

MINUTES - ZONING BOARD

January 28, 2019

The workshop portion of the meeting was called to order at 7:38 P.M. by Mr. Marotta, Chairman.

ROLL CALL:

Members Present:

Mr. Marotta
Ms. Daly
Mr. Aschenbach
Mr. Ashrafi
Mr. Salomon

Members Absent:

Mr. Bovasso
Ms. Drake

Alternates Present:

Mr. Quinn

Alternates Absent:

Ms. Hay

Also in attendance: Nicholas Giuditta, Esquire, Kathy Lenahan, Administrator/Scribe, Bill Masol, Township Engineer

COMMUNICATIONS:

None

MINUTES:

A motion to adopt the minutes of the Reorganization Meeting on January 7, 2019 was made by Ms. Daly and seconded by Mr. Salomon passed by unanimous voice vote.

RESOLUTIONS:

A motion to adopt the resolution for Nick Giuditta, Zoning Board Attorney for an interim period of January 1, 2019 to March 31, 2019 was made by Mr. Salomon, seconded by Ms. Daly and passed on unanimous voice vote.

OLD/NEW BUSINESS

None

The workshop portion of the meeting concluded at 7:43 P.M.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on January 28, 2019 at 7:45 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.

Mr. Marotta announced that the Zoning Board meeting scheduled for February 11th has been cancelled and the next meeting will be February 25th. Also thanked Ron Johnson, Zoning Officer for his service and professionalism.

- 1. Application # ZBA 18-027**
Applicant: Daiane A Resende
832 Springfield Avenue
Block: 197 Lot: 13, Zone R-1

Applicant is requesting a C(1) variance to permit an attic story over the existing bedroom space and to remove the garage and living room levels §255-35(2).

Mr. Asif Ahmed appeared and was sworn in. He explained the application. Stated they live in a repetitive loss property. Every time it rains their garage floods. They are seeking to mitigate the flood risk and either elevate the home or build on top. Chose to build on top. They will abandon the family room and the garage and add flood vents in the garage, build on the right side and finish the attic.

Showed photos of the house and where the flooding takes place. Once renovation is complete there would be no access from garage to main living area. They would only be able to park cars in the garage. Garage will not connect to the home. Showed photo of back side of house. The flood elevation is 70 and room that will be abandoned is at 67.2. Showed photo of new home. Will build one level on the right side and left side will be finished attic. Will still be under the 32-foot requirement.

Hayk Ekshian appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of architecture. Described the project. It is a split-level home. Applicant proposed to push out right side to align with left side, add to patio in back and add a 2nd and 3rd floor addition. Described the renovations proposed. What they are proposing is considered a 3rd story so they are here to request a variance for additional level. Described the basement/garage plan. Existing basement will be filled in and turned into a crawl space. Will put in flood vents throughout the house. Showed diagram with elevations of the house. Both right and left side of house are the same. Want to keep it looking like a 2-story structure. Will meet building height of 32 feet.

Questions posed by the Board for this witness ascertained the following:

Finish will be stucco on first and second stories and synthetic stone below the first story. Basement will only have crawl space on right side of the house. Flood vents will be discussed with engineer on where to be placed. Removing set of stairs and putting another staircase and modifying the area by patio. Will extend the driveway to the right. Curb entrance will be same size.

Last year they had an application where the Zoning Officer determined each level is a story and this was determined it was a four-story house and was denied. Adding 423 sq. ft. of impervious coverage. Will go from 2786 sq. ft. to 3209 sq. ft. 35% is permitted. Going from 27.93% to 32.17%. A storm water management system will be installed if required by the Township Engineer, but currently it is not proposed. Water gets into their garage, so there will be a trench drain in front of the garage.

Board member stated that if you improve your property more than 50% you are required to abide by the flood plain overlay program. Asked about drainage between homes.

Mr. Ahmed stated they can get a permit by rule. Permit by rule is where a structure is higher than 6 feet high from grade level and is abandoned and not does not have useful living space. Stated there is a bathroom and garage which will be abandoned. There will only be a 2-car garage and no bathroom. Need to stretch driveway to meet the garage.

William Masol, Township Engineer appeared and was sworn in. Stated he reviewed the application but wants to note that the plans he reviewed are not the plans that were submitted tonight. Looks like a few modifications have been done. Stated that there are certain requirements on the flood plain overlay district. Additional variances might be needed. Described a substantial improvement as if work put into a home is more than 50% of the value of the structure, it must be in compliance with all the flood hazard area standards. There is a limit as to how much volume you can add to a structure. On the plans that he reviewed, it looked like they were increasing volume by 34%, Cranford's limit is 25%. Plans he reviewed did not have the flood vents, appears on new plans to be remedied. Asked applicant about complying with the flood hazard rules. Described permit by rule as getting a permit without going to the DEP if you fit certain criteria. Read requirements of flood hazard rules. Asked applicant if he will comply with these rules. If anything changes, applicant would need to apply to the DEP. Stated that at the DRC meeting, applicant stated they would remove the driveway expansion, but looks like it is still on the plans. Needs to meet the storm water management of the Township.

Applicant stated that they will reduce to be compliant. Will move back to original driveway.

Board member asked Mr. Masol about the size of flood vents and where does water release.

Mr. Masol stated they are required to be 1 sq. inch of opening per sq. foot of enclosed space. Vents don't release water, they allow water to flow through the area.

Mr. Ekishan stated that based on the Township Engineer's testimony, applicant will need a storm water management system if they are going to keep this design. Applicant is open to putting in a dry well or other system to bring application into compliance. Will hire a civil engineer and provide drawings to the engineer.

Board member stated that this area is very vulnerable. Challenging area for community. Beautiful house proposed, but not sure about approving before an engineer has seen the drawings.

Mr. Ahmed stated every time it rains, there is a river in front of their house. They will reduce footprint or build a drywall to comply with requirements.

Mr. Masol stated the 2 variances he spoke of were for the flood plain overlay district. Would need to be included in the approval.

Mr. Giuditta stated the plan in front of them requires a storm water management application. Board needs to know if that is the plan they are voting on or is it possible to revise the plan to build without increasing the impervious coverage beyond the 300 feet.

Mr. Ekhian stated they could remove the patio, the walkway on side and reduce impervious coverage to under 300 sq. ft. There would be grass instead of patio. There would be stairs with concrete pad and rest would be grass.

Mr. Giuditta asked if it is the intention of the applicant to proceed and eliminate the patio and decrease the impervious coverage to under the 300 feet.

Mr. Ekhian stated yes that is the applicant's intention. Applicant is concerned about hiring a civil engineer.

Mr. Giuditta stated that the Board can decide that it either wants to see plans that reflect impervious coverage of not more than 300 ft., or they can vote on what they are being told; that by eliminating the patio, the storm water management does not apply.

Board member stated there may be other variances that may be needed. In addition to storm water management, there are the 2 variances - substantial improvement and increasing the volume of the structure.

Applicant stated his understanding was to get the variance and then he will comply and get the permits. He has 3 options. Elevate the home, build on top or move out of Cranford. Trying to mitigate flood risk. Stated existing driveway and patio will be left as it is.

Mr. Marotta stated after speaking with the Township Engineer and Attorney, the Board needs to deem this application incomplete. Applicant needs to consult with the building department to review other ordinances and relief. Also work with architect and go over the plans and make sure they are in compliance. Applicant will need to re-notice and schedule another public hearing. Application is suspended.

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 8:44 P.M.

Robert Bovasso, Secretary