

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

**December 3, 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: Hunsinger, Dallas, Lauerman, Brown, Kita, Sampson and  
Chairman Cronheim

Absent on roll call: Weber, Fechtner,

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

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**APPLICATION:**

BA 09-11 Cavilhas, 90 Hughes Lane, Block 4002 Lot 2. Any and all variances needed to allow a property to exceed the imperious surface requirement of 25%.

Gina Cavilhas appeared before the Board. Ms. Cavilhas explained that when she initially applied for zoning for her new home her intention was to have two driveways, one into her garage and another horseshoe shaped one to turn around in. Through the course of building it was suggested that she combine the two, to allow for emergency vehicles to turn around when they wrongly come up Hughes trying to get to Park Place which on maps and such, suggests it goes through but it does not. The driveway is also larger because her intention is to bring her elderly parents over from Portugal to live with her, her father is ill and requires ambulatory transportation.

Ms. Cavilhas explained she has a detention basin in the lower back corner of the property and there is a crude ditch that runs along the back of her property.

Dan Germaine, 58 Fawn Lane, explained that he has had horrible water issues and that the water is coming from Ms. Cavilhas' property. Mr. Germaine submitted pictures to help explain his concerns.

Mr. Stires stated that the water in question is coming off of Park Place and going onto the property next to Ms. Cavilhas. That property is under construction and the homeowner is putting in more detention than the Borough is requiring. Mr. Stires went on to explain that he has had many conversations with Tom Herits, Watchung Borough Engineer. Mr. Herits is aware of the concerns of the neighbors and some action has been taken, further action will be taken as the project proceeds and Mr. Herits can view the problem during storm conditions.

Chairman Cronheim stated that this Board could only ask the Borough Engineer to resolve this problem; they have to authority over that Department.

Phil Whiiting, 63 Fawn Lane, spoke of the same problems and of remedies for them.

Chairman Cronheim explained again that this Board had no authority over the Engineering Department, we can only recommend not dictate.

Dan Germaine, Sr. 127 Hillside, spoke of the application that was above his home, Heinzer, and how they remedied their water problems.

Mr. McDonald explained that was a site plan application this application before us is for a variance for relief. This Board can not mandate an applicant to do something that is not within the jurisdiction of the Board.

At this time Chairman Cronheim stated a letter would be sent to Tom Herits for his comments and incite into this application. This application would be carried without further notice until the February 4, 2010 meeting.

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**REQUEST:**

**Verizon Wireless, Route 22 – A request for flags/banners during the holiday.**

Jeff Rossi, manager, asked to allow flags/banners on Route 22 outside of the right-of-way for 30 days to help business during the holidays.

The Board agreed for a 30 day time period. Chairman Cronheim reminded Mr. Rossi that if NJDOT was not happy with them he would have to remove them.

The meeting was adjourned until the next meeting on January 7, 2010 for re-organization.

Respectfully submitted,

Catherine M. Hammel  
Clerk, Board of Adjustment