

PRINCETON ZONING BOARD OF ADJUSTMENT
Minutes of the Regular Meeting
March 22, 2017 7:30 P.M.
Municipal Complex – Main Meeting Room, Princeton, New Jersey

1. OPENING STATEMENT

The meeting commenced at 7:33 p.m. with Chairman Royce reading the Open Public Meetings Act statement.

2. ROLL CALL

PRESENT: Luisa Clayton, Steven Cohen, Eve Coulson, Michael Floyd,
Jonathan Kaledin, Jeffrey Oakman, Barrie Royce, Bainy Suri,
Harlan Tenenbaum

ABSENT: Stephen Schreiber

ALSO PRESENT: Karen Cayci, Attorney; Derek Bridger, Zoning Officer and Claudia Ceballos, Board Secretary.

There were twenty four (24) members of the public present.

3. MINUTES

- a) Minutes of December 14, 2016 - motion was made by Ms. Clayton to accept the minutes as written and amended, seconded by Mr. Floyd and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

4. RESOLUTIONS

- a) 30 Baker Court; Block 4703, Lot 9; R4 (Twp)
Hany & Mary Salama, Owner / Applicant
C (1) / C (2) for lot frontage to permit construction of a new single home in exception to the required lot frontage
Z1616-430
Approved with conditions
Motion was made by Ms. Coulson to adopt the resolutions as written and amended, seconded by Mr. Floyd and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.
- b) 86 Spruce Street - Block 30.03, Lots 62 & 63, Zone RB (Boro)
86 Spruce Street LLC, Owner / Applicant
Minor Site Plan with Variance
Z1616-420
Approved with conditions
Motion was made by Mr. Floyd to adopt the resolutions as written and amended, seconded by Ms. Coulson and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

- c) 6 Harris Road, Block: 21.02, Lot: 22.01, R4 Zone (Boro)
Grosso Homes, LLC, Owner / Applicant
C1 for lot width and lot coverage to permit the construction of a new two-family dwelling
Z1616-423
Approved with conditions
Motion was made by Ms. Suri to adopt the resolutions as written and amended, seconded by Mr. Kaledin and carried with a voice vote of four ayes among those members eligible to vote. No one opposed. Mr. Floyd recused himself.

5. APPLICATIONS

- a) **230 Linden Lane**; Block 7302, Lot 23; R8 Zone
Leonard C. Swanson and Micky T. Morgan / Owner & Applicant
C(2) to approve the location of two storage sheds within the required side yard setback
Z1616-414

Chairman Royce recused himself from hearing the application.

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application Leonard C. Swanson and Micky T. Morgan, property owners and Ryan Kennedy, Esq., Stevens & Lee.

Mr. Derek W. Bridger, Zoning Officer was sworn in by Attorney Cayci.

Mr. Derek Bridger, Zoning Officer, presented his memorandum dated February 21, 2017. Mr. Bridger said that the lot is non-compliant with respect to lot area and the existing single-family home is noncompliant with respect to left and right side yard setbacks and combined side yard setback.

Mr. Bridger informed the Board that the applicant is asking for approval for 3 storage sheds which have been located within the side and rear yard setbacks. Mr. Bridger said that the lot area, the side yard and combined side yard setbacks of the existing home are pre-existing nonconformities.

Mr. Bridger said that two of the three sheds are located within the required 8 ft. side yard setback and require variances to allow setbacks of 3.8 feet and 3.4 feet.

The third shed is located within the side and rear yard setback and requires a side yard setback of +/- 1.5 ft. and a rear yard setback of +/- 6.5 ft.

Mr. Bridger reviewed with the Board the standards for granting the requested variances.

Mr. Swanson was sworn in by Attorney Cayci. He presented the following exhibit to present his request:

Exhibit A-1: 14 pages showing photos of the subject property, existing vegetation, the subject sheds, tax lot and block map and zoning map.

Mr. Swanson said that the majority of homes in the neighborhood are small and older. He said that he bought the home about 18 months ago and they built a conforming addition.

He said that they added two sheds for storage of a lawn mower and garden tools. He noted that the sheds are not installed on a foundation and should be considered temporary as they can be easily moved.

Mr. Swanson said that he did not know that variances were required. Mr. Swanson said that due to existing fencing, the two sheds are not visible from Linden Lane. He also mentioned that a third shed was already located in the side and rear yard setback when he bought the property and it was replaced on the same footprint.

Mr. Swanson said that he believed the older pre-existing shed was grandfathered and did not require a variance.

Mr. Swanson noted that if he relocates the shed within the setbacks, the shed would block the view from the windows and require the removal of screening vegetation at the rear of their property.

The application was opened to public comment and the following comments were provided:

Marzena Danielewicz of 322 Ewing Street, he was sworn in and said that she was in support of the application. She said that the sheds are not visible from the street.

Michael Kolzet of 226 Linden Lane. He was sworn in. He said that he lives next door to Mr. Swanson's home and that the sheds are well screened by the fence and supports the application.

Elmer DeLeon of 220 Linden Lane, he was sworn in. He expressed his support for the application.

Linda Fitch of 170 Linden Lane. She was sworn in and also expressed her support of the application.

Vincent Baldino of Valley Road, he was sworn in and said that the sheds are not visible from the street.

