

**METUCHEN ZONING BOARD OF ADJUSTMENT  
MINUTES**

**January 10, 2019**

The meeting was called to order at 7:44pm by Robert Renaud, Attorney, who read the statement in accordance with the Open Public Meetings Act.

<b>Present:</b>	Suzanne Andrews	Tyler Kandel, Alt II
	Angela Sielski	Jonathan Rabinowitz, Alt. I
	Judith Sisko	Robert Renaud, Esq.
	Bryon Sondergard	Christopher Cosenza, Planner
	Brian Tobin, Vice Chairperson	Robert Mannix, Engineer
	Daniel Topping, Chairperson	Denise Hamilton, Secretary
<b>Absent:</b>	Catherine McCartin	
	Patricia Cullen, Zoning Official	

**ANNUAL REORGANIZATION OF BOARD 2019:**

Mr. Renaud chaired the meeting temporarily and opened the floor for nominations.

**Chairperson: Daniel Topping**

Motion was made by Ms. Sisko to nominate Mr. Topping, and was seconded by Mr. Tobin. The nominations were closed. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz and Mr. Kandel voted yes. Motion carried unanimously.

Mr. Topping chaired the remainder of the meeting.

**Vice Chairperson: Brian Tobin**

Motion was made by Ms. Sisko to nominate Mr. Tobin, and was seconded by Mr. Sondergard. The nominations were closed. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**Board Attorney: Robert Renaud**

Motion was made by Mr. Topping to nominate Mr. Renaud, and was seconded by Mr. Tobin. The nominations were closed. Roll call vote taken. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**Board Secretary: Denise Hamilton**

Motion was made by Mr. Topping to nominate Ms. Hamilton, and was seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**Board Planner: LRK, Inc. – James Constantine**

Motion was made by Mr. Topping to nominate LRK, Inc., and was seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**Board Engineer: Maser Consulting – Robert Mannix**

Motion was made by Mr. Topping to nominate Maser Consulting, and was seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**Meeting Dates for 2018 @ 7:45 p.m.**

- January 10, 2019
- February 14, 2019
- March 14, 2019
- April 11, 2019
- May 9, 2019
- June 13, 2019
- July 11, 2019
- August 8, 2019
- September 12, 2019
- October 10, 2019
- November 14, 2019
- December 12, 2019
- January 9, 2020

Motion was made by Ms. Sisko to approve the Meeting Dates, and was seconded by Mr. Sondergard. Roll call vote taken. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Kandel and Mr. Topping voted yes. Motion carried unanimously.

**NEW BUSINESS:**

**18-1204 Baltch, Todd** – Applicant is seeking variance approval to expand the driveway and apron beyond the permitted 12ft to 20ft width.

**14 Salem Court**

**Block 233**

**Lot 2**

Mr. Todd Baltch, Attorney and Applicant, was sworn in by Mr. Renaud. With Board approval for the driveway expansion, there would be 38.6ft remaining from the end of the apron to the adjacent property, for a total of three on-street parking spaces. He referred to pictures submitted with the application of neighboring properties where the driveways had been widened. These changes would not hinder access for Public Works.

The Board emphasized that to conform there should be adequate space to access the apron and be able to park both cars comfortably. The question was raised on the possibility of keeping the apron's width and initiate the flair from the property line. Also the importance for instituting this Ordinance was emphasized as a means of offering uninterrupted accessibility of the sidewalks to pedestrians.

Mr. Cosenza commented that driveway width was put in place for both aesthetic and safety reasons in response to infill housing. When the Ordinance was written in the 1970s there was no distinction of neighborhoods to which it would apply. The compromise was to widen the 12ft to 15ft for persons with disabilities, although under special conditions, it could go even wider. The weighing of a variance should not be compromised for personal preference.

The Board agreed that there had not been testimony of hardship, however, the Applicant argued reasons

for change based on aesthetics, to which they were reluctant to set this type of precedence.

Mr. Baltch said the existing apron sits too high, is in poor condition, and in need of repairs whether or not the variance is granted. His spouse must reverse to exit the driveway to avoid scraping against the curb. The material being proposed for the driveway is blacktop and asphalt for the apron.

Mr. Renaud stated that the measurement of the existing apron is 11ft as documented in the zoning official's review memo.

Mr. Topping opened the floor to the public. No one stepped forward. The public portion was closed.

Mr. Renaud stated that the Applicant is asking for approval of a C-variance; C1 would be based on hardship due to size and shape of the property, and C2 would affirm that the benefit outweighs any detriment to the community.

The Board discussed options for a compromise between the 12ft required by the Ordinance and the 20ft being proposed by the Applicant. The Applicant should work with the zoning official for final measurement.

Mr. Renaud stated the condition of approval requires the Applicant to maintain a maximum of 12ft at the driveway apron, and thereafter, from the property line the driveway can flare a maximum of 20ft. to the house.

Motion to approve was made by Ms. Sisko and seconded by Ms. Sielski. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz and Mr. Topping voted yes.

#### **CORRESPONDENCE:**

##### **Minutes for December 13, 2018**

Motion to approve the minutes was made by Mr. Sondergard and seconded by Mr. Sisko. Voice vote taken, with all in favor, minutes were approved.

Mr. Cosenza commented that a TRC Board Member had not yet been nominated.

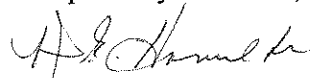
##### **TRC Member:**

Motion was made by Mr. Topping to nominate Mr. Rabinowitz, and was seconded by Mr. Tobin. Ms. Andrews, Ms. Sielski, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Kandel and Mr. Topping voted yes. Motion approved unanimously.

#### **ADJOURNMENT:**

Motion to adjourn was made by Mr. Sondergard and seconded by Ms. Sisko. Voice vote taken. All Board members voted yes. The meeting was adjourned at 8:31 p.m.

Respectfully submitted,



Denise Hamilton, Secretary