

WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING NOVEMBER 3, 2014

The regular meeting of the Board of Adjustment was called to order at 7:02 p.m. by Vice Chairman Villani in the Municipal Court, 44 Mountain Blvd., Warren.

THOSE PRESENT AT ROLL CALL: John Villani, George Dealaman, Richard Hewson, Donald Huber, Scott Bowen, Alt. #1 and Clerio Martins, Alt. #2
Also present was Amanda Wolfe, Esq., Attorney for the Board.

THOSE ABSENT: Fernando Castanheira, Frank Rica and Foster Cooper

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 10, 2014.

FLAG SALUTE:

MINUTES: The minutes of the 9/15/14 meeting had been forwarded to members for review.

Mr. Hewson made a motion to approve, seconded by Mr. Dealaman.
All were in favor, so moved.

COMMUNICATIONS:

July/August issue of THE NEW JERSEY PLANNER

Letter dated 9/25/14 from Richard Sasso, Esq. concerning CASE NO. BA14-05 PILSNER/DE TORRES requesting that the Board "hold off" memorializing the Resolution for this application. An amended variance application has been filed.

OPEN THE PRIVILEGE OF THE FOOR PORTION OF THE MEETING

Mr. Villani asked if any member of the public wished to make a statement, which is unrelated to tonight's agenda.
There was none.
He closed that portion of the meeting.

AGENDA:

CASE NO. B14-07 ROSE NEUBAUER
BLOCK 87, LOT 26
92 MOUNT BETHEL ROAD

Application to raze an existing garage & replace it with a new one on the same footprint on a lot containing an existing single family dwelling...bulk variance required

Mr. Dealaman noted that the file is in order.

Michael Costantin A.I.A. and Joseph Costantin A.I.A., John T. Chadwick IV, P.P. as well as Christian Kastrud P.E. were sworn in.

The applicant, Rose Neubauer, was not present. However her daughter, Anne Simia and son, Anthony Familia were present and were sworn in to testify.

Michael Costantin gave his background and credentials and was accepted as an expert witness.

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Mr. Costantin said that the applicant wishes to replace a garage, which was severely damaged by a fallen tree. The applicant secured building permits and began the garage repairs. However, during the process, it was discovered that there were no footings under the garage and that the footings needed to be replaced. They were advised by the Construction office that they would need to acquire a variance.

They are asking to build the new garage in the same footprint.

Ms. Simia testified that she considered moving the garage so that it would comply with the minimum setback, but that would place it in the middle of a shared driveway. Also, there were large, fully grown trees behind the garage.

Joseph Costantin introduced Exhibit A-1, which was marked into evidence. It is a rendering depicting the dimensions of the garage. The proposed height is 15 feet, which complies with the applicable ordinance provision. It showed a simple gable two car garage. The proposed siding would match the existing dwelling.

Mr. Familia, Anne Simia's brother living at the property, testified that none of the neighbors objected to the replacement of the garage. Also, no member of the public was present to comment on the application.

Mr. Villani asked for questions from the public. There was none.
He asked for statements from the public. There was none.
He closed the public portion.

DELIBERATIONS:

Mr. Bowen had no issues with the proposal. The neighbors had been notified and no one objected.

Messrs. Hewson, Dealaman, Martins and Huber had no objection.

Mr. Villani noted that there had been a garage there initially. No neighbors objected.

Ms. Wolfe read a Draft Motion mentioning the required conditions.

Mr. Hewson made a motion to approve, seconded by Mr. Martins.

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Richard Hewson, Donald Huber, Scott Bowen and Clerio Martins, There were no negative votes. The motion carried.

CASE NO. BA14-09 SIEN LEWIS
 BLOCK 76.02, LOT 19
 24 MORNING GLORY ROAD

Application to construct an addition to an existing single family dwelling...variances needed: lot area, lot width, side yard (s), floor area ratio, lot coverage, building coverage

Mr. Dealaman noted that the file was in order.

Sien Lewis, William Auld, the Architect, Christian Kastrud PE. and John T. Chadwick IV, P.P. were sworn in.

Mr. Auld A.I.A. gave his background and credentials and was accepted as an expert witness in Architecture.

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Mr. Chadwick noted that this Board approved variances for this property in 2006. The variances are still the same. The applicant now plans to put a garage in front. The house is a little building next to a gigantic house. The applicant can build what was already approved. The main difference between the previously approved plan and the current application is the location of the garage and the addition of a breezeway. A d(4) F.A.R. variance had been granted.

