

**MINUTES  
BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT  
JUNE 7, 2012**

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, Dallas, Brown, Bell  
Panzarella, Clemens and Chairman Cronheim  
Absent on roll call: Kita  
Also Present: Edward P. Bennett, Jr., Zoning Officer, John P. McDonald, Esq.,  
Attorney

**INTERPRETATION:**

**BA 08-12 Hood, 40 Jared Court, Block 6802 Lot 16** – Interpretation of the Ordinance to allow parking in the front yard.

The Board determined that a variance was not necessary the applicant had a parking area from a previous driveway that existed prior to the extension of Jared Court; access was previously obtained through Valley Road. A new home recently was built eliminating that access. Since it did not increase any impervious surface and fell within the guidelines it could stay.

**APPLICATIONS:**

**BA 06-12 Liccardi, Route 22 East, Block 6402 Lot 3** – Any and all variances and site plan approval to erect a sign.

The Board approved the application. Liccardi is required to change their signs based on the agreement with Lincoln. The Board requested that prior to any permits being issued Liccardi submit a site plan depicting current signage and square footage of such.

**BA 07-12 Hammer, 60 Scott Drive, Block 1602 Lot 11** – Any and all variances needed to exceed the allowable impervious surface coverage in the RR Zone.

The Board approved the application. The Board made determination based on the testimony regarding the slope at the rear of the yard and unusual length of the driveway

**RESOLUTIONS:**

**BA 11-14 Franklin, 33 Wildwood Terrace, Block 202 Lot 5** – Any and all variances needed to park a recreational vehicle in the front yard. Approved

**BA 05-12 Tobey, 127 Valley Drive, Block 6502 Lot 2** – Any and all variances needed to build an accessory structure in the front yard area. Approved

There being no further business before the board, the meeting was adjourned until the next regularly scheduled meeting of July 12, 2012 at 7:30 pm.

Respectfully submitted,

Catherine M. Hammel  
Clerk, Board of Adjustment

**BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT**

APPLICATION NO. 2012-05  
Tobey, Jeffrey A.  
127 Valley Road  
Watchung, New Jersey  
Block 65.02 Lot 15

**RESOLUTION 2012-05**

RESOLVED that the Board of Adjustment made the following findings and determinations respecting the above-captioned application.

1. This is an Appeal pursuant to the provisions of N.J.S.A. 40:55D-70(1). The applicant seeks a hardship variance in order to permit him to construct a freestanding two-car garage (accessory structure) within the front yard of the subject property.
2. The subject property is located on the west side of Valley Road just south of Wood Road or Oakridge Land and unimproved right of way running along the sideline of the subject property.
3. The property is located in the Rural Residential (RR) District. The subject property contains a one story residential dwelling and other associated site improvements including a looped driveway.
4. The applicant is proposing to install a freestanding two-car garage, in the front yard, west of the existing dwelling. The Borough's Land Use Ordinance prohibits garages in the front yard and the applicant seeks relief from that provision.
5. The existing dwelling is located 104 feet from Valley Drive and the garage is proposed at 60 feet.
6. The applicant appealed to the Board of Adjustment by application filed on April 11, 2012 and appeared before the Board on May 3, 2012.
7. The applicant was not represented by counsel.
8. Service of notice was found to be in order.

9. The applicant submitted the following documentation: a) Zoning Permit Application and Determination denial by Edward P. Bennett, Jr., Zoning Officer dated April 5, 2012; and b) Survey of Property prepared by Harry L. Paff Associates, Inc. and signed by Alphonse Zieminski, PLS, dated June 27, 1984, showing the proposed garage and setbacks.
10. There were no objectors present.

The Application is hereby granted for the following reasons and on the following conditions:

#### Reasons

1. The application is consistent with the purposes of zoning and can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan and ordinance.
2. To deny this application would result in an exceptional undue hardship upon the applicant.
3. To deny this application would be an unjust denial of the applicant's reasonable use of his property.
4. The applicant's lot is very large, 120,000 square feet where only 60,000 square feet is required. The proposed garage is a long distance from the closest neighbor's home and the applicant's lot is heavily wooded.
5. At the present time, the applicant has no garage. The proposed garage will improve the property.

#### Conditions

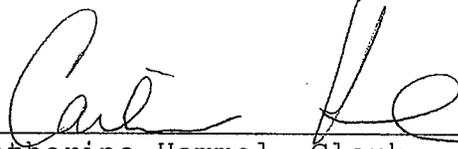
1. The applicants shall obtain the usual building, land disturbance and other such permits as may be required in connection with this proposal including but not limited to review and approval by the Borough Building Department and Borough Engineer.
2. The existing/proposed driveway width at the garage entrance is proposed for 20 feet. The applicant should enlarge this area to provide 25 feet in length to allow for proper turning in and out of the garage.
3. The garage shall be no closer than 58 feet from the front yard setback.

