

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
May 21, 2020**

The West Orange Zoning Board of Adjustment held a virtual meeting on May 21, 2020.

Chairman Neuer called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle and the Star Ledger and posted on the Township Bulletin Board in accordance with the "Senator Byron M. Baer Open Public Meetings Act."

Chairman Neuer asked everyone to stand for the Pledge of Allegiance.

PRESENT: J. Eben, D. Gabry, P. Neuer, B. Quentzel, J. Redwine
I. Schwarzbaum, W. Steinhart, M. Straker, M. Sussman, A. Weiss

ABSENT: None

ALSO PRESENT: Paul Grygiel, Acting Planning Director for the Township
Alice Beirne, Esq., Board Attorney
Rose DeSena, Board Secretary
Harvey Grossman, Esq., Public Advocate

ANNOUNCEMENTS

Future Meetings: July 16, 2020 (regular meeting)
August 20, 2020 (regular meeting)
September 17,, 2020 (regular meeting)

MINUTES February 20, 2020 (regular meeting)

Chairman Neuer stated that the draft minutes from the February 20, 2020 regular meeting were circulated to all of the Board Members.

Chairman Neuer asked if any Board Member had any comments; there were none.

Chairman Neuer asked for a motion to approve the minutes from the February 20, 2020 regular meeting.

Mr. Redwine made a motion to adopt said minutes and Ms. Gabry seconded the motion.

All were in favor.

It was noted for the record that Dr. Straker was not present at the February 20, 2020 meeting and did not vote on these minutes.

SWEARING IN

Paul Grygiel, acting Planning Director for the Township was sworn under oath.

APPLICATIONS

1. ZB-20-01/Luxenberg

Carried from 4/16/2020

Block: 17610; Lot: 10; Zone: R-5

17 Crestwood Drive

Seeking a "c" variance for front yard setback to extend the existing dining room

Barbara and Michael Luxenberg, applicants, joined the virtual Zoning Board meeting along with their architect, Thomas Baio and all were sworn under oath.

Mr. Luxenberg stated that they have resided in town for many years and said that they would like to expand their existing dining room to accommodate their growing family during Chabad. He said that they would also like to make accommodations for their mother in law and grandchildren when they stay at their home.

Thomas Baio, architect for the applicant, detailed his professional and educational background as a professional architect licensed in the State of New Jersey.

Chairman Neuer accepted Mr. Baio as an expert in Architecture.

Mr. Baio stated that the applicant is seeking a front yard variance to expand their existing dining room. He stated that the expansion will create a twenty (20) foot setback instead of thirty (30) feet which is required.

Mr. Baio stated that the other element of the project is that they would like to complete their attic, which would be used as a space for when their grandchildren visit, and also provide an accommodation for their mother in law.

Mr. Baio stated that they will be lowering the roof line which will not distract from the other homes on the street and will not have a negative impact on the zone, the town or the neighborhood.

Mr. Baio said by approving this application, the family will remain in town rather than having to move out of town to find a larger house to accommodate their family's needs.

Chairman Neuer asked Mr. Baio if the expansion will still provide adequate light and open space; he said yes.

There were no further questions for Mr. Baio from any of the Board Members or the Board Professionals.

There were no questions for Mr. Baio from any members of the public.

There were no comments from any members of the public.

Mr. Luxenberg thanked the Board.

Chairman Neuer closed the public hearing.

Chairman Neuer stated that Mr. Baio testified to the positive and the negative criteria under the Municipal Land Use Law and our Ordinance and established a basis for the Board to grant this variance.

Chairman Neuer made a motion to approve this application and Mr. Eben seconded the motion.

The vote was as follows:

Eben:	Yes	Steinhart:	Yes
Gabry:	Yes	Straker:	-
Quentzel:	-	Sussman:	-
Redwine:	Yes	Weiss:	Yes
Schwarzbaum:	Yes	Chairman Neuer:	Yes

2. ZB-20-02/Odegov

Carried from 4/16/2020

Block: 175.22; Lot: 9; Zone: R-6

48 Sunnyside Road

"c" side yard variance to extend an existing driveway

Yevgeniy Odegov, applicant, joined the virtual meeting and was sworn under oath..

Mr. Odegov stated that he is currently renting a house in Livingston and is trying to renovate the home he bought in West Orange for himself and his family.

Mr. Odegov said that he would like to widen his driveway because they have five (5) cars in the family; he said his wife, his children and his mother in law all have cars.

Mr. Odegov said that on the right side of his driveway, there is a retaining wall and if he parks too close to it he cannot open his door; he said this is why he is asking permission to widen his driveway.

Chairman Neuer stated that there were some concerns in Mr. Grygiel's report; he said that there are no dimensions of the area on the plans he submitted and that he may need another variance for impervious coverage.

Chairman Neuer asked Mr. Odegov if he is going to use the existing garage; he said no because it is too small and he will use it for storage.

Chairman Neuer stated that he had asked the Township Zoning Official to make an inspection and that the house has four (4) bedrooms. He said that the number of bedrooms in the home determines how many parking spaces are required and that he is required to have three (3) parking spaces.

Chairman Neuer informed Mr. Odegov that he is going to have to park in the garage.

Chairman Neuer stated that the Board has to see the exact dimensions on the survey in order to determine if another variance for the impervious coverage is needed.

Mr. Grygiel stated that without a plan showing the dimensions, he believes that the impervious coverage exceeds 30%; he said this is why calculations are required.

Mr. Eben stated that the street does have other homes with extended driveways and he thinks that he would also have to build another retaining wall and not just pave the driveway.

Mr. Eben stated that he also wants to know exactly how many feet from the property line he is proposing to expand the driveway.

Mr. Odegov stated that his property is level and he does not need to build another retaining wall.

Chairman Neuer advised Mr. Odegov that he is going to have to hire either an engineer or a professional planner to properly lay out a plan that includes specific dimensions.

Chairman Neuer stated that what was submitted with the application was not a satisfactory site plan.

Ms. Weiss asked Mr. Odegov if he spoke to any of his neighbors about his proposal; he said no he only sent notices.

Mr. Quentzel asked Mr. Odegov if he could use pavers in order to cut down on the impervious coverage; Mr. Odegov said he was going to use concrete.

Chairman Neuer stated that the sketch submitted with the application does not have any dimensions and asked Mr. Odegov if he could submit a more detailed plan; he said yes.

Chairman Neuer asked Mr. Odegov if he would like to amend his application and include the variance for the front yard impervious coverage; he said yes.

Chairman Neuer stated that the amendment to the application is minor and Mr. Odegov is not required to notice again.

Mr. Eben informed Mr. Odegov that an architect can draw the plan for him based on the property survey.

Chairman Neuer stated for the record that this application will be carried over to the June 18, 2020 regular meeting and that no further notice will be required.

The meeting was adjourned by Chairman Neuer at 9:05 pm.

Adopted: June 18, 2020


Rose DeSena, Board Secretary