Board Members discussed the application and a motion was made by Mr. Kaladin and seconded by Mr. Clayton to grant C (2) variances to allow side yard setbacks of 3.8 ft. and 3.4 ft respectively for two storage sheds ("temporary sheds") and a side yard setback and rear yard setback of +/- 1.5 ft. and +/- 6.5 ft. respectively to allow an additional storage shed as set forth in the application ("third shed") as set forth in the application, with conditions.

ROLL CALL

Moved by:	Kaledin
Seconded by:	Clayton
Those in Favor:	Cohen, Clayton, Coulson, Floyd, Kaledin, Suri, Tenenbaum
Those Opposed:	None
Those Recused:	Royce
Those Absent:	Schreiber

- b) 226 Moore Street; Block 7110, Lot 21; R8 (Twp.)
Donald and April Readlinger, Owners / Applicants
C1/C2/D4 – Side yard setback and FAR to permit addition
Z1616-428

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application were Ryan Kennedy Esq, Stevens & Lee., James J. Chmielak, Jr., P.E., P.P., Richard Scott, Property Manager, all sworn in by Attorney Cayci.

Present for the application were Donald and April Readlinger, owners, and Thomas Letizia, Esq., Pepper Hamilton.

Derek Bridger, Zoning Officer, presented his memorandum dated February 21, 2017. He noted that the lot is noncompliant with respect to floor area having 7250 sq. ft. and the required is 8500 sq. ft. The home is noncompliant with respect to left side yard setback and combined side yard setback having setbacks of 4.4 ft. and 15.4 ft.

Mr. Bridger said that the application is to remove approximately 130 sq. ft. of existing living area at the rear of the home and construct an approximately 300 sq. ft. 2 -story addition to the rear elevation of the existing residence. The proposed project will require variances for side yard, combined side yard setback and for increased FAR.

Mr. Bridger said that the addition will expand the kitchen and provide a half bath on the first floor and a new bedroom will be added to the second floor.

Mr. Bridger noted that the lot area and left side yard setback and combined side yard setback for the existing home are existing nonconformities.

The existing FAR is 32.41% and the addition will increase the floor area ratio to 36.7% which will require a d (4) variance. The addition will require variances for combined side yard setback with a proposed existing combined side yard setback of 18.25 ft. and a zone requirement of 20 ft.

Mr. Bridger reviewed with the Board the standards for granting the requested variances.

April Readlinger was sworn in by Attorney Cayci.

She presented the application using the following exhibits:

- Exhibit A-1: Title Sheet dated 9/1/16 with a photograph of the existing residence
- Exhibit A-2: Existing Floor Plan
- Exhibit A-3: Proposed Floor Plan with addition.

Mrs. Readlinger said that the home was built in 1933 and that they wish to increase the living area in order to accommodate their family of five.

She said that the proposed addition will provide for an expanded kitchen and will add a half-bath room on the first floor and an additional bedroom on the second floor.

Mrs. Readlinger noted that the proposed addition will not increase impervious coverage. But the second floor will require a variance for increased FAR.

Mr. Letizia said that the requested FAR variance is de minimus being only a 2% increase and that the lot, due to its length, can accommodate that increase.

The application was opened to public comment and the following comment was provided:

Steven Raffuel of 230 Moore Street. He was sworn in and he expressed his support of the application.

Board Members discussed the application and a motion was made by Mr. Cohen and seconded by Ms. Coulson to grant a C (1) variance to allow a combined side yard setback of 18.25 feet and a FAR of 36.7% to permit removal of approximately 130 square feet of existing living space and construction of a 300 square foot addition as set forth in the application, with conditions.

ROLL CALL

Moved by:	Cohen
Seconded by:	Coulson
Those in Favor:	Clayton, Cohen, Coulson, Floyd, Kaledin, Royce, Tenenbaum
Those Opposed:	None
Those Absent:	Schreiber

- c) **4 Garrett Lane**, Block: 2102, Lot: 19, R1 Zone
4 Garrett Lane, 4 Garrett Land Trust/Owner
Victor Rotenberg/Applicant
C1- Lot Frontage to permit construction of a new single family house on a non-conforming lot Z1717-451

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application Victor and Michael Rotenberg, both sworn in by Attorney Cayci.

Derek Bridger, Zoning Officer presented the application using his report dated March 2, 2017. Mr. Bridger said that an application was received to demolish the existing single-family dwelling and replace it with a new single family residential dwelling.

Mr. Bridger said that the lot frontage is 135.03 ft. and a zone requirement of 150 feet.

Mr. Bridger noted that the lot is subject to wetlands restrictions as well as a conservation easement.

Mr. Bridger reviewed with the Board the standards for addressing the requested variance.

Michael Rotenberg said because the ordinance was changed in 2015, the lot does not comply with the lot frontage. He said that one adjacent lot is nonconforming with respect to lot frontage.

Michael Rotenberg said that the new house will comply with zoning standards.

Victor Rotenberg presented Exhibit A1: letter dated 2/8/17 sent by certified mail to Mr. and Mrs. James Whittlesey, at 133 Ridgeview Circle about requesting to buy land from them and they did not wish to sell land to him.

The application was opened to public comment and the following comment was provided:

Sylvia Debenedetti of 111 Ridgeview Circle, was sworn in and she