4. The garage shall be no closer than 10 feet from the private right of way.

On Motion duly made and seconded, the Board approved the Resolution:

Roll Call		Approved: 5/5/12				Adopted: 6/07/12			
Member	Y	N	NV	ABS	Member	Y	N	NV	ABS
Cronheim, Ch.	✓				Kita	✓			
<del>Anderson, W.</del> Clemens, AHA	✓				Brown	✓			
Dallas <i>2nd</i>	✓				Panzarella <del>(Alt. #)</del>	✓			
Fechtner	✓				Bell (Alt. #)	✓			
Hunsinger <i>1st</i>	✓								

x = indicates vote    NV = Present but not voting    ABS = Absent

  
Catherine Hammel, Clerk

**BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT**

APPLICATION NO. 2012-4  
Franklin, Thomas & Lynn  
33 Wildwood Terrace  
Watchung, New Jersey  
Block 202 Lot 5

**RESOLUTION BA 2012-4**

RESOLVED that the Board of Adjustment made the following findings and determinations respecting the above-captioned application.

1. This is an Appeal pursuant to the provisions of N.J.S.A. 40:55D-70(c)(1). The applicants seek a hardship variance to permit a front yard parking area for an recreational vehicle (RV).
2. The subject property is located on the east side of Wildwood Terrace (50-foot Public ROW) one lot south of the intersection of Mountain Boulevard and Wildwood Terrace.
3. The property is located in the Rural Residential (RR) District.
4. The subject property contains a one and one-half story residential dwelling, a pool and other associated site improvements.
5. A Zoning Permit Application was denied because the request violated the Boroughs Land Use Ordinance. Pursuant to section 14-14.8, RV's are not permitted in the front yard, in addition, 28-401W(3)b(3) requires that the residential parking shall not be permitted in the front yard in any residential district.
6. The applicants appealed to the Board of Adjustment by application filed on November 9, 2011. The matter was heard by the Board on December 1, 2011 and May 3, 2012.
7. There were no objectors present. Mr. Horst Kolffhaus who lives directly across the street at 42 Wildwood Terrace testified he had no objection to the RV being parked in the applicants' front yard.
8. Service of notice was found to be in order.
9. The applicants provided a survey prepared by Gregory Drochoren, PLS dated January 19, 1993. A report was submitted of an on-site analysis that was done on March 6, 2012 by PK Environmental, John Peel, PP. The applicants also provided photos of the side and back yard.

10. Thomas Franklin testified in support of the application

The Application is hereby granted for the following reasons and on the following conditions:

Reasons

1. The application is consistent with the purposes of zoning and can be granted without substantial detriment to the public good and will not impair the intent and purpose of the zone plan and ordinance.
2. To deny this application would result in an exceptional undue hardship upon the applicant.
3. To deny this application would be an unjust denial of the applicant's reasonable use of the property.
4. The site where the RV is to be parked is well-screened and 450 feet from Mountain Boulevard.
5. If the applicant were to comply with the Borough's ordinances, he would have to remove a number of trees.
6. The neighbor most affected by the application supports the application.
7. The wetlands at the back of the applicant's property precludes the location of a garage or parking area.

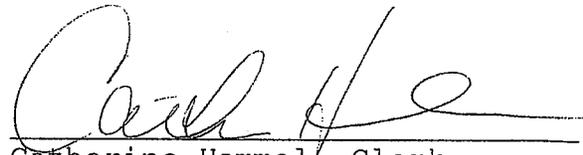
Conditions:

1. The applicant must secure all necessary permits in connection with the application.
2. The parking area cannot be more than 26 feet long and cannot be more than 12 feet wide.
3. The parking area cannot be paved and must be boarded by railroad ties on the sides and in the rear.
4. No commercial vehicles will be permitted in the parking area.

On Motion duly made and seconded, the Board approved the Resolution:

Roll Call		Approved: 5/3/12				Adopted: 6/7/12			
Member	Y	N	NV	ABS	Member	Y	N	NV	ABS
Cronheim, Ch. <i>1st</i>	✓				Kita	✓			✓
Hunsinger, V. Ch.	✓				Panzarella	✓			
Dallas <i>2nd</i>	✓				Bell (Alt.1)	✓			
Fechtner	✓				Clemens (Alt. 2)	✓			
Brown	✓								

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 Catherine Hammel, Clerk