Mr. Auld noted that the lot is a pre-existing undersized lot with a 12,138 sq. ft. while 20,000 sq. ft. is required. The property contains a single family dwelling without a garage consisting of 1,163 sq. ft. bldg. footprint. The applicant proposes to construct an addition to the existing home, which will include a one car garage, connected to the main structure by a breezeway. The construction would include a renovation of existing bedrooms and bathroom, an addition of bedrooms, bathrooms, a sitting room and a loft.

Mr. Auld mentioned that of the seven variances required, six involved pre-existing non-conforming conditions. The construction would fit into the neighborhood and result in no negative impacts.

He testified that the new roofing and siding would be aesthetically similar and would be integrated so that the new addition and existing structure would look uniform. Also, the breezeway would be a covered walkway without walls or windows and would be used to tie the design of the existing structure into the addition.

Ms. Lewis, the applicant and owner of the property testified that the house had only one bathroom and sought to expand the property so that it would be livable by today's standards. She said she spoke to her neighbors, and they were all supportive of the proposal. She intends to live at the property rather than sell it to a third party.

Mr. Auld stated that an updated survey has been submitted as requested. Both he and Ms. Lewis agreed that a turnaround would be necessary. They have proposed a 20x12 ft. for it. However, the change in the driveway design increased the impervious coverage to 29%. The Board did not take issue with the marginal increase in coverage.

Mr. Chadwick explained that presently no widening of Morning Glory Road has been proposed, but that the standard road width is 50 feet and the width is only 33 feet where the property is located. He suggested that the applicant grant an easement of 8.5 ft. The applicant stipulated to the suggestion.

Ms. Lewis was reminded that she would have to provide for stormwater management when applying for the required building permits.

Mr. Villani asked for questions from the public.

Mr. Shijin Guo of 3 Hidden Hollow Way approached and was sworn in. He commented that the addition will result in a structure that is almost twice the size of the original dwelling and would be out of character with the neighborhood. He also worried about stormwater run-off.

Board members noted that the grading of the property was such that any run-off would run away from his property. They also reminded him that the applicant will still need to provide stormwater management during the permit application process.

Mr. Chadwick again noted that there had been an approval of a similar design. Also, only one tree would be removed and suggested that a modest clearance would be appropriate.

The Board felt that the applicant demonstrated special reasons to satisfy the positive criteria for the F.A.R. variance. The site, as improved with the appropriate drainage

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system can accommodate the problems associated with the floor area ratio. There are aesthetic benefits associated with the additions with the existing landscape buffering.

The lot is pre-existing and non-conforming. The applicant had no way of buying additional land in order to conform. This does not constitute a self created hardship.

The Board was satisfied that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan.

Mr. Villani asked for questions from the public. There were none
He asked for statements from the public. There were none.
He closed the public portion.

DELIBERATIONS:

Mr. Dealaman thought it was a good idea. He felt that the turnaround is needed.
Mr. Huber had no objection. He liked the design.
Mr. Bowen was told that the variance - with the extension - is good to 2015. He thought it was a great idea. He stressed that the addition must be in conformity with the existing building. It should all work together.
Mr. Hewson had no objection. He likes the turnaround. Engineering will take of the drainage.
Mr. Villani said that, with the conditions, he approves.

Ms. Wolfe read a Draft Motion.

Mr. Dealaman made a motion to approve, seconded by Mr. Hewson.

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Richard Hewson, Donald Huber, Scott Bowen and Clerio Martins.
There were no negative votes. The motion carried.

CASE NO. BA14-08 MICHAEL SHARENOW
 BLOCK 39, LOT 30.02
 22 ROBIN ROAD

Application to construct a pole barn on a lot containing a single family dwelling...bulk variance required - 13 feet from the property line
THIS CASE WAS SCHEDULED FOR THE 10/6/14 MEETING, WHICH WAS CANCELED. IT WILL BE CARRIED TO THE 12/1/14 MEETING WITHOUT ADDITIONAL NOTICE.

Memorialization of Resolution for CASE NO. BA14-06 PAUL MUROWSKI

Mr. Dealaman made a motion to approve, seconded by Mr. Hewson.

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Richard Hewson and Scott Bowen.

There were no negative votes.
The motion carried.

Mr. Bowen made a motion to adjourn, seconded by Mr. Hewson.
All were in favor, so moved.
There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,
Kathleen M. Lynch, Clerk