

Agenda
1/17/19

BOROUGH OF WATCHUNG
BOARD OF ADJUSTMENT
DANIEL CRONHEIM, CHAIRMAN

Regular Meeting
December 13, 2018

OFFICIAL MINUTES
Adopted January 10, 2019

Chairman Cronheim called the Regular Meeting to order at 7:41 p.m. Board members present were Mr. Hunsinger, Mr. Dallas, Mr. Kita, Mr. Panzarella, and Mr. Lauerman. Also present were Steven Warner, Esq., Board Attorney, David Stires, P.E., Board Engineer, Ed Bennett, Zoning Official and Theresa Snyder, Board Clerk. There were 11 members from the public present.

Chairman Cronheim read the statement indicating the meeting was being conducted according to the Sunshine Law, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. He then led the flag salute to the American flag, and the Board members identified themselves for the record.

ROLL CALL

Absent members were Ms. Fechtner, Mr. Brown and Mr. Bell.

APPROVAL OF MINUTES

On motion by Mr. Lauerman, seconded by Mr. Hunsinger, the November 8, 2018, Regular Meeting minutes and transcript were accepted and carried on voice vote.

RESOLUTIONS

Resolution BA 18-R15
Case No.: BA 18-11; Chick-Fil-A
Address: 1662 Us Highway 22 East
Building D
Block: 6101 Lot: 5
Approved 11/8/18

On motion by Chairman Cronheim, seconded by Mr. Hunsinger, the Board adopted the Resolution based on the following roll call vote:

o: 1/10/19

Roll Call:

Ayes: Mr. Hunsinger, Mr. Panzarella, Mr. Lauerman
and Chairman Cronheim

Nays:
Not Eligible: Mr. Dallas, Mr. Kita
Abstain:
Absent: Ms. Fechtner, Mr. Brown and Mr. Bell

Resolution BA 18-R16
Case No.: BA 18-12; Walmart
Address: 1515 Us Highway 22 West
Block: 5703 Lot: 2.04
Approved 11/8/18

On motion by Chairman Cronheim, seconded by Mr. Hunsinger, the Board adopted the Resolution based on the following roll call vote:

Roll Call:

Ayes: Mr. Hunsinger, Mr. Panzarella, Mr. Lauerman
and Chairman Cronheim

Nays:
Not Eligible: Mr. Dallas, Mr. Kita
Abstain:
Absent: Ms. Fechtner, Mr. Brown and Mr. Bell

Resolution BA 18-R17
Case No.: Ba 18-13; Zinburger
Address: 1662 Us Highway 22 East
Building E
Block: 6101 Lot: 5
Approved 11/8/18

On motion by Mr. Hunsinger, seconded by Chairman Cronheim, the Board adopted the Resolution based on the following roll call vote:

Roll Call:

Ayes: Mr. Hunsinger, Mr. Panzarella, Mr. Lauerman
and Chairman Cronheim

Nays:

Not Eligible: Mr. Dallas, Mr. Kita
Abstain:
Absent: Ms. Fechtner, Mr. Brown and Mr. Bell

CONTINUED APPLICATIONS

Case No. BA18-01; Wilderness Trails (RETS Partners, LLC)
833 Mountain Blvd.
Block 201 Lot 17
Located in the RR Zone

The Board approved Mr. Whitelaw, Esq.'s request that the application be carried without further notice and be reopened at the January 10, 2019, meeting because there were only 6 members of the Board present. Opposing counsel agreed to the extension. Mr. Berlant would provide an extension to act through January 31, 2019.

NEW APPLICATIONS

Case No.: Ba 18-16; Papparatto
Address: 27 Lakeview Ave.
Block: 13 Lot: 30-35
Located in the RB Zone

Mr. Sammy Papparatto, 27 Lakeview Ave., spoke on behalf of his parents Frank and Maria Papparatto who were present. The Papparattos along with Mr. Stires and Mr. Bennett were sworn in to give testimony.

The content of the notice was reviewed and sufficient giving the Board jurisdiction to act.

Mr. Papparatto was in front of the Board to consider an application for the addition of a 1,400 sq. ft. brick paver patio in the rear yard of the existing dwelling. The Property is located in the R-B-Single-Family Residential Zoning District. The Applicant was seeking a variance from Section 28-405 D for impervious coverage, proposed 45% whereas 30% allowed.

Mr. Bennett explained to the Board that the applicant recently constructed a new home. It was during construction, that impervious coverage became an issue. They were in the process of making more improvements when it was discovered that they were going to exceed the impervious coverage amount. They stopped work immediately upon finding out, and were not issued a permanent CO.

There was a difference in impervious coverage variance requested and the total impervious coverage on the documents submitted with the application. The Board

requested Mr. Titus prepare a true number of impervious coverage and have the applicant re-appear before the Board at their next meeting. The applicant agreed and their application was carried without further notice to the January 10, 2019 regular meeting. The applicant would provide a letter of extension to act through January 31, 2019.

DISCUSSION

The Board began discussion about recommendations to include in their forth coming annual report. There were four items that the Board considered:

1. The Board would like to consider changes be made to the outdoor dining especially in the Route 22 corridor.
2. The Board would like to consider changes be made to the Tree Ordinance. Board members opined that by not allowing home owners to take control of their property and remove trees that present a problem is dangerous. During the recent storms, residents were stranded in their homes or remained in a state of danger because of the timing of the trees falling and the necessity of waiting for Borough hall to open to apply for a tree permit. Homeowners should be allowed without a permit to remove a limited number of trees per year plus damaged ones. The Borough should not require any trees be planted near any power lines. The Tree Ordinance should be relaxed and allow property owners to manage their own properties in a safer and healthier way.
3. Mr. Bennett made recommendation that the Fence Ordinance be updated. Presently, the Ordinance does not allow for solid fencing or 6 foot fence.
4. Mr. Cronheim made a recommendation that set-backs for certain lots be reviewed. Steep slopes reduce the amount of buildable land and influence the height to set back ratio.

REQUEST

Mr. Bennett opined that the dimensions for a temporary banner at Cinemark requested by Chandler Signs were the same dimensions as the permanent sign that will be placed on the building; therefore, it would be considered a permanent sign, not a temporary banner. The Board agreed with Mr. Bennett; therefore, there was not a need to grant temporary sign relief.

ADJOURN

On motion by Mr. Dallas, seconded by Mr. Hunsinger, the Board unanimously voted to adjourn the meeting at 8:52 p.m.

Respectfully Submitted,

Theresa Snyder

Theresa Snyder
Board Clerk