

**Borough of Watchung
Board of Adjustment Meeting
January 14th, 2016**

Reorganization

Minutes

Mr. Cronheim called the meeting to order at 7:34 and indicated there was a quorum to conduct business. The Chair stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the open public meetings law and proper notification of this meeting has been made.

Salute to the flag.

Chairman Cronheim called the meeting to order at 7:34pm. Salute to the flag. The Chair called for a roll call. Present at the call of the roll were:

Fechtner (X) Hunsinger (X) Dallas (X) Brown (X) Kita (X) Panzarella (A)
Bell (X) Lauerman (X) Cronheim (X)

Oaths of Office

Mr. McDonald read the oath of office to Robert Dallas for a four year term ending on December 31st, 2019.

Mr. McDonald read the oath of office to Sandy Fechtner for a four year term ending on December 31st, 2019.

Mr. McDonald read the oath of office to Edward Lauerman as Alternate #2 for a two year term ending December 31st, 2017.

Reorganization

Mr. McDonald asked for a nomination for Board Chair. Mrs. Fechtner nominated Mr. Cronheim for Chair, which was seconded and approved unanimously by voice vote. Chairman Cronheim thanked Mrs. Fechtner for all her years of service to both this board and the Board of Education of Watchung Hills Regional High School.

Chairman Cronheim nominated D.J. Hunsinger for Vice Chair, which was seconded and approved unanimously by voice vote.

Chairman Cronheim asked for a nomination for Board Secretary. D.J. Hunsinger nominated Bob Dallas for Secretary, which was seconded and approved unanimously by voice vote.

Chairman Cronheim nominated Mrs. Taylor to continue as Board Clerk, which was seconded and approved unanimously by voice vote.

Chairman Cronheim nominated Mr. McDonald to continue being appointed as Board

Attorney, which was seconded and approved unanimously by voice vote.

Chairman Cronheim nominated Dave Stires to continue being appointed as Board Engineer, which was seconded and approved unanimously by voice vote.

Chairman Cronheim said that the average appointment of board members is over 10 years, and thanked everyone for their service.

Continued Application

BA15-21 Watchung Mountain Villas
708 Mountain Blvd. Block 301 Lots 32 and 32.01
Market Townhomes, site plan

Mr. Joe Sordillo, Attorney for the applicant was present. Mr. Sordillo that they are continuing the bifurcated application with the site plan. He said that at the prior meeting, testimony was presented by the engineer, the traffic engineer and the architect. He said that at the last meeting, they had many questions from board members, and before he called the planner, he would like to call back the engineer. Joe Jaworski, engineer for the applicant is currently still sworn in. Mr. Sordillo asked Mr. Jaworski about one concern of the board's engineer at the last meeting, which was storm water calculations were based on the prior application and asked Mr. Jaworski to recalculate. Mr. Jaworski said he recalculated and the result was a little larger retention basin which extended underground approximately 20'. It just provides a little more storage and meets regulations. He explained it did not change the layout of the site. Mr. Sordillo asked about the next concern which was the impervious coverage on the adjacent lot. The cul-de-sac extends onto lot 32.01 and asked Mr. Jaworski to address that coverage. Mr. Jaworski presented exhibit P-7 entitled "Overall Exhibit Site Plan exhibit C" dated 1/14/16. Mr. Jaworski said that it is a decrease in impervious surface coverage. Mr. Jaworski wasn't sure if it would be conforming. The exhibit also showed a sidewalk in the southwest section of the property, around the curve, and down to Mountain Blvd., along with a concrete pad for children to wait for the school bus. Mr. Jaworski said that he included the sidewalk and pad into the impervious coverage calculations. Mr. Sordillo asked Mr. Jaworski to address the concern of the height of the wall at the rear corner of the property. Mr. Jaworski presented exhibit P-8 dated 1/14/16. One picture was the site line from the Williams residence, and the other picture was the view looking from the Wilson residence to the proposed development. Cross sections were shown from each residence to the site. The retaining wall by the Wilson home is about 4 feet high. As it extends to the east, the wall gets larger, and the highest point is the northeast corner. The garage elevation of unit 13 at the most north east corner of the development is roughly 2 1/2 feet higher than the first floor of the residence. The rear portion of that wall has been tiered to a plateau area with landscaping. Mr. Jaworski said that this will break up the wall. There will be evergreen plantings in the buffer between the Williams property as well. Mr. Hunsinger said that at the last application for this property that was the senior

project, the rear corner of the property was set aside as just a green buffer as part of the approval. Mrs. Fechtner asked if there was water supply for the plantings in the rear of the site. Mr. Jaworski said yes. The Homeowner's Association will maintain the landscaping and hardscape as well.

Exhibit P-9 was presented entitled "Cross section AA Exhibit" dated 1/14/16. The depiction was a cross section left to right from lot 6.01 into the subject property and unit 19 which is the western most unit. The Williams home at a finished first floor elevation is approximately 299. The finished garage floor of the closest unit is 290. The distance between these units is about 50' and about 22' from the house at lot 6.01 to the property line, and about 28' from the property to the unit. The existing driveway on the western side of the site will be removed and replaced with landscaping, and a 4' wall on the western site. Mr. Jaworski entered exhibit P-10 entitled "Side Elevation of unit 19 looking left to right, dated 1/14/16. The trees are about 6-7', and over time will grow higher. Mr. Jaworski said there will be a sign down by the front of the property. He said it hasn't been designed yet, but it will conform. Hearing no questions from the board, the Chairman opened up to the public for questions.

Joel Cohen Esq. attorney for the Williams (house immediately to the west). Mr. Cohen asked if the side yard setback requirements are met. Mr. Jaworski said yes. Mr. Coen asked about the fire hydrant that would remain in the back western corner but would be inaccessible. Mr. Jaworski said there would be adequate fire protection put in to the site. Debra Buhot of Mountain Blvd asked about grading and water runoff.

