

**BOROUGH OF METUCHEN
ZONING BOARD OF ADJUSTMENT MEETING MINUTES
DECEMBER 12, 2024**

PLEDGE ALLEGIANCE

CALL TO ORDER

The meeting was called to order at 7:30 p.m. by the Board Chairperson, Daniel Topping, who read the opening statement in accordance with the Open Public Meetings Act.

ROLL CALL

Ms. Delgado	Yes	Mr. Renaud, Board Attorney
Mr. Rabinowitz (<i>Vice Chairperson</i>)	Yes	Mr. DiMartino, Zoning Officer
Mr. Sondergard	Yes	Mrs. Roberts, Board Secretary
Mr. Topping (<i>Chairperson</i>)	Yes	
Ms. Ziccardi	Yes	
Mr. Johnson (<i>Alt. 1</i>)	Yes	
Mr. Suchan (<i>Alt. 2</i>)	Yes	

ABESENT: Ms. Sielski, Mr. Tobin,

NEW BUSINESS

24-1396 E Fern Abbott – Addition with garage, elevator, bedroom, sitting room, bathroom, laundry room for ability to age in the home. Existing detached garage and driveway to be demolished.

45 Robins Place Block 118 Lot 1 R-1 Zone

Mr. Topping recuses himself from the application as he lives within the 200-foot radius of the property.

Mr. Beezer, the Applicant's attorney, gives a brief introduction about the application and the history of the property that came before the Board prior to this evening. Mr. Renaud points out that this is a new application starting from square one. Mr. Beezer hands in his green cards and affidavit of publication.

Mr. Beezer introduces his first witness, Fern Abbott, the Applicant. Ms. Abbott is sworn in. Ms. Abbott has lived at the property for twenty-five years. She explains the variances will allow her to be able to move more freely in the home. She explains that

this application is the same as the 2004 application. That variance expired and they are here before the Board to request the same variances.

Frank Farrell, licensed engineer, was sworn in and accepted as an expert witness. Mr. Farrell displays plans that were submitted to the Board. The lot is undersized as an existing condition and sits on a corner lot. Mr. Farrell gives a description of the lot with the existing building and yards. This is roughly a 500 square foot addition and the removal of an existing driveway, garage and a/c along with a retaining wall. The addition will be in the rear area of the home. There will be more landscaping and lot improvements. Building coverage is one of the variances, which is only a 4% change from the current coverage. It will be in kind with the neighboring dwellings. Mr. Farrell goes over all the setbacks and driveway width. Mr. Farrell asks to have the recommendation by the Board Engineer, Robert Mannix, to not add the ADA Ramp as he feels there is more that goes into this than is necessary for a single family home. Mr. Renaud asks if it is required and Mr. Farrell indicates no, it is on the opposite side of the addition. Mr. Rabinowitz asks about the reconstructed sidewalk near the driveway. Mr. Farrell would like to only repair and replace the sidewalk where it will be disturbed.

Mr. Beezer asks about the new driveway and landscaping and site improvements. Mr. Rabinowitz asks for a description of the landscaping. Mr. Farrell will work with the Zoning Officer to pick trees and shrubs on the accepted list. Right now, the plans show two fewer trees than required but the applicant will be sure to add the two trees.

Mr. Beezer introduces his next witness, George Sincox, professional architect and planner, who is sworn in and accepted as an expert witness. Mr. Sincox displays the plans submitted to the Board. He indicates that the lot is severely undersized along with being set on the corner which causes additional hardships. Mr. Sincox describes the addition of the garage, with the elevator from the garage to the first floor. There are also stairs from outside the garage up to the first floor. Mr. Sincox feels it will serve the neighborhood in making it far better looking.

