

MINUTES - ZONING BOARD

February 12, 2018

The workshop portion of the meeting was called to order at 8:02 P.M. by Mr. Marotta, Chairman.

ROLL CALL:

Members Present:

Mr. Marotta
Mr. Illing
Mr. Pistol
Mr. Bovasso
Ms. Daly
Ms. Drake
Mr. Salomon

Members Absent:

None

Alternates Present:

Ms. Hay

Alternates Absent:

Mr. Trelease

Also in attendance: Nicholas Giuditta, Esquire, Ron Johnson, Zoning Officer, Kathy Lenahan, Administrator/Scribe

COMMUNICATIONS:

None

RESOLUTIONS OF MEMORIALIZATION:

1. Motion to adopt the Resolution to appoint Maser Consulting was made by Mr. Bovasso and seconded by Ms. Drake and passed by unanimous voice vote.
2. Motion to adopt the Resolution to appoint Neglia Engineering as alternate planner was made by Mr. Bovasso and seconded by Mr. Illing passed by unanimous voice vote.
3. Motion to adopt the Resolution to appoint Nicholas A. Giuditta, III as Zoning Board Attorney was made by Mr. Illing and seconded by Ms. Hay passed by unanimous voice vote.

MINUTES:

Motion to adopt minutes of the January 3, 2018 Reorganization meeting, as amended, was made by Mr. Pistol and seconded by Mr. Bovasso passed by unanimous voice vote.

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. Marotta on February 12, 2018 at 8:15 P.M. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Mr. Marotta 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. Marotta explained the protocol, purpose and procedure that will be followed during the hearing.

1. **Application #ZBA 17-029**
Applicant: Jose Parada
196 Locust Drive, Block: 247, Lot: 5, Zone R-4
To permit expansion of a pre-existing slate patio. Raising the current lot coverage above the 40% limit required in the R-4 Zone (§136-30 Schedule 1 Attachment 1).

Mr. Parada appeared and was sworn in. Stated he requesting to expand a pre-existing 12 X 7 slate patio to a 16 x 32 paver patio. That would raise the lot coverage from 39% to 48%. Stated that he will fully comply with the storm water management requirements as stated in the Township Code. Mr. Parada will install two 4 x 4 drains on either side of patio connected to a 4-inch PVC pipe to an underdrain system at the patio's edge. That will connect to another underground detention system consisting of 2 rows of 20 linear foot, 12 inches perforated encased in a stone trench.

Questions posed by the Board ascertained the following:

Mr. Parada went through Harbor Consultants who has been in contact with the township engineer. Patio will be 16 x 32, not 15 x 32. The applicant added an extra foot to patio. Original plan had an L shaped kitchen and township engineer had a concern with the water runoff so they got rid of the L and now it is just a straight kitchen. Mr. Parada is not required to have flood insurance by his mortgage company.

There were no further questions by the Board.

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

Neil Greenwald – 195 Arbor Street

Lives southeast diagonal to Mr. Parada's backyard. Asked how Mr. Parada will mitigate the increase in impervious coverage.

Mr. Parada stated that he assumed that was worked out with the engineer. Stated that they are digging 3 ½ feet deep with a stone trench. In addition, the proposed storage volume for the Township is 148 cubic feet and they went 10 feet above that to 158.85 cubic feet.

Mr. Greenwald asked about maintenance of the detention bed.

Mr. Parada stated that he would keep an eye on it as they go along and will comply with whatever needs to be done.

Mr. Marotta stated that this applicant has gone above what is required. Stated that the building department and the township engineer will monitor the project to make sure it is done according to plan.

Mr. Marotta asked if anyone wanted to speak against the application:

Neil Greenwald – 195 Arbor Street, appeared and was sworn in.

Stated he is not against the application but has concerns. His concern is flooding in his basement. Also asked what is the impact on the wetlands.

Mr. Pistol asked Mr. Greenwald if he could describe what flooding he has experienced and if there has been any street flooding that he might be aware of in his neighborhood.

