

**TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT MEETING**

October 21, 2021

8:00 P.M.

The West Orange Zoning Board of Adjustment held a regular meeting on October 21, 2021 commencing 8:00PM utilizing the virtual Zoom platform.

Acting Chairman Peter Ricci called the meeting to order at approximately 8:00PM. 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."

Acting Chairman Ricci asked everyone to stand for the Pledge of Allegiance.
Alice Beirne, Esq., Board Attorney read the opening statement.

PRESENT

Jerome Eben, Bart Quentzel, Jonathan Redwine, Peter Ricci,
William Steinhart, Dr. Michael Straker (arrival 8:16PM), Mark Sussman, Alice Weiss

ABSENT

Philip D. Neuer (excused), Irv Schwarzbaum (excused)

Also Present:

Spach Trahan (proxy for Paul Grygiel), Acting Planning Director for Township
Alice Beirne, Esq. Board Attorney
Diana L. Chandler, Acting Board Secretary

ANNOUNCEMENTS

Future Meetings: October 28, 2021 (Special)
November 18, 2021 (regular)
December 16, 2021 (regular)

- **ZB-20-16/PS Atlantic Coast, LLC** is being carried to a Special Meeting scheduled for **October 28, 2021 at 8:00PM with no further notice being required.**
- **ZB-21-13 Panorama LLC – Chit Chat Diner** is being carried to the Regular Meeting scheduled for **November 18, 2021 with no further notice being required.**

- **ZB 20-14 E&J Masonry/ 15-19 Meeker Street** is being carried to the Regular Meeting scheduled for **November 18, 2021** with no further notice required.

SWEARING IN

Township Professional, *Ms. Spach Trahan*, (proxy for *Mr. Paul Grygiel*) Acting Planning Director for the Township for the Township was sworn under oath.

RESOLUTIONS

ZB -21-04/ CSH Development LLC

(Approved 9/23/2021)

Block: 152.22; Lot 1; Zone B-2

609 Eagle Rock Avenue

Seeking "c" and "d" variances for development of an assisted living facility.

Resolution for ZB 21-04 CSH Development

Motion: A. Weiss

Second: M. Sussman

ADOPTED

Eben: -	Straker:(Alt. 4) -
Quentzel: (Alt. 1): -	Sussman: (Alt. 3) Y
Redwine: Y	Weiss: Y
Ricci: -	Chairman Neuer: -
Schwarzbaum: -	
Steinhart: -	

NOTES:

APPLICATIONS

1. ZB 21-16/Reichman (12 Moore Terrace)

(Carried from 9/21/2021)

Block: 148.05; Lot: 48; Zone: 48

12 Moore Terrace

Seeking "C" Variances for coverage and accessory use setbacks.

Variance Application

Variance Drawings

Planning Director Memo

Site Photos and Satellite Image

PRESENTATION

- *Mr. Edward Reichman*, Applicant, entered on the record with *Ms. Nancy Doherty*, Architect for the Applicant. Both were sworn under oath. *Ms. Doherty*

gave her credentials and was accepted as an Expert in Architecture by the Board.

- *Ms. Doherty* said that the main aspect of the application is for minor additions to garage. She stated that the garage presently existing is too small for a modern vehicle.
- *Dr. Michael Straker* joined meeting at 8:16PM. Applicant chose to start again with their presentation so *Dr. Straker* could vote on the application.
- *Mr. Reichman* explained in further detail the work being done.

BOARD QUESTIONS

- *Acting Chairman Ricci* asked if this is a single-family residence with the intention of keeping it that way. *Mr. Reichman* responded in the affirmative.

PRESENTATION

- *Ms. Nancy Dougherty* reentered the record and explained the goal of the project.
 - The house addition will give maximum lot coverage.
 - Setback proposal to keep garage in original location.

BOARD QUESTIONS

- *Acting Chairman Ricci* asked if it is a full foundation (i.e., not going to be open underneath.) *Ms. Dougherty* answered in the negative; she stated that it is not a continuous foundation throughout the footprint of the house.
- *Mr. Ricci* followed up by asking if the materials for the garage will match the house. *Ms. Dougherty* stated that the materials will match the house with cedar siding and an asphalt shingle roof.

PROFESSIONAL QUESTIONS

- *Ms. Spach Trahan* asked if the setback will have negative impact on community properties. *Ms. Dougherty* explained that the intention of the application is to keep the original location, will not be any closer to the side yard and have no negative impact.

