

**BOROUGH OF METUCHEN  
ZONING BOARD OF ADJUSTMENT MEETING MINUTES  
JUNE 13, 2024**

The meeting was called to order at 7:35PM by Mr. Topping, the Chairman, who read the Sunshine Act in accordance with the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Iris Delgado (arrived 7:35PM)  
Jonathan Rabinowitz, Vice Chairman  
Angela Sielski  
Byron Sondergard  
Brian Tobin  
Daniel Topping, Chairman  
Alan Johnson, (Alt. 1)  
Shaun Suchan, (Alt. 2)

Robert Renaud, Board Attorney  
Adam Colicchio, Board Attorney  
Robert Mannix, Board Engineer  
Christopher Cosenza, Board Planner  
Thomas DiMartino, Zoning Officer  
Joanna Roberts, Board Secretary

ABSENT: Ehrin Ziccardi

**NEW BUSINESS**

**24-1379**      **Adam Spector** - Applicant is proposing a two-story addition with crawl space to the rear of the single-family dwelling to accommodate a family room and master bedroom.

**48 Home Street      Block 184      Lot 73      R-2 Zone**

*Ms. Sielski and Mr. Suchan recused themselves from this testimony.*

Mr. Spector was sworn in by Mr. Renaud. Mr. Spector gave a brief description of his application and introduced his architect, Steven Zmuda, who was sworn in and accepted as an expert witness, to go over the details. He went over the addition which will require bulk variances. The lot size is 50 x 120, and the applicant is requesting a hardship based on the lot size and the existing structure. The architectural plans for the proposed addition are displayed and Mr. Zmuda briefly went over the addition. The addition will not create any visual disturbance from the street view.

**The meeting was opened to the public for questions or comments. There were none.**

The board expressed that the applicant was not asking for an oversized addition and investing in their home is a greater advantage to the town.

Mr. Sondergard motioned to approve the application and Mr. Rabinowitz seconded the motion.

**Vote on Motion**

Ms. Delgado	Yes
Mr. Rabinowitz	Yes
Mr. Sondergard	Yes
Mr. Tobin	Yes
Mr. Johnson	Yes
Mr. Topping	Yes

**24-1381**      **Lori Lindemann** - Applicant to construct a one-story addition with second story dormers to the rear of the single-family dwelling and removing the existing deck to accommodate the addition.

**58 Spear Street      Block 219      Lot 54      R-2 Zone**

Mrs. Lindemann was sworn in by Mr. Renaud and went over the application with a brief description. Mrs. Lindemann introduced her architect, Mr. Zmuda, who was sworn in and accepted as an expert witness. Mr. Zmuda explains the expansion to the Cape Cod house for more living space with a one-story addition and second floor dormers (2). The materials will match the existing structure and there will be limited visibility of the addition from the street. The stormwater will be directed to the front of the house from the roof.

The Board discusses the setback variance and building coverage, as well as the hardship condition and feels this is a clean application. Mr. Cosenza noted for the record that the plans show a proposed sidewalk. This was an error on the part of the architect and no sidewalk will be put in.

**The meeting was opened to the public for questions or comments. There were none.**

The Board feels the addition is consistent with others in the neighborhood and see no reason not to grant the request. Mr. Tobin would have liked to have seen the sidewalk put in.

Mr. Sondergard motioned to approve the application and Ms. Sielski seconded the motion.

**Vote on Motion**

Ms. Delgado	Yes
Mr. Rabinowitz	Yes
Ms. Sielski	Yes
Mr. Sondergard	Yes
Mr. Tobin	No
Mr. Topping	Yes

**23-1367 Suburban Development, LLC** – Subdivide existing Lot 3 to create three new lots; one for the existing cemetery use (398,464 sq. ft.); one for the existing vacant cemetery use (72,342 sq. ft.); and one building lot (26,903 sq. ft.) for a new single-family home currently under construction.

**201 Lodi Avenue    Block 209    Lot 3                    R-2 Zone**

*Ms. Sielski recused herself from this testimony.*

Mr. Wiley, the applicant’s attorney, went over the application and explains that Hillside Cemetery is a non-conforming use which is part of the subdivision that the applicant is requesting. Mr. Wiley goes over the witness list.