Mr. Rabinowitz asks about the exterior and matching it with the existing home. Mr. Farrell indicates they will clean the existing exterior and then match up to the addition. Mr. Rabinowitz asks about using the existing second floor by using a lift as the house is a large home already. Mr. Sincox said he could not comment as he did not study the upstairs but is sure it could be done but you need to consider moving around and bathrooms. The skylight is questioned whether the neighbor can see in, and Mr. Sincox does not believe that is possible. Mr. Renaud asks about the size of the addition and Mr. Sincox responds 502 square feet and Mr. Renaud asks what the first-floor square footage is currently, and 1,182 square feet is existing, and the second floor is 1,067 square feet currently. Mr. Renaud indicates an inconsistency from the application to the plans. Mr. Farrell addresses the building coverage inconsistency to indicate that the current garage being demolished changes the percentage from current to proposed which includes the current garage. The purpose of this addition is to make the first-floor handicap accessible.

Mr. Beezer clarifies with Mr. Sincox if Ms. Abbott is open to any of the recommendations by the Board and their professionals. Mr. Sincox indicated that she was.

The meeting is opened to the public for questions.

Daniel Topping of 61 Hillside Avenue, questioned why the architect does not know what the material of the current home is and how he will satisfy the Board. Mr. Sincox indicated the home was resided twenty years ago with a lifetime guaranteed material and they would like to work with that. The applicant will work with the Board Planner in choosing appropriate siding.

Barbara Pierce of 55 Hillside Avenue asked whether the second floor is being used as an apartment and be rented out. Mr. Renaud indicated that that would be illegal and there is no legal apartment. Ms. Delgado indicated the architect indicated that live-in care could occupy the second floor.

The meeting is closed to the public for questions.

The meeting is opened to the public for comments. There are none.

Mr. Suchan questions the sidewalk if it is determined not to be safe and up to standards. Mr. DiMartino indicates that it does not trigger a sidewalk but if it is in disrepair that would be a building maintenance issue.

Mr. Rabinowitz indicated he will request that the sidewalk be repaired, and Mr. Renaud indicates that if we discussed the sidewalk, we would need to discuss the ramp being replaced, which as well was indicated by Mr. Mannix in his review letter.

Mr. Beezer indicates that his client is asking for the same thing they asked for in 2004 which was approved. He indicates they have a good argument for the variances and meets the positive criteria and the lot is a tiny corner and indicates that Nate Robins subdivided the lot back in the early 1900s.

Mr. Renaud goes over the conditions. Mr. Renaud does not see a requirement for the replacement of the ADA ramp. It could be a requirement, but it is not a requirement by ordinance and Mr. Mannix is ok with waiving the ADA Ramp requirement. The two additional trees will be a condition and as for the siding, the applicant will work with the Board Planner. Mr. Rabinowitz feels the applicant needs to address the slate sidewalk and possible replacement and wants to make sure the landscaping is maintained. Mr. DiMartino makes some stipulations to the driveway and sidewalk permit. Mr. Sondergard suggests that the Applicant consider replacement and keep it slate. It could be of the approval of the Board Engineer to replacement. Mr. Johnson questions the driveway variance, and Mr. DiMartino clarifies this.

Mr. Sondergard is pleased with the application and feels it will improve the look of the neighborhood and the property.

Mr. Sondergard motioned to approve the application with the conditions and Ms. Delgado seconded the motion.

Vote On Motion

Ms. Delgado	Yes
Mr. Rabinowitz	Yes
Mr. Sondergard	Yes
Mr. Ziccardi	Yes
Mr. Johnson	Yes
Mr. Suchan	Yes

CORRESPONDENCE

Mr. Renaud advised the Board that the engineer who testified for the 303 Grove Avenue application had his license expired and was in fact expired during the hearing for this application. This was brought to the Borough and professionals' attention. This applicant has since sent in plans with a different engineer and these plans are the same that were approved and there will be no need to hear this application again.

ADJOURNMENT

Mr. Rabinowitz motioned to adjourn the meeting and Mr. Sondergard seconded the motion. All ayes. The meeting was adjourned at 9:00p.m.

/jr