

MINUTES – ZONING BOARD – June 12, 2023

The Cranford Zoning Board of Adjustment meeting scheduled for Monday, June 12, 2023, at 7:30 p.m. was conducted virtually.

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 7:39 p.m. by Mr. Marotta, Vice-Chair.

ROLL CALL:

Members Present:

Mr. Marotta
Mr. Aschenbach
Mr. Lucas
Mr. Rees

Members Absent:

Ms. Daly
Mr. Cukierski
Mr. Quinn

Alternates Present:

Ms. Oliver

Alternates Absent:

Mr. Giuditta

Also, in attendance: Mark Rothman, Esq., Kathy Lenahan, Board Administrator, Jacque Dirmann, Board Engineer

COMMUNICATIONS:

None

MINUTES:

A motion to adopt the minutes of the May 8, 2023 meeting, was made by Mr. Lucas, seconded by Mr. Rees and passed on unanimous voice vote.

A motion to adopt the minutes of the May 22, 2023 meeting, was made by Mr. Lucas, seconded by Mr. Rees and passed on unanimous voice vote.

RESOLUTIONS:

1. Application #ZBA 22-007
Eric Greenwald & Shannon Strisel
22 Wall Street
Block: 598 Lot: 15, R-4 Zone

The applicant is requesting c(2) variance relief for the construction of a deck in the rear yard. Maximum allowed building coverage is 30%, where 32.6% is existing and 39.4% is proposed, §255-34, Attachment 1, Schedule 1. Minimum required side yard setback is 7 feet, where 7.58 is existing and 4.25 feet is proposed, §255-34, Attachment 1, Schedule 1. Minimum required rear yard setback is 30 feet, where 32 feet is existing and 22.5 feet is proposed, §255-34, Attachment 1, Schedule 1.

The Resolution of Memorialization was reviewed by the Board. After discussion, a motion to approve the resolution, was made by Mr. Lucas, seconded by Mr. Rees and passed on roll call vote:

Affirmative: Mr. Marotta, Mr. Lucas, Mr. Rees, Ms. Oliver

Opposed: None

OLD/NEW BUSINESS

None

The workshop portion of the meeting concluded at 7:48 p.m.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on June 12, 2023, at 7:48 p.m. via Google Meet. Mr. Marotta 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.

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

1. Application #ZBA 23-005
Brendan & Kate Ryan
24 Tuxedo Place
Block: 283 Lot: 4, R-3 Zone

The applicant is requesting c(1) variance relief for the construction of a two story addition. The maximum allowed building coverage is 28%, where 28.2% is existing and 29.9% is proposed §255-34, Attachment 1, Schedule 1.

Kenneth Abrams appeared and was sworn in. Presented his qualifications and was accepted as an expert in architecture.

Kate Ryan appeared and was sworn in. Stated she is the homeowner. They love their house and neighborhood. Would like to make some small adjustments to the house to continue to stay in the house.

Mr. Abrams stated that the application is requesting 99.4 square feet of additional building coverage. The house is on an existing nonconforming undersized lot. Presented his drawing of the existing conditions. There is a shared driveway. The addition will be behind the right side of the house. Adding a mud room, some storage space and an additional bedroom. Are not increasing the impervious coverage and will not affect the neighbor. Presented a drawing of the proposed conditions.

Questions from the Board for this witness ascertained the following:

The rear door will be moved to the right side to be the entrance to the mud room. There will be a covered area off that door. There will be about 3 ½ feet of a buffer for the driveway. Colors will all match and blend in. Building height will stay the same.

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

Mr. Marotta asked if anyone wanted to speak for or against this application, no one appeared.

2. DELIBERATION – Application #ZBA 23-005
Brendan & Kate Ryan
24 Tuxedo Place
Block: 283 Lot: 4, R-3 Zone

The applicant is requesting c(1) variance relief for the construction of a two story addition. The maximum allowed building coverage is 28%, where 28.2% is existing and 29.9% is proposed §255-34, Attachment 1, Schedule 1.

Board comments consisted of the following:

Not a significant impact. Improvement for the family. Minor change.

A motion to approve the application was made by Mr. Aschenbach, seconded by Mr. Rees and passed on roll call vote:

Affirmative: Mr. Marotta, Mr. Aschenbach, Mr. Lucas, Mr. Rees, Ms. Oliver

Opposed: None

3. Application #ZBA 23-006
Darren & Tina Browning
49 Spruce Street
Block: 158 Lot: 15, R-4 Zone

The applicant is requesting c(1) variance relief for the construction of a family room and porch addition. The minimum front yard setback allowed is 25 feet, where 5.3 feet is existing and 5.2 feet is proposed, and the minimum required rear yard setback is 42.4 feet where 50 feet is existing and 33.5 feet is proposed §255-34, Attachment 1, Schedule 1.

Kenneth Abrams appeared and was sworn in. He was accepted as an expert in architecture.

Tina Browning appeared and was sworn in. Stated they have lived in the home for 15 years and love the house. They have two children and need to make some modifications. Their garage and four car driveway is taking up the whole backyard. Would like to improve the functionality of the interior.

Mr. Abrams presented his drawing. Stated they are at the corner of Torbush and Spruce Street. Torbush is a one way. Described the existing conditions. There is a 400 square feet garage in the backyard. They will remove the garage and attach it to the house. They need a variance for a rear yard setback and a variance for extending the existing porch. Presented an image of the property. There is no backyard space. They will eliminate the garage at the back side and add it toward front of the house. Would be accessed from Spruce Street.

