

WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING MINUTES May 4, 2015

MEETING CALLED TO ORDER AT 7:05 P.M.

ROLL CALL:

Mr. John Villani
Mr. George Dealaman
Mr. Richard Hewson (excused)
Mr. Fernando Castanheira
Mr. Frank Rica (arrived 7:12)
Mr. Donald Huber
Mr. Foster Cooper
Mr. Scott Bowen, Alt. #1
Mr. Clerio Martins, Alt. #2
Amanda Wolfe, Esq.

ANNOUNCEMENT:

Adequate notice of this meeting has been provided by posting Public Notice on the Municipal Bulletin Board on the main floor of the Municipal Building, and sending a copy to the Courier News and Echoes Sentinel, and filing a copy with the Municipal Clerk, all on January 16, 2015. We plan to adjourn by 10:00 p.m.

FLAG SALUTE:

MINUTES:

The minutes of the April , 2015 meeting were forwarded to members for review.
Motion to approve.

Motion was made by Mr. Castanheira, seconded by Mr. Dealaman to approve.
All were in favor.

COMMUNICATIONS:

None.

PRIVILEGE OF THE FLOOR PORTION OF THE MEETING

Mr. Cooper invited the public that would like to make a statement, which is unrelated to tonight's agenda to come forward. Seeing none, Mr. Cooper closed this portion of the meeting.

AGENDA:

CASE NO. BA14-10 ALLESANDRA DI NUZZO
 BLOCK 93, LOT 5
 8 OLD STIRLING ROAD

Application to construct a new single family dwelling in the R-20(v) zone - minimum lot width, minimum side yard, minimum both side yards, floor area ratio 0.125% vs. 0.15% proposed (continued from April 6, 2015)

Mr. Richard Sasso, representing the applicant, came forward and discussed the numerous lots on Old Stirling Road that have been approved for improvements recently. He stated they had Steven Considine, the architect, John Madden, a planner, and Mr. Titus, the engineer were present. They were all sworn in along with Mr. Chadwick, and Mr. Kastrud.

Mr. Considine came forward and gave an exhibit to the board, A-1, which is a photo rendering of the proposed dwelling, and A-2, a tree plan for the property. Mr. Sasso asked Mr. Considine about his credentials and he was accepted as a qualified architect. Mr. Considine spoke about what he was hired to do, the design of the house, location of the site. He stated that the house that was previously on the property had to be demolished because it was abandoned. The lot required variances due to the lot, it is 60 by 389 ft., long and narrow. It is typical for the lots in the area. He designed a house that was similar to those surrounding, which are over 3000SF. The garage is included in the FAR and it would require a variance to permit the house and a garage, which makes it FAR 14.9%. There are side yard variances required also. Mr. Considine stated that Basking Ridge has an FAR of 15% and do include a garage. It does not make sense to build a new home without a garage. They went over the design of the house and location, and comparison to the others nearby. Mr. Considine suggested to the owner to set the house back at 120FT as it would increase the distance from the neighboring house. The applicant proposed evergreen trees as a buffer as shown on the tree plan.

Mr. Rica arrived at 7:16.

The lot is only 60 ft wide setbacks are 20 feet each side or 40 ft both, so they asked for 20 total with 10 on each side for sideyard setback. Front is 120ft. --no variance. Lot coverage is 20%, the proposed lot coverage is 18.2%, building coverage is 10%, the proposed is 8.6%, no variance. FAR is 0.125% and 0.149% is proposed. Mr. Sasso added that the existing house next door is .165% (Plasner).

Mr. Considine went over the design and the garage is side entered, and the appeal of a side entrance of garage. There will be stone work, siding neutral, etc. and it will fit in with the character of the town.

Mr. Considine went over exhibit in A-2 of what trees are at the site, one tree has to be removed and a tree near the driveway. The buffer of evergreens will be 6 to 8 feet. It was stipulated that Mr. Chadwick approve the landscape plan.

Mr. Cooper asked if anyone in the public had questions. Comments will be later. No one came forward. This portion of the meeting was closed.