The Board questioned the cadence of events. Mr. Renaud indicated there are separate lot numbers and as far as the tax records and zoning are concerned it is one lot. The cemetery uses lots 1 and 2. They sold off lot 3 that was not being used for cemetery purposes. The New Jersey State Cemetery Board has agreed that this parcel can be subdivided off because it is not being used as a cemetery. The application is two steps. The first is to subdivide lot three from lots one and two. Then this lot (lot 3) will be subdivided into two lots. There is a D2 variance because the lot that is being subdivided off the cemetery is nonconforming which is the cemetery lot, and the c variance is the size of the lots.

William Lane, the applicant’s engineer, was sworn in and accepted as an expert witness. Mr. Lane went over the major subdivision plan that was on display. Lot 3 will be subdivided into two lots. One lot has an existing single-family home in the building stages. The lot shape is causing the bulk variance. Mr. Lane described the lot with the existing home and Mr. Wiley proposed a sidewalk with handicap access at Jeff Street.

The Board questioned the sidewalk; they confirmed that there are no further homes planned on the other lots; trees and wetlands on lots 1 and 2 were also discussed.

**The meeting was opened to the public for questions for the engineer. There were none.**

Christopher Crane, the Hillside Cemetery President of the Board of Trustees, indicated that there were environmental constraints with respect to lots 1 and 2 which are not

usable as a cemetery. This portion of the property is under consideration for a dedication to Middlesex County as open space.

The Board questioned the unbuildable area and the area to the right of the house that will be owned by the future homeowner was also confirmed.

**The meeting was opened to the public for questions for Mr. Crane.**

Vito Mannino of 194 Lodi questioned the lot to the Borough, and nothing was available to answer his questions. He indicated that no permits were ever displayed, and he said he never received a notice. In February 2024, he contacted the construction official who never called him back. He indicated the street was damaged by their construction vehicles and hopes that it is fixed, and the costs not passed onto the residents.

**The meeting was closed to the public.**

Mr. Wiley introduced Justin Auciello, the licensed planner who was sworn in and accepted as an expert witness. Mr. Auciello referenced the Board planner's letter and goes over the bulk variance and the D2 variance expansion of the nonconforming use of the cemetery. There is no consequence of the subdivision or substantial detriment and there is no negative impact.

The Board indicated that the cemetery is a nonconforming use in all zones in Metuchen and there would be houses there if the cemetery were not there in this R-2 Zone. They feel the house is in line with the Borough's master plan. The cemetery predates the zoning ordinance and the municipality itself. The greenway and Mill Run are discussed and a future pathway. There is more than sufficient space for the single-family home being built, as well as the existing cemetery use as the space between the two is not buildable for the cemetery or for a structure.

**The meeting was open to the public for the planner. There were none.**

Mr. Wiley discussed the sidewalk with the handicap ramp and it ending at Jeff Street.

The Board questioned the driveway and lot 3a and whether it has been released from the State and Mr. Renaud indicated it will not be used as a cemetery. The question is whether it will be taxable since it will not be used as a cemetery and this will be determined by the tax accessor, 3a will not be developed. Part of the resolution will state that these lots will not be further subdivided or developed. The sidewalk is further discussed and that they will comply with Mr. Mannix's review letter. The Board questioned the condition of the street.

Jeff Josell, the President of Suburban Development, LLC, testified. He indicated the street was in poor shape and he did speak to DPW who did patch the potholes but that the town indicated there is no plan to pave the street. He also indicated the house is

not complete due to the water not being supplied to the house and until the curbs are finished.

**The meeting was opened to the public for questions or comments. There were none.**

Mr. Topping motioned to approve the application with conditions that will be noted in the resolution and Ms. Delgado seconded the motion.

**Vote on Motion**

Ms. Delgado	Yes
Mr. Rabinowitz	Yes
Mr. Sondergard	Yes
Mr. Tobin	Yes
Mr. Johnson	Yes
Mr. Suchan	Yes
Mr. Topping	Yes

**PUBLIC PORTION**

There was none.

**CORRESPONDENCE**

April 11, 2024 Meeting Minutes – Mr. Sondergard motioned to approve the minutes, all ayes.

December 14, 2023 Meeting Minutes – Mr. Rabinowitz motioned to approve the minutes, all ayes.

September 14, 2023 Meeting Minutes – Ms. Delgado motioned to approve the minutes, all ayes.

**ADJOURNMENT**

Mr. Sondergard motioned to adjourn, and Mr. Rabinowitz seconded the motion. All ayes.

/jr