

**Zoning Board of Adjustment
Regular Meeting Minutes
February 21, 2018**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening February 21, 2018 at 7:00p.m., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Rick Zeien
Mr. Ron DeRose
Mr. Jason Jensen

Members Absent:

Mr. Michael Cannilla, Chairman
Mr. Brian O'Connor

Also Present:

Mr. Kurt Senesky, Esq., Board Attorney

Call to Order:

Mr. Noss, Vice Chairman called the meeting to order at 7:00p.m.

Statement of Adequate Notice:

Mr. Noss issued the following statement:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Board by preparing a notice, specifying the time, date and place of this meeting; posting such notice on the bulletin of the Municipal Building; filing said notice with the Clerk of the Borough, forwarding the notice to the Florham Park Eagle, and forwarding, by mail and fax, the said notice to all persons on the request list, and that said notice will be included in the minutes of this meeting. This action is in accordance with the N.J.S.A. 10:4-6, et sec., "Open Public Meetings Act."

Resolution of Approval:

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| 1. | <u>Ross & Jennifer Croessmann</u>
16 Crescent Road
Block 2004, Lot 12 | <u>Application #BOA18-2</u>
front yard setback |
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Applicant is seeking approval for a front yard setback variance in connection with an addition.

Mr. Zeien made a motion to approve the resolution, second by Mr. DeRose

Roll Call: On a roll call vote all members present and eligible voted to approve the resolution.

C Variance:

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| 6. | <u>David & Kimberly Rubelowsky</u>
25 Townsend Drive
Block 2601, Lot 30 | <u>Application # BOA 18-5</u>
front and side yard setback |
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Applicant is seeking approval for front and side yard setbacks in connection with an addition.

Kim Rubelowsky and her architect, Doug Asral, were sworn in.

The home is undergoing a large renovation. As part of that, the applicant would like to construct a 2nd garage bay next to the one car garage. The existing front yard setback is non-conforming at 37.9 feet where 40 feet is required. They would like to keep the second garage bay in line with the existing garage.

The rest of the addition that will be added to this home which will be in a conforming location. It is just the garage bay that is encroaching into the setback. They simply want to match what is currently existing. They feel that it will be more esthetically pleasing that way, and it will be outside of the side yard setback.

There is also a set of steps leading to the deck that are proposed to be in the side yard setback. Board members asked if these steps can be relocated to a conforming location such as further back from where they are or at the rear of the deck. Mrs. Rubelowsky agreed to relocate the steps in an area that will comply and no variance will be needed.

All other planned expansions and additions will comply. The chimney will extend beyond the ridge but will comply. They are required to install a storm water detention system plan that will be submitted to Engineering for review and approval.

Mr. Noss stated that it is a reasonable request. There were no other comments. He called for a motion.

Mr. Zeien made a motion to approve the application, second by Mr. Novalis

Roll Call: On a roll call vote all members present and eligible voted to approve the application.

7. **Martin Dale & Fernanda Costa**
9 Insley Road
Block 3503, Lot 9

Application # BOA 18-4
front and side yard setback
excess building and lot coverage

Applicant is seeking approval for front and side yard setback, excess building and lot coverage in connection with an addition.

Mr. Dale and Ms. Costa and Braulio Rossy, architect, were sworn in.

A-1: revised site plans showing dimensions on the floor plans.

Mr. Rossy stated that the site plan has been revised to show the actual dimensions of the floor plans. All else is exactly what was submitted. This variance is related to a family room addition to a home that is situated on a corner lot that has two front yards.

The excess lot coverage is due to a large patio on the property. The building coverage overage is driven by the proposed addition. There was a question on where the side yard is and it was determined the Zoning Official that the side yard is being encroached upon.

Mr. Rossy said that they cannot comply with one the front yard setback on Pierson Lane because the diagonal that the home is constructed. The home was built in the early 1950's, probably prior to many zoning ordinances.

Mr. Senesky commented that corner lots with diagonal facing homes are problematic because the setbacks become out of skew and the driveway becomes larger than normal due to the unique angle.

Mr. Rossy said that he and his clients discussed ways of reducing the variance requests. He said that the lot coverage is excessive but they can remove 355 square feet of brick patio to bring the coverage into compliance. The patio is also over a drainage easement. Removal of this patio will bring the lot coverage to 29% which will conform to the requirement.

Mr. Rossy said the deck will stay and the shed will stay. These elements were there at the time of purchase. It is not known if there are any old variances associated with this property.

There was some discussion about trying to move the addition forward in order to conform to the side yard but by doing so, the front yard setback would intensify. Mr. Novalis asked if the deck could be slightly cut so that it is no further into the setback than the proposed addition.

Mr. Senesky noted that if the addition is moved forward to comply with the side yard, it will intensify the front yard setback.

Mr. Rossy stated that they will propose to reduce the actual size of the addition and move it forward. The new dimensions on the addition will now be 17 feet x 22 feet (with overhangs) and this will increase the setback to Pierson Lane to 26.6 feet. It will also remove the building coverage variance and the side yard setback.

The shed will be moved to a conforming location. The deck will be adjusted to be outside of the setback. The patio will be removed. The plans and coverage calculations will be revised to reflect this new proposal.

The meeting was opened to the public.

Mr. Incardona and Ms. Babbitt, 15 Pierson Lane. The addition which is living space is on the side where their bedroom is. Their priority is the light from the addition shining into the bedroom. He also is concerned with drainage. They realize that the diagonal placement of the home makes it tough to expand.

Mr. Rossy stated that he is sensitive to that and will consider removing the lower windows that are on the side facing their bedroom if that becomes an issue. The smaller high windows will remain but it should not disturb them. Mr. Rossy said that the drainage will be addressed.

Mr. Incardona agreed that moving the addition slightly forward is a better idea.

Mr. Rossy said that he will submit new plans to the Board Secretary by Tuesday, February 27, 2018. He noted that this is not a massive structure. He asked that the application be carried to the March 7, 2018 meeting without further notice.

Mr. Noss asked for a motion to carry the application.

Mr. DeRose made a motion to carry the application to March 7, 2018, second by Mr. Zeien.
Roll Call: On a roll call vote all members present and eligible voted to carry the application.

On a motion duly made and seconded the meeting was adjourned at 8:15p.m.