Mr. John Madden was introduced as the planner and was accepted. He went over the plan and design to fit in with the neighboring houses, with similar lot shapes, narrow and deep. He went over the d(4) FAR variance of .149 FAR. He brought in a google aerial map, A-3 to show the surrounding properties and setbacks. This deviation is a result of the two car garage. Mr. Madden felt the site could handle the increase in FAR. There was discussion on the patio and the applicant stipulated that it would not be covered, or closed in.

Mr. Madden continued stating the applicant had met the positive criteria under c(1) and c (2) for lot width and setback variances. The property advanced the provision of adequate light, air, and open space, with the location of the home. The applicant could not acquire land to bring the nonconforming lot into conformance.

Mr. Madden felt there was no substantial detriment and the landscaping and placement of the dwelling resulted in adequate screening and privacy, and the benefits outweighed the detriments.

Mr. Cooper asked for any public comments. Mr. Sanjay Patel, from 10 Old Stirling Road came forward and stated he agreed with the proposal and the setbacks would give adequate privacy, but wanted to ensure the landscape plan would be approved by the Township Planner, the applicant stipulated to that as a condition of approval.

There was discussion on the proposal. This portion of the meeting was closed and Mr. Cooper asked legal to go over the motion and conditions.

The board deliberated, Mr. Castanheira was not satisfied with the size of the house and felt it is too large for the lot. Mr. Villani feels there is a dynamic going on in the area, with the narrow lots and the different setbacks help, and with proper landscaping it will work. Many board members would like it to be closer to the FAR and had some concerns, but they agreed that the house would have curb appeal.

Mr. Chadwick proposed three conditions of approval; the house must be 120 feet back, there will be a landscaping plan subject to the township planner review, and Mr. Chadwick would like the emails that went between the applicant and Mr. Patel regarding the location of the dwelling. Also, the garage space (above garage) is storage, unfinished and shall not be used as living space, and the patio is a patio on grade and will not be enclosed..

A motion was made by Mr. Villani, seconded by Mr. Cooper.

Roll Call:

For: Mr. Villani, Mr. Dealaman, Mr. Rica, Mr. Huber, Mr. Bowen, Mr. Martins, and Mr. Cooper.

Against: Mr. Castanheira

CASE NO. BA14-15 Jamie Hellrigel
 BLOCK 100, LOT 3
 33 MITCHELL AVE

Application to raze an existing single family dwelling and replace it with a new home- Building coverage 21% with covered porch 22.8%, lot coverage 29.1%, floor area ratio 21.13%.

Mr. Chadwick started and spoke about the revised plan that was submitted from Murphy and Hollows dated April 10, 2015 and it showed that a FAR is not required with the revised plan. The applicant proposed to construct a one-story, approximately 2,497 SF, 3 bedroom and 2 bath home with an attached 2-car garage.

The architect, Joseph A. Krawiec introduced himself and the applicant Jamie Hellrigel and her sister Joan Piro. They were sworn in along with Mr. Chadwick and Mr. Kastrud.

Mr. Krawiec gave his credentials and was accepted by the board. Mr. Krawiec testified that the applicant's family had lived in Warren for many years. He stated that the applicant does have mobility issues and that is another reason for a one-story home. Mrs. Piro wants to move back to Warren. He went over the house plans. It is a three bedroom house with 2 baths. He described the neighborhood and felt it would fit in well.

Mrs. Piro discussed that she wanted to come back to Warren since her husband passed away and she lived in Warren previously and has history here.

Mr. Chadwick brought up the revised plans from Murphy and Hollows dated April 10, 2015. He further stated that it eliminates the FAR variance relief. There is pre-existing lot size variance requested, lot coverage variance request (which is 20% vs 26.4%), and building coverage (10% vs 21.57%).

There was some confusion between the architect's drawing and the Murphy and Hollows plan.

Mr. Cooper asked the board if they had any questions. Mr. Villani brought up that the applicant did not seem aware of the revised plans. Mr. Krawiec had not seen the revised plans and Mr. Krawiec did not reduce the size of the house. Mr. Chadwick stated the proposed house would be under the SF required for a FAR variance. Mr. Chadwick clarified that they will go with the plan he has from Murphy and Hollows or they should wait until the architect and engineer come together. The architect plans are dated November 13, 2014.

