double lot and for some

reason was never developed. Stated applicant inquired as to purchasing that lot, but owner was not interested. How much interest was there in two side by side townhomes? Much interest as very attractive and close to rail transportation.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Illing opened the application to the public for comments with the following appearing:

Nino Della Serra, appeared and was sworn in. He testified there is a storm drain in the rear of the subject property that is active. His family owns the next two lots adjacent to the subject lot and has never been contacted about purchasing. He explained that during demolition, the applicant's contractor drove equipment over his family's vacant lot with permission not being requested or granted.

Roger Held, appeared and was sworn in. He is the owner of the property at 40 Grove Street. Thing about this presentation brings him back 20 to 22 years ago, to a previous application for a two-family home that was intended to be built at 35 Grove Street where at the hearing the applicant agreed to amend the application to a single-family home. All the same issues that were discussed then are being brought up tonight. Grove Street has two personalities, North end is predominantly multi-family, while the south end is predominately one-family homes. The proposed development to this day is listed on Zillow, Trulia and elsewhere as a duplex/townhome which results in two separate lots. Although parking is believed not to be an issue due to proposed driveway, parking remains an issue as parking from the north side tenants and commuters park and walk to train station. For those reasons, I would have to request the application be denied as well as it being totally out of scale to the neighborhood.

Rich Portupse, appeared and was sworn in. He stated our end of the block, all knew Bob and Beverly Healey, became dear friends, our children knew each other. Agree the house had to come down, Bob chose to pay medical bills for his wife rather than upkeep the house. Neighborhood is different between the north and south ends. Problem, would love to see nice new house on the street, often has discussions with two family tenants next door, and relayed the arguments experienced and whole new set of headaches. Recently hired some people to stain his fence and tenant came out and told him to get off their property, but the property is not theirs, police being called on numerous occasions in the middle of the night and even an individual being arrested in his back yard. Not saying this is going to happen with the applicant's tenants. Realizes Cranford is turning into a commuter town as rents are cheaper when compared to New York City, however tenants do not care about the town. Owners take care of the property, pays taxes, raises their kids, but renters do not feel the same way. Grew up in

Newark and Belleville, did not move to Cranford to continue that lifestyle. Moved here for schools, and want neighbors that cares about as much as he now cares. Must disregard all statements made as to parking in the driveway, it does not happen with specific recent examples given. Area does flood, was an old drainage in the rear of the property and in middle of the block there is a dip. Does not believe proposal will increase, but has to be aware this will continue to happen with a house of this size. Will appear like a railroad house, what does that do to the neighboring lot value. Been an uphill battle to maintain property values and try to keep the area the best they can. Does not believe proposal is in character with Cranford or with the neighborhood.

Bob Pipchick, appeared and was sworn in. Reason the town has placed a 50-foot width requirement for single-family and only single-family homes and should be followed. Should be extraordinary circumstances to go against. The proposed building is over built for this lot that is 50 feet wide, building is 35 feet with each side will be 17.5 wide. Very familiar with Hoboken and Jersey City and this type of width is more common in those cities as circumstances are more crowded than in Cranford. Not needed in Cranford. Secondly, there is a desire and demand for single-family homes. If anyone rides around Cranford, that there have been many single-family homes that are being enlarged, which shows need for single-families with sufficient space.

Kurt Decker, appeared and was sworn in. Actually lot 5 which is believed to be a two-family is now a single-family. When looking at proposed dwelling of 35-foot width proposing more likely 24 feet will be garage with a tiny sliver as an entrance. His house is about 36 feet wide but 10 is an enclosed sun room and house steps back on second floor. This is a monster of a house and even the four-families towards Retford Avenue that are more monolithic without dormers. Rest are single front entrances with exception they do not read as two families which this does with two entrances, garages, etc. Extremely large, single-family with less bedrooms, less volume and larger driveway is better than proposed. Explained all overflow parking – community center, church, sports in park and commuters present parking issue. If there is an event, all parking will be on the street. This proposal is more of a load on parking, and vacant lot will be seeing side of house which will visually be a billboard. Does not understand why a single-family home cannot be built.

Sue Portupse, appeared and was sworn in. Wanted to state for the record she is in opposition to placing a two-family dwelling on a lot where one-family existed. Single-families on our street are precious and should continue.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Mr. Mosquera presented closing arguments. Resides in Cranford and is a great town with a mix of old and new, and that is the allure to the town. This project is something that betters the town. Idea was not to put under/over units. By making a side by side, dwelling flows with residential feel of the neighborhood. Maybe applicant has a different prospective, but not everyone starts off in a single-family home. Two-family houses at end of the street compared, and believes this proposal will bring in a different type of tenant. When met previous owner, he was 5 days to Sheriff sale, met and against all odds postponed sale. House was in complete deterioration. Did everything possible to help him out, and wishes to help the neighborhood also. Applicant is a real estate broker for 16 years, and director for largest board of realtors. Personal opinion, he believes is a great project and good improvement. Largest corporate client is Fannie Mae assets and values property for them, in his expert opinion, proposed development will increase property values. Demolished existing house before zoning approval as extremely deteriorated and believed better for the block. Problem with contractor, only became aware afterwards and apologizes. Believes single-family would be just as large. Tried to contact the neighbor next door to purchase additional property, never heard back.