BOARD DISCUSSION

- *Mr. Ricci* advised applicant to let neighbors know of the excavation prior to it occurring.

NO PUBLIC QUESTIONS /COMMENT

- *Mr. Reichman* asked how long variance is good for; *Ms. Beirne* said she would speak to him off camera. *Mr. Ricci* explained that it is usually two (2) years and then that approval expires meaning *Mr. Reichman* would have to return to the Board.

ZB 21-16 Reichman/ 12 Moore Terrace

Motion: J. Eben

Second: W. Steinhart

APPROVED

Eben:	Y	Straker:(Alt. 4)	Y
Quentzel: (Alt. 1):	-	Sussman: (Alt. 3)	Y
Redwine:	Y	Weiss:	Y
Ricci:	Y	Chairman Neuer:	-
Schwarzbaum:	-		
Steinhart:	Y	Yes:	

NOTES:

2. ZB 21-17 Trusca/DoPrado (36 Gregory Avenue) (Carried from 9/21/2021)

Block: 77; Lot: 7

36 Gregory Avenue

Seeking C1 Variance for final site plan approval with variance.

Deck Variance Application

Planning Director Memo

ZB 21-17 Resubmission

PRESENTATION

- *Mr. Vanderlei Do Prado* (and *Ms. Lidiane Da Luz* for language translating assistance), Applicant, entered on the record and was sworn under oath.

Mr. Do Prado explained that when he purchased his home, he was unaware that the existing deck was built without a permit. He said that the deck was built prior to him purchasing the property.

-*Mr. Ricci* asked if Building Department cited them for the deck. *Mr. Do Prado* answered in the affirmative.

-*Ms. Da Luz* said that the deck is 250 square feet and is 3 feet from the property line. Letters were obtained from neighbors, the previous homeowners (*Ms. Trusca*) used Hurricane Sandy as reason contractors did not get permits.

-*Mr. Ricci* explained that if approved, the Building Department will have to inspect the deck for safety reasons.

-*Dorina Trusca, Previous Owner (2405 Shiraz Lane, Charleston, SC 29414)* entered on the record, and was sworn under oath.

-*Mr. Ricci* asked when the deck was built. *Ms. Trusca* answered that the deck has been existing since 2011 when Hurricane Sandy hit. As a result, the contractor admitted that they forgot to pull the permit.

BOARD QUESTIONS

- Mrs. Weiss* asked where the plans for the deck came from. *Ms. Da Luz* said that it was a part of the survey given at the closing when her parents were purchasing the home.
- As confirmation, *Mr. Ricci* asked *Ms. Trusca* if she gave plans to new owner. *Ms. Trusca* answered in the affirmative.
- Mrs. Weiss* asked for confirmation that, if the deck was reconstructed, would there be any argument from neighbors. *Ms. Trusca* said that there hasn't been any argument so far.
- Mr. Ricci* asked *Mr. Do Prado* if there have been any comments about the deck from the neighbors. *Mr. Do Prado* said that there is no issue and confirmed that no neighbors object to the application.
- Mr. Ricci* asked *Ms. Trusca* the same question where *Ms. Trusca* gave the same response.
- Mr. Jerome Eben* asked if the posts off the driveway were actually excavated and was concrete footing poured to support the posts. *Ms. Trusca* said yes and that she saw it being done at the time of construction.

NO PUBLIC QUESTIONS

PUBLIC COMMENT

- *Ms. Tez Roro (24 Hutton Avenue)* said as a parent of immigrants, she wanted to say she is proud of the effort and translating *Ms. Da Luz* did for *Mr. Do Prado*.

- *Acting Chairman Peter Ricci* made a motion to approve the application with the condition that the property is to be inspected by the Building Department for safety and to obtain the CO.

ZB 21-17 Trusca /36 Gregory Avenue

Motion: P. Ricci

Second: J. Eben

APPROVED

Eben:	Y	Straker:(Alt. 4)	Y
Quentzel: (Alt. 1):	-	Sussman: (Alt. 3)	Y
Redwine:	Y	Weiss:	Y
Ricci:	Y	Chairman Neuer:	-
Schwarzbaum:	-		
Steinhart:	Y	Yes:	

Public Testimony Closed

***Acting Chairman Ricci* called for an ADJOURNMENT at 9:09 PM.**

Adopted: 3/24/22

Diana Lyn Chandler

Diana L. Chandler

Acting Secretary