Mr. Cooper clarified that they did notice for the FAR variance. There was further discussion. It was decided to act on the application using the Murphy and Hollows plan, and if the house is not what the architect and the client desire, then they will come back before the board, if they need an FAR they will have to come back before the board.

Mr. Cooper asked if anyone from the public had questions. Seeing none Mr. Cooper closed that portion of the meeting. Mr. Cooper asked if any public had comments, seeing none, he closed that portion.

Ms. Wolfe read the variances and conditions.

The board went into deliberations. There was discussion that if they have to come back, the board has been supportive of similar requests.

Ms. Wolfe read a motion to approve the application.

Mr. Dealaman made a motion, Mr. Castanheira seconded it to approve with conditions.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Castanheira, Mr. Rica, Mr. Huber, Mr. Bowen, Mr. Martins, and Mr. Cooper.

Against: None.

CASE BA14-16

PINNACLE CONSTRUCTION MANAGEMENT LLC
BLOCK 68, LOT 3
66 KING GEORGE ROAD

Application to raze an existing single family dwelling and construct a new home- lot area and lot width variances required. Required 65,340SF vs 39,139SF existing, required lot width 150 ft vs 147.25 ft. existing.

Mr. Erwin Schnitzer came forward to represent the applicant. He stated he had reached out to the adjacent property owner to see if they could purchase any land, at 68 King George Road, and 64 King George Road, and brought in the letters as A-1 letter (certified and regular) to Mr. Gregory (64 King George Road) and A-2 letter (certified and regular) to Mr. Blendulf. Mr. Gregory did not respond and this would be the only lot that could sell to them (as it is an oversized lot). Mr. Blendulf said he would get back to Mr. Schnitzer, but never did.

as built survey shows it is only 18.5 feet. The surveyor said the builder messed it up. Ms. Merainer stated it would be a hardship to destroy part of the house to comply with the 20 feet.

Ms. Merainer brought up that about a property at 48 Hillcrest Blvd that is a flag lot. Mr. Hwang owns it and it is a large flag lot and a 15 foot staff and the driveway is 10 feet wide and goes about 500 ft to the dwelling. Ms. Merainer has put up landscaping to buffer. There is a fence on the opposite side of the driveway. They wanted the same kind of fence on their (Merainer) side. She is asking the board to keep the house at 18.5 ft. Ms. Merainer had provided tax maps, a plot plan with the 20ft setback of her property, a survey of property when they bought it and a survey that Mr. Anderson from 2011 that showed it at 21 feet. The survey from 2014 shows the 18.5 ft.

Mr. Hutnick agreed. Mr. Cooper went over some of the documents. The previous house was removed and was about 7 feet from the property line.

Mr. Chadwick added that this is part of the Barberry Estates. He opined that this is not a self-created hardship.

There was some discussion on how this mistake could happen.

Mr. Cooper stated there were no public present. Seeing none, he closed that portion.

Mr. Cooper felt they were well versed on the vote, side yard setback and standards. The board went into deliberation. Mr. Cooper asked for a motion to approve for the single side yard variance.

A motion was made by Mr. Huber, seconded by Mr. Rica to approve.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Castanheira, Mr. Rica, Mr. Huber, Mr. Bowen, Mr. Martins, and Mr. Cooper

Against: None.

MEMORIALIZATION OF RESOLUTIONS

Memorialization of Resolution for Case BA14-12 Truesdale Nursery & Garden Center, 51 Stirling road, block 96, lot 42—Minor Site Plan.

A motion was made by Mr. Dealaman, seconded by Mr. Villani to memorialize the resolution.

For: Mr. Villani, Mr. Dealaman, Mr. Castanheira, Mr. Cooper.

Against: None.

Memorialization of Resolution for Case BA14-13 Green Forest Association – 94 Mount Bethel Road, block 87 lot 1.01-- Minor Site Plan

A motion was made by Mr. Castanheira, seconded by Mr. Dealaman to memorialize resolution

Those in favor: Mr. Villani, Mr. Dealaman, Mr. Castanheira, Mr. Cooper.

Against: None.

Motion was made to adjourn. All in favor.

MEETING ADJOURNED: 9:00 P.M.

Respectfully Submitted _____ Acting Clerk