Denise Wilson of 726 Mountain Blvd. asked Mr. Jaworski some questions regarding the wall and the fence and elevations.

Mr. Stires asked Mr. Jaworski regarding the access easement along the western property line also calls out a utility easement. He asked if there was a water line there near the fire hydrant in the northeast corner, since the applicant is showing trees which would be in that easement. Mr. Jaworski said that the easement and water line is being investigated by the owners. If that needs to stay or be relocated, it can be rectified. He said the thought was to keep it as is. How it is accessed, is a call for the Fire Department to make, but they are putting in additional hydrants with a new water main on the road. Mr. Hunsinger asked how the Fire Department accesses the back house. Mr. Bell asked what the access is to the Williams house. Mr. Jaworski said there is the office building near the Williams house is a truck needed to get up there. Chairman Cronheim said they could find out where the hydrant is on the westerly side of the Williams house.

Mr. Sordillo introduced John McDonough, planner for the applicant. Mr. McDonough was sworn in and recognized as an expert in the field of planning.

Mr. McDonough said this is his third time testifying for this application. He said conditions have not substantially changed from the application for the use variance back in June of last year. Mr. McDonough said that this is a 3 1/2 acre site lying fallow in the community. Mr. McDonough said there was approval for 26 multi-family units in 2006 which were age restricted, and then the maximum established last year was 25 units. Now the applicant is proposing 24 units. From a planning standpoint, it is an irregular shaped piece of property. The applicant considers the proposal a good design

from a multi-family standpoint. The buildings follow the outbound of the property. The building masses at the edge of the property gives a good buffering effect that screens the active areas of the site. It is a traditional design. The court is in the middle. Mr. McDonough said it is highly attractive and will promote a desirable visual environment which is an improvement over the existing conditions.

Mr. McDonough said that there are 13 non-conformances in terms of the zoning ordinance. He went over Mr. Stires report dated November 23rd, 2015.

Of the 13 non-conformances, he said that 4 are bulk related and 9 are related to design.

Variance relief is needed for building coverage in the RR Zone. 19.3% where 15% is allowed in the RR zone.

Variance relief requested for the overall impervious coverage in the RR district. 49.9% where 25% allowed.

Variance relief requested for rear yard setback. 20 feet where 35' required.

Variance relief requested for driveway width at 20' as opposed to 24'.

Variance relief of the driveway width at the entrance is 30' where 24' is the requirement.

Variance relief for the cul-de-sac radius of 40' where 50' is required

Variance relief for the cul-de-sac length of 1500 linear feet maximum allowed and this application exceeds 1500 feet.

Variance relief for the dead end street with no turnaround.

Variance relief for the tree line radius for the right hand turn into the development is less than 100 feet.

Variance relief the intersection approach is less than 100 linear feet.

Variance relief for sidewalks not be provided except in certain locations.

2 more parking spaces have been provided.

Variance relief for no defined recreational areas.

Variance relief for the number of stories, 3 as opposed to two.

That concluded Mr. McDonough's direct.

The Chair called for a 5 minutes break

The Chair reopened the meeting with all members present.

Mr. McDonough wanted to clarify that variance relief for building stories is not needed.

Mr. Cohen, attorney for the Williams family asked Mr. McDonough if his testimony was that removing the roadway and putting landscaping on the western side of the site would be a design benefit. Mr. McDonough said yes. Mr. Cohen asked how taking away a road and replacing it with a 2 1/2 story wall was a benefit. Mr. McDonough explained that they have changed the driveway which was an active use, to a passive use.

Denise Wilson of 726 Mountain Blvd. asked if a single family home could be built in the RR zone rather than the last 3 unit building. Mr. McDonough explained that this is not what the applicant proposes and this is not what is before this board.

Mr. Brown wanted to know how Sidewalks can be provided to get children from their homes to the bus stop and it seems to be a safety issue. Mr. McDonough said that as the roadway narrowed down towards the entrance, and sidewalks would begin. Mr. Sordillo said that they had called the Board of Education regarding school buses picking up within the site, and they were told that it depended on how many students this site generated, and their ages as to whether a bus would come in.

Mr. Hunsinger asked what was in the rear of the buildings. Mr. McDonough said there were decks and patios. Mr. McDonough said that there were some green areas for free play.

Mr. McDonough said there is ability to continue that sidewalk up to the cul-de-sac if the board felt necessary.

Mr. McDonough was asked if there was any common space within the site. Mr. McDonough said no.

Chairman Cronheim said this application will be continued and will resume at the next meeting of February 25th, with no further notice.

Informal Hearing

Stress Solutions Spa- Betsy Pastor 916 Somerset Street Block 4409 Lot 2

Mr. Bennett explained that the Stress Solution Spa is moving to 916 Somerset Street, which they used to occupy years ago. He said that he wants to make sure that the board was ok with the use. There used to be a manicure salon in this space about 20 years ago, and then a travel agency. The board agreed that this is a continuation of a previous use. Mr. Bennett said that the BA zone does allow barber and beauty shops. Chairman Cronheim said this was in essence the same thing. Chairman Cronheim said it's a much less intensive use than a hair salon. The board agreed and wished the applicants good luck.

Approval of Minutes of meeting of the meeting of December 10th, 2015- Motion to approve, seconded and approved unanimously by voice vote.

Watchung Hills Lacrosse has requested 6 signs to be placed at Valley and Hillcrest, Mountain Blvd and Valley for 30 days. The board agreed unanimously.

Chairman Cronheim adjourned the meeting until the next meeting of February 24, 2016.

Respectfully Submitted,



Carolyn Taylor
Board of Adjustment Clerk