

**METUCHEN ZONING BOARD OF ADJUSEMENT  
MINUTES**

**August 11, 2022**

The meeting was called to order at 7:58pm by Daniel Topping, Chairman, who read the statement in accordance with the Open Public Meetings Act.

<b>Present:</b>	Angela Sielski	Iris Delgado
	Byron Sondergard	Jonathan Capp
	Brian Tobin, Vice Chairman	Robert Renaud, Esquire
	Jonathan Rabinowitz	Robert Mannix, Engineer
	Jonathan Schuchman	Christopher Cosenza, Planner
	Daniel Topping, Chairman	Denise Hamilton, Secretary

Mr. Topping announced that the application for Vicon Foods/Metuchen Inn, 424 Middlesex Avenue, had been withdrawn by the Applicant.

Mr. Renaud stated that a new law signed by the Governor, extended the Covid measure for restaurants and bars to allow for outdoor dining between April and November 30<sup>th</sup>, 2024. Metuchen Inn would be permitted to have outdoor dining under these state guidelines.

**RESOLUTIONS:**

**22-1333 Classic Tattoo Club** – Applicant is applying for approval of a use variance to operate a tattoo studio in a B3 Zone/Arts District. (Appv 7.14.22)  
**327 Main Street Block 145 Lots 17 and 18.02**

Motion to approve the resolution as written was made by Ms. Sielski and seconded by Mr. Sondergard. Ms. Sielski, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Schuchman, Mr. Capp, and Mr. Topping voted yes. Motion was approved.

**NEW BUSINESS:**

**21-1315 Alan Johnson & Jennifer Zimmerman** – Applicant is seeking bulk variance approval for left side yard setback, impervious coverage and driveway width, for improvements and additions to the existing house.  
**54 Myrtle Avenue Block 215 Lot 24**

Mr. Tobin recused himself from the hearing.

Jennifer Zimmerman, Applicant, was sworn in by Mr. Renaud. She stated that the house was a very small three-bedroom purchase in 2017, and since then the family has increased from three to six. . They are proposing to add office, living spaces, and a garage. Approval is required for seven variances under the C1 or C2 criteria, along with any exceptions and waivers.

Catherine Mueller, Engineer, was sworn in by Mr. Renaud. She holds a BS in Civil Engineering and has been registered in NJ since 2003. Her license is in good standing. She was accepted as an expert witness.

Ms. Mueller stated the house sits irregular on the lot with pre-existing side yard setback conditions. The property is 50 feet wide which does not conform to the 62.5 width requirement. It is compliant with the area requirement of 7,500 square feet. The proposal is for two building additions, one to the front and the other to the rear, and a front porch 6’8” deep. The front left corner is 6.86 feet from the side lot line. The addition on the front would move the property line two inches closer to the left side line. On the right side the combined existing is 18.06 feet and they are proposing 17.7 feet, with 11.1 setback from the back of the garage. Rear yard setback is compliant at 55.5 feet.

The right side driveway setback is 3.7 feet where 3 feet is required. Front yard projection of porch where 8 feet is required 6.8 feet is proposed. One bulk variance is for building coverage. The side setback for the porch is compliant. For the building height where 39 feet is required 33.9 feet is proposed. Front porch is 109 square feet. Impervious coverage should be 50% and they are asking for 40.4%. Additional driveway width is 20 feet. Variance is for the 40% driveway coverage. Entrance for driveway is 12 feet, and they would like to carry the 20 feet out to the entrance, requiring a variance. The stormwater management lot grading plan was submitted and approved by the Engineer. New catch basin is proposed in front of the house for drainage from the roof. Sum pumps will be directed to the catch basin. They will comply with the plantings; however, they cannot comply with adding 13 replacement trees with the lot only being 50 feet wide. They will pay the fine.

Mr. Renaud stated that applicant must comply with the tree ordinance, and if trees won't be planted, then payment must be made to the Tree Commission.

A discussion continued with the Planner regarding the tree requirements.

Ms. Zimmerman stated that the space being requested is critical for the family. It will not be detriment to the public, but an improvement to the neighborhood.

Mr. Renaud stated that variances would fall under the C1 criteria.

Mr. Topping invited questions from the Board. Inquiry was made regarding the location of the air conditioning units. It will be situated at the right side of the house.

Ms. Zimmerman requested relief from the tree requirement. Some of the trees already removed were dying. A landscape plan would be submitted to the Planner for further discussion regarding the trees.

Mr. Renaud stated that Applicant has agreed to comply with front yard plantings, foundation plantings, Tree Ordinance and other variances being requested.

Ms. Zimmerman held a discussion with the Board regarding trash storage. A paver pad would not be required.

Mr. Topping invited questions from the public. No one responded. The floor was closed.

Motion to approve was made by Ms. Sielski and seconded by Mr. Sondergard. Ms. Sielski, Mr. Sondergard, Mr. Rabinowitz, Mr. Schuchman, Ms. Delgado Mr. Capp, and Mr. Topping voted yes

## **PRESENTATION:**

### **Proposed Board Rules:**

Mr. Renaud suggested changing the amendment requirement for adoption of the rules from a two-thirds vote to a majority vote. A revised copy of the rules would be distributed at the next meeting and vote taken.

## **ADJOURNMENT:**

Motion to adjourn was made by Mr. Sondergard and seconded by Ms. Sielski. Voice vote, with all in favor, the meeting was adjourned at 9:04pm.

Respectfully submitted,

  
D.E. Hamilton