Questions from the Board for this witness ascertained the following:

Existing garage and driveway will be removed. From curb cut to the structure, will become greenery. Most driveways are facing Spruce Street. They will be adding 293.5 square feet of lot coverage. House is undersized for the lot. No change in the building height. Restructuring of the existing house. The one tree to the left would be removed. They are not going over the 300 square feet for stormwater. The new driveway is approximately 9 feet and widens to 18 feet for a two-car driveway. The homeowner is willing to offset the removal of the tree. The fencing will be modified.

The applicant stated they are open to any recommendations on materials to be used and are willing to offset the removal of the tree.

Questions from Ms. Dirmann to this witness ascertained the following:

Requested to show on site plan what is being taken down, how wide the driveway is going to be and how far away from the road. The fence does not show up on the survey or the site plan. The fence and mature landscaping could be in the Town's right of way. A property survey should be provided.

Ms. Browning asked about taking down the whole fence. They are willing to use permeable materials even if they are expensive. The playground will be removed.

Ms. Dirmann stated there are features possibly in the Town's right of way.

Ms. Dirmann was sworn in. Presented a street view of the fence and bushes and stated they might be in the Town's right of way.

Mr. Abrams said they are taking down the playground and that the Brownings are willing to take down the fence.

Ms. Dirmann stated there are areas of Spruce Street where the curbing is being replaced.

Follow up questions from the Board for this witness ascertained the following:
The playground is in the right of way. There needs to be an updated survey.

Mr. Abrams stated they will provide additional dimensions to make sure the driveway is in correct place.

Ms. Browning stated that they love the neighborhood and would be happy to replace any greenery.

Mr. Rothman confirmed that the applicant will remove the fence and they would continue the evergreen hedges.

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

Mr. Marotta asked if anyone from the Public has a comment about this application, the following appeared:

Joan Valerio – 47 Spruce Street appeared and was sworn in. Stated she is the neighbor across the street. She has reviewed the site plan and spoken with the applicants and has no objection to the application.

Debbie Walsh - 51 Spruce Street appeared and was sworn in. Stated she is also a neighbor of the applicant and looked at the plans and are fine with the addition.

4. DELIBERATION - Application #ZBA 23-006
Darren & Tina Browning
49 Spruce Street
Block: 158 Lot: 15, R-4 Zone

The applicant is requesting c(1) variance relief for the construction of a family room and porch addition. The minimum front yard setback allowed is 25 feet, where 5.3 feet is existing and 5.2 feet is proposed, and the minimum required rear yard setback is 42.4 feet where 50 feet is existing and 33.5 feet is proposed §255-34, Attachment 1, Schedule 1.

Board comments consisted of the following:

Applicant is willing to put up trees or shrubs to help with the impervious coverage. Fence should be removed for liability purposes. Replacing the tree and additional plantings to compensate for removal of the large tree. Would like to see one hardwood tree.

Mr. Rothman reviewed the conditions to include: replacing the tree being removed with a deciduous tree, evergreen plantings along the rear, fence to be removed, driveway will be of pervious material submitted and approved by the Township Engineer (credit to be calculated), and a revised plan and survey to be provided.

A motion to approve the application with conditions, was made by Mr. Aschenbach, seconded by Mr. Lucas and passed on roll call vote:

Affirmative: Mr. Marotta, Mr. Aschenbach, Mr. Lucas, Mr. Rees, Ms. Oliver

Opposed: None

5. Application #ZBA 23-09
Kevin & Natalie Williams
223 Sailer Street
Block: 320 Lot: 58, R-3 Zone

The applicant is requesting c(2) variance relief for the construction of an 8 foot high privacy fence along the rear of their property which faces the Garden State Parkway. The maximum fence height allowed is 6 feet, where 8 feet is being proposed §255-26K(2).

Natalie Williams appeared and was sworn in. Stated they are new to Cranford. They are seeking an 8-foot fence. The Garden State Parkway backs up to their property. Would like to decrease the noise and improve the privacy. Their neighbor at 225 Sailer has an approved application for an 8-foot fence. They will be using cedar to create a natural look. Presented the survey to show their property and the GSP.

Questions from the Board for the applicant ascertained the following:

They changed the material of the fence due to the DRC meeting recommendations. They have a deck and adding the two feet would give more privacy. Looking for additional noise control. There will be a full privacy fence and, the sides will be 6 feet. The unfinished side will face towards them, for better maintenance.

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

Mr. Marotta asked if anyone had comments on the application, no one appeared.

6. DELIBERATION - Application #ZBA 23-09
Kevin & Natalie Williams
223 Sailer Street
Block: 320 Lot: 58, R-3 Zone

The applicant is requesting c(2) variance relief for the construction of an 8 foot high privacy fence along the rear of their property which faces the Garden State Parkway. The maximum fence height allowed is 6 feet, where 8 feet is being proposed §255-26K(2).

Board comments consisted of the following:
Good application. In favor of a cedar fence.

A motion to approve the application was made by Mr. Aschenbach, seconded by Mr. Lucas and passed on roll call vote:

Affirmative: Mr. Marotta, Mr. Aschenbach, Mr. Lucas, Mr. Rees, Ms. Oliver

Opposed: None

PUBLIC PORTION:
None

The next meeting will be held virtually on June 26, 2023 at 7:30 p.m.

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 9:16 p.m.

Kent Lucas, Secretary