

## **MINUTES – ZONING BOARD – JANUARY 24, 2022**

**The Cranford Zoning Board of Adjustment meeting scheduled for Monday, January 24, 2022 at 7:30 p.m. was conducted virtually in order to avoid potential impacts from Covid-19.**

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 7:31 p.m. by Ms. Daly, Chair.

### **ROLL CALL:**

#### **Members Present:**

Ms. Daly  
Mr. Marotta  
Mr. Ashrafi  
Mr. Lucas  
Mr. Quinn  
Mr. Rees

#### **Members Absent:**

Mr. Aschenbach

#### **Alternates Present:**

Ms. Oliver

#### **Alternates Absent:**

Mr. Cukierski

Also in attendance: Mark Rothman, Esq., and Kathy Lenahan, Board Administrator

### **COMMUNICATIONS:**

None

### **MINUTES:**

None

### **RESOLUTIONS:**

Motion to adopt Resolution of Memorization No. 22-02 appointing Mark Rothman as Board Attorney, as amended, was made by Mr. Marotta seconded by Mr. Quinn and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No. 22-03 appointing Colliers Engineering as Board Engineer, as amended, was made by Mr. Marotta, seconded by Mr. Rees and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No. 22-04 appointing Topology LLC as Board Planner, as amended, was made by Mr. Marotta, seconded by Mr. Quinn and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No 22-05 appointing the Board Officers and Board Administrator, as amended, was made by Mr. Marotta, seconded by Mr. Quinn and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No. 22-06 adopting the 2022 Board Schedule, was made by Mr. Marotta, seconded by Mr. Quinn and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No. 22-07 appointing the Westfield Leder and Star Leder as Board newspapers, was made by Mr. Marotta, seconded by Mr. Quinn and passed by unanimous voice vote.

Motion to adopt Resolution of Memorialization No. 22-08 adopting the 2022 Rules and Regulations, was made by Mr. Marotta, seconded by Mr. Quinn and passed by unanimous voice vote.

The workshop portion of the meeting concluded at 7:45 p.m.

### **PUBLIC PORTION:**

A public meeting of the Cranford Board of Adjustment was called to order by Ms. Daly on January 24, 2022 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 21-011  
Andrew and Kate Rubin  
38 Roger Avenue  
Block 436 Lot 40, R-4 Zone

Applicant is requesting a c(2) variance for the construction of a front porch and a second story addition. The minimum front yard setback required is 25 feet, where 31.1 feet is existing and 23.1 feet is proposed §255-34.

Rich Pierce appeared and was sworn in. He presented his qualifications and was accepted as an expert in Architecture. He reviewed the application and stated the applicant is proposing to add a porch to their house. If they built the porch to the 25-foot setback, there would only be about 6 ½ feet of space, and they did not feel that was enough to use it as they would like. Looking for a variance under two feet. It would be a covered porch. The existing house has a platform and steps. Building a second story dormer, but the setback is only to 25 feet. Feels a porch creates a neighborly feel. It would be a wood frame with covered railings. Since it would put them over on impervious coverage, they are taking away from driveway and replacing with a grass strip down center of driveway to offset the impervious coverage and to be in compliance. Presented Exhibit A-1, titled Porch and Dormer Addition. Reviewed the driveway area where the grass strip will be.

Questions from the Board for this witness ascertained the following:

Porch will remain open. Taking out an existing 120 sq. ft. of driveway and replacing with grass. Strip is 40 x 3. Strip starts at the 25-foot setback and goes to 40 feet.

Ms. Dirmann asked if the application is approved, to have the drawings include the length, width and location of grass strip so that it is clear when it is inspected.

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

Andrew & Kate Rubin appeared and were sworn in. Mrs. Rubin stated they always wanted a porch and the home they found did not have a porch. Would love to participate in the Porch Fest. Mr. Rubin stated

that outside space is appreciated so much more during the pandemic. Having space where they can invite people over is something they are hoping for. Love their house and want to stay in it.

Questions from the Board for this witness ascertained the following:  
Neighborhood has a lot of foot traffic since it is near a park. Would like kids to be able to hang out on the porch. Nice to have outside space for kids.

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

Mr. Pierce summed up the application. It is a very small encroachment. Several houses on the block have porches. Dresses up the front of the house. Porches are a nice addition to the neighborhood.

Mrs. Rubin stated they did not want to do extensive construction if they could not get what they wanted. Mr. Rubin stated they are significantly set back already. Esthetically would improve the block.

Mr. Rothman reviewed the standard for the c(2) flex variance that the applicant is seeking.

Ms. Daly asked if anyone from the Public wanted to speak for or against this application, no one appeared.

## 2. DELIBERATIONS of: Application # ZBA 21- 011

Andrew and Kate Rubin  
38 Roger Avenue  
Block 436 Lot 40, R-4 Zone

Applicant is requesting a c(2) variance for the construction of a front porch and a second story addition. The minimum front yard setback required is 25 feet, where 31.1 feet is existing and 23.1 feet is proposed §255-34.

Board comments consisted of the following:

Sensible application. Applicant is considerate of the impervious coverage, nice neighborhood. House is set back more than neighboring houses. Positive to the neighborhood, investing in their home. Grass strip outweighs any negatives, porch creates community. Sees no damage to the master plan. No one in public objected to application. Significant benefit to surrounding neighborhood.

A motion to approve the application, with the condition that the porch remains open, and the dimensions of the grass area be noted on the final plan, was made by Mr. Marotta, seconded by Mr. Quinn and passed on roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Ashrafi, Mr. Lucas, Mr. Quinn, Mr. Rees, Ms. Oliver

Opposed: None

PUBLIC PORTION:  
None

CONCULSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passes. The meeting concluded at 8:27 p.m.

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Kent Lucas, Alternate Secretary