Mr. Greenwald stated he has had flooding twice since 1995. Once he had 3-4 inches in his basement and other time he had 1-2 inches in his basement. Both were related to significant storms. He did not have flooding during Sandy.

Nina Greenwald – 195 Arbor Street appeared and was sworn in.

Stated that they moved here in 1995 and had no water. Then there was a house built on Locust and they started to get water. Then next to them on Arbor there was a house built and they stopped getting water. She feels that the house on Arbor helped her. She is concerned this will bring water again. Also asked how the maintenance of the pipes will be enforced.

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

- 2. Application #ZBA 17-028**
Applicant: Don Kuczera
1 Roger Avenue, Block: 437, Lot: 21, Zone R-4
To permit construction of a rear yard deck with the following
variance: less than the minimum required rear yard encroachment
(maximum 25%) (§136-34F).

Mr. Kuczera appeared and was sworn in. Stated he is looking to build a ground level deck. It will be eight inches off the ground, one step up. His backyard slopes so he did not want to do pavers. The most he is permitted to do is 7 ½ feet off the house, which does not allow for a table. He wanted to go out a little further, wants to go 12 feet off the back of the house.

Questions posed by the Board ascertained the following:

There will be cement pilings inside the ground for support. There will be nothing underneath the deck but dirt. The rear yard requirement will be met. It will be 19.53 feet from the rear property line. It will not be secured to the home, just to the pilings. He is willing to put posts in the back corners. There will be one entrance on each side closest to the house. There will be handrails. No entrance from the garage.

Mr. Marotta opened the application to the public for questions of the witness.

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

- 1. Deliberation of Application #ZBA 17-029**
Applicant: Jose Parada
196 Locust Drive, Block: 247, Lot: 5, Zone R-4
To permit expansion of a pre-existing slate patio. Raising the current lot
coverage above the 40% limit required in the R-4 Zone (§136-30 Schedule 1
Attachment 1).

Mr. Marotta reviewed the testimony.

Board comments consisted of the following:

Applicant is going well beyond what is required. No negative impact to neighborhood or zoning. Environmental Committee had no negative impacts and Township Engineer is in agreement with the application. Applicant has taken care to minimize flooding within reasonable circumstances. Homeowner is responsible for all maintenance on their property.

Motion to approve Application # ZBA-17-029 was made by Mr. Bovasso seconded by Ms. Drake with the following voting in favor of the motion: Mr. Marotta, Mr. Illing, Mr. Pistol, Mr. Bovasso, Ms. Daly, Ms. Drake and Mr. Salomon.

- 2. Deliberation of Application #ZBA 17-028**
Applicant: Don Kuczera
1 Roger Avenue, Block: 437, Lot: 21, Zone R-4
To permit construction of a rear yard deck with the following variance:
less than the minimum required rear yard encroachment (maximum 25%)
(§136-34F).

Mr. Marotta reviewed the testimony.

Board comments consisted of the following:

This is a corner property, deck will have no impact from Roger Avenue and from Lexington Avenue is property owner's backyard. Will help property owner enjoy his property.

Motion to approve Application # ZBA-17-028 was made by Mr. Pistol, seconded by Mr. Illing with the following voting in favor of the motion: Mr. Marotta, Mr. Illing, Mr. Pistol, Mr. Bovasso, Ms.Daly, Ms. Drake and Mr. Salomon

Application # ZBA-17-026 – RESCHEDULED FOR FEBRUARY 26, 2018

Applicant: Jose Riera

16 Madison Avenue, Block, 309, Lot 5, R-1 Zone

To permit expansion of an existing garage to accommodate storage of six (6) fully restored vintage vehicles with roofline modified to match the principal structure with the following variances: to exceed the maximum allowable height for an accessory structure (§136-30 Schedule 1 Attachment 1) and less than the minimum required side yard setback for an accessory structure (§136-34 A(2)).

PUBLIC PORTION:

None

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 8:48 P.M.

Jeffrey Pistol, Secretary