

**MINUTES**  
**BOROUGH OF WATCHUNG**  
**BOARD OF ADJUSTMENT**

**June 4, 2009**

Mr. Lauerman called the meeting to order at 7:30 pm and stated that notice of this meeting has been posted in Borough Hall, filed with the Borough Clerk and given to the Echoes-Sentinel, Journal and the Courier-News in conformance with the N.J.S.A. 10:4-6 et seq. The salute to the flag followed.

Present on roll call: Fechtner, Lauerman, Weber, Dallas, Hunsinger, Brown, Kita Sampson and Chairman Cronheim

Absent on roll call: Weber

Also Present: Edward P. Bennett, Jr., Zoning Officer, John P. McDonald, Esq., Attorney, and David A. Stires, PE, PP, Engineer

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**BA 08-01 Cassidy, 13070 Johnston Drive, Block 6403 Lot 18 – Any and all variances needed, preliminary and final site plan approval to have Professional Offices in the RR Zone.**

Mr. Vastola appeared again for the applicant Karen Cassidy. Mr. Vastola called Joseph Boniakowski, a qualified expert in real estate evaluations. Mr. Boniakowski described the property and gave his opinion on how it has been devalued over time due to traffic, location and the quarry across the street. Mr. Boniakowski stated that the mentioned property would be a good transition from residential to business use because of its location and the proximity of retail on Route 22, the Colorado Café up the street and the operations of the Weldon Quarry across the street.

Mr. Sasso, appearing on behalf of the objectors, Terry and Lisa O'Connor asked Mr. Boniakowski if the property could still be used and sold as a residential home. Mr. Boniakowski stated it could.

Many members of the public asked Mr. Boniakowski how much the property could be sold at. Chairman Cronheim stated that was not relevant to this application and would not be fair to the applicant to speculate as such.

Hearing no further questions of Mr. Boniakowski the Applicant rested its case and Mr. Sasso called Terry O'Connor.

Mr. O'Connor explained where he lived and how he felt a professional office would affect him. He stated although he lives behind Blue Star it is relatively quiet. He felt the professions that Ms. Cassidy is proposing could have late hours and with NJDOT take a portion of the property and cutting the trees it would be quite bothersome and would negatively hurt his property.

Mr. Sasso called Richard E. Lapinski. Mr. Lapinski was accepted as an expert in municipal planning. Mr. Lapinski explained how the applicant had not met the requirements of the positive criteria needed for approval. Mr. Lapinski talked about how the RR Zone had been extended in the recent master plan update. Mr. Lapinski stated that even though the Colorado Café is a commercial use with the new master plan it will now fall into the RR Zone. In Mr. Lapinski's opinion based on the documentation, the Master Plan for the Borough of Watchung, the objective was to keep Bonnie Burn Road and its surrounding neighborhoods residential.

Mr. Sasso stated he had no further witnesses at this time.

Mr. William Butler, an attorney representing Weldon Materials, Inc., the owners of the quarry spoke of the day to day operations: truck traffic, the impact of blasting, hours of operation, etc. He stated Weldon was neither for or opposed to this application and just wanted everything on the record.

Chairman Cronheim so noted.

There being no further questions for either the public or the Board, Chairman Cronheim closed that portion of the meeting.

The Board heard many statements from residents on Johnston Drive:

George Sayan stated he was afraid of the traffic the proposed office space would create.

David Good felt the same way and felt that people would use Johnston Drive as a cut through to avoid traffic.

Mary Chicalella was fearful the added traffic could cause some harm, especially her son who roller blades in the street.

Russell Shillou spoke of how his home would be devalued due to this application and was setting a precedent.

At this time Mr. McDonald explained to the Board that they were only voting on the use variance portion of this application. The Board needed to determine if this application was consistent with the zoning ordinances and the master plan.

Mr. Hunsinger made a motion to deny the application and Mr. Lauerman seconded it. All voted in favor of the denial with the exception of Mr. Dallas.

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The meeting was adjourned until the next meeting on July 9, 2009.

Respectfully submitted,

Catherine M. Hammel  
Clerk, Board of Adjustment

