

**MINUTES  
BOROUGH OF WATCHUNG  
BOARD OF ADJUSTMENT  
October 3, 2013**

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: Chairman Cronheim, Hunsinger, Fechtner, Brown, Panzarella, Bell, and Clemens  
Absent on roll call: Dallas, Kita  
Also Present: John P. McDonald, Esq., Attorney  
Not Present: Edward P. Bennett, Jr., Zoning Officer, and David A. Stires, PE, PP, Engineer

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The minutes from September 19, 2013 were approved unanimously at the call of roll.

**APPLICATIONS CARRIED UNTIL November 7, 2013:**

**BA 11-15 Badin, 65 Glen Eagles Drive, Block 401 Lot 2** – Any and all variances needed to exceed the required impervious surface coverage of 25% to allow 29%.

**BA 13-12 Bisignano, 20 Jared Court, Block 6802 Lots 17 & 19.01** – Any and all variances needed to erect a non-conforming fence.

**APPEAL: BA 15-12 Edman – Appeal decision regarding 861 Johnston Drive.**

**Applications**

**BA 10-12 Sun, 12 Kappelmann, Block 403 lot 11.01** – Any and all variances for an addition exceeding impervious surface coverage, 25% allowed, 33.06% proposed.

Mr. Andrew Wu, appeared before the Board on behalf of the property owners. Mr. Wu is a licensed Engineer. Chairman Cronheim reminded Mr. Wu that he was still under oath.

Mr. Wu began by giving a brief history of the property and what has transpired with the Suns' and their application to the zoning office and the Borough of Watchung Engineer.

During the course of the history testimony Chairman Cronheim questioned Mr. Wu about the final map that was filed with the County for the sub-division of Kappelmann Estates. Chairman Cronheim specifically questioned the notation on the map that stated that the "allowed impervious lot coverage would not exceed 25% of 51,765 sf = 12,941 sf." Chairman Cronheim continued that the applicant is at 19,924 sf. The Chairman stated that it was quite unusual to see these numbers on a final plat, but stated this was around the time of the Borough of Watchung's Steep Slope Ordinance and that Mr. Moody, the Borough Engineer at the time wanted to make sure these numbers were adhered to.

Due to these findings it was suggested by Mr. McDonald, Board of Adjustment Attorney, to the applicant to consider consulting with legal council. Mr. McDonald explained that due to these statements this is not a hardship variance and the proofs involved may be more involved than thought.

The applicant through discussion with the Board, and his expert, Mr. Wu, decided at this time to withdraw his application without prejudice. Chairman Cronheim stated that even though the application was being withdrawn Mr. Sun should proceed diligently because there are many violations on his property.

There being no further business before the board, the meeting was adjourned until the next regularly scheduled meeting of November 7, 2013 at 7:30 pm.

Respectfully submitted,

Catherine M. Hammel  
Clerk, Board of Adjustment