

MINUTES
BOROUGH OF WATCHUNG
BOARD OF ADJUSTMENT
July 8, 2010

Chairman Cronheim 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, Hunsinger, Lauerman, Brown, Kita,
Sampson and Chairman Cronheim

Absent on roll call: Weber, Dallas

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

Requests were made by the following:

TGIF– Request to hold a charity car show, August 11, 2010.

All were approved by the Board unanimously.

APPLICATION:

BA 10-02 Kleinberg, 404 Johnston Drive, Block 5402 Lot 12- Any and all variances, needed to build an addition on an existing home with existing non-conforming front yard set back, accessory side yard set back and failing to meet the requirement for impervious surface coverage.

Irwin Schnitzer, Esq. appeared before the Board on behalf of the owner under contract, Mr. Michael Kleinberg.

Mr. Kleinberg testified that the existing home is very small. He would like to keep the existing home and attach and incorporate a larger addition. He explained he would be living in the existing home while construction is ongoing. He would like to keep the existing garage use it for storage during construction and then keep it for future storage.

Mr. Hunsinger asked if the existing garage was really necessary after construction was completed. Mr. Kleinberg explained that he was afraid once he took it down he would not be able to put something else up.

Al Gionta, 424 Johnston Drive, a neighbor questioned also if the garage/tool shed would really be necessary?

A short recess was taken. At the return, Mr. Schnitzer stated that the applicant would like to keep the garage during construction and would remove it prior to the issuance of a Certificate of Occupancy.

Chairman Cronheim asked if there were any other questions for Mr. Kleinberg. Hearing none he closed that portion of the meeting.

Mr. Schnitzer called Leland Titus. Mr. Titus having appeared many times before this Board was accepted as a witness in Planning and Engineering.

Mr. Titus explained that since the applicant has agreed to remove the existing garage, the only variance that remains is the existing non-conforming front yard set back. Mr. Titus explained that the existing home is 46.50 where 50 ft is required. The new addition will not increase the non-conformity.

Chairman Cronheim asked if there were any questions of this witness. Hearing none he closed that portion of the meeting.

Chairman Cronheim asked if anyone wanted to make a statement either for or against the application. Hearing none he closed that portion of the meeting.

Mr. Hunsinger made a motion to accept the application with the amendment. Mr. Brown seconded the motion. At the call of roll the application was accepted unanimously.

DISCUSSION:

Mytschenko & Palladino, 27 Gildersleeve Place, Block 1401 Lot 2 –
Discussion to amend BA 05-11 to allow a walkway on Borough property.

Mr. Bennett explained to the Board that this application had been previously approved by the Board. At that time the applicants had proposed to erect a sidewalk from the front of the home to the rear of the home. During construction and installation the sidewalk changed. The applicants landscaper thought the flow would work better to move the sidewalk away from the home a few feet, unfortunately in doing so the sidewalk starts on the homeowners property goes onto the Borough of Watchung' property and back onto theirs. Mr. Bennett stated we have a letter from Arlene McCoy, Assistant Borough Engineer requesting that we amend our original resolution. Chairman Cronheim stated the Board of Adjustment could approve the sidewalk as it appears on the homeowner's property but the Board did not have the authority or jurisdiction to allow anyone to put anything on someone else's property.

Mr. McDonald agreed. After some discussion the Board agreed to amend the Resolution to reflect the as-built as submitted but they could not give permission for the sidewalk on the Borough of Watchung property. The applicants will have to request that permission from the Mayor and Council. Mr. McDonald was sure some sort of agreement would have to be established.

All vouchers were approved for payment.

The meeting was adjourned until the next meeting of the Board of Adjustment scheduled on August 5, 2010 at 7:30pm

Respectfully submitted,

Catherine M. Hammel
Clerk, Board of Adjustment