Ms. Miseo furthered closing arguments. Is a storm drain easement, as it reads in survey, no inlets or pipes. Two-family at Grove where a single-family was built instead, applicant's lot is much larger and can handle the proposed development. Her first house was a condo – seemed to be a lot of tenant bashing, multi-family provides opportunity to new individuals. Brings in younger people. If buying a multi-family for \$1,000,000.00, rent would be \$3,500.00. Believed most multi-families only have a strip driveway, which results in more on-street parking due to shuffling of vehicles. Cannot control who is renting but difference between someone paying \$1,000.00 per month versus someone paying \$3,500.00 per month. Lived in house that was 18 feet wide and 17 feet as proposed will work. Demographics between Cranford and Millburn are similar, recent project of 17 feet wide dwellings sold in Milburn for \$1,000,000.00 and were sold before they were built. Comment was made about two-family appearance, two maybe three existing with two separate doors which is telltale sign of two-family homes. Property is in the R-5 zone which is two-family zone with all bulk requirements met except for lot width, meets setbacks and lot coverage. Cannot change the lot size. Ms. Miseo asked family member of vacant lot if interested in selling 20 feet. Response was no, would consider selling the entire lot. A lot of two-family residences in neighborhood, proposed does not present negative impacts to Zoning or Master Plan. Will not add pollution or noise and will have less impervious surface than previous. Will comply with all municipal requirements during the permitting process. Side note, no additional trees will be removed.

This portion of the hearing was closed with the matter referred back to the Board.

DELIBERATION of APPLICATION #ZBA-16-023

Application #ZBA 16-023:

Yvonne Munoz, Applicant

32 Grove Street, Block: 487 Lot: 23 Zone: R-5 Zone

Applicant is proposing to construct a new two-family home with the following variances: Less than the minimum require lot width (§136-30 Attachment 1 Schedule 1) and less than the minimum required lot area (§136-30 Attachment 1 Schedule 1).

Mr. Illing reviewed the testimony.

Board comments consisted of the following:

Heard testimony numerous two-families in the area that are on 50-foot or under lots, not certain whether they predate ordinance change. Master Plan subsequently increased the width from 50 feet to 70 feet with the Master Plan adopted in 2009. Master Plan sets policy and ordinances set requirements. Read section of Master Plan from 2009 when the Township Committee adopted the plan, in reference to R-5 changes and increase to 70 feet and 7,000 square feet area or to 80 feet and 7,000 to 8,000 square feet in area. Township Committee incorporated the 70 foot and 7,000 square foot recommendations resulting in any lot before would not comply. Issue is two-family is permitted in his neighborhood despite opposition as to transients, etc. Would not want anyone to build 4,000 square foot single-family home. Not in conformance with neighborhood and not in conformance with the Master Plan which suggests something larger. Too much of a house on too narrow of a lot. Agrees with other Board members when dealing with two-family homes in the R-5 zone when Master Plan recommended increase and the municipality created an ordinance to that effect. Zoning Board must look at each case on an individual basis especially when a neighborhood contains a majority of two-family homes, but that is not case here. Is a pivotal neighborhood as it could be a tipping point by allowing a two-family in area of street that is predominantly single-family homes. Need to review what is the majority of surrounding properties and in this case, is still a viable single-family area. Does believe the proposal is nice style and could work in some areas. In this section of Grove Street that is a majority of single-family homes with this being the is first application to be heard since the ordinance was adopted, is the width of the property that is at issue. Is a very large proposal and puts neighbors in a situation where the character is changed and an issue. Actually, resided in the northern end of Grove Street about 20 years ago, and had small bungalow. When it came to move, thought of increasing the home, however, lived next door to wall of a two-family home and proposal would have same result, although beautiful designed architecturally, not appropriate to this neighborhood.

When working on the Master Plan and the R-5 zone, this street is the quintessential transition R-5 zone, and was very adamant about increasing the width size to ensure the R-5 would be a true mix of single and two-family homes.

Motion to deny Application # ZBA-16-023 was made by Mr. Pistol, seconded by Mr. Bovasso with the following voting in favor of the motion: Mr. Illing, Mr. Pistol, Mr. Bovasso, Ms. Drake, Ms. Hay and Mr. Trelease.

PUBLIC PORTION:

Discussion on drain and former pond that was removed.

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 11:07 P.M.

Jeffrey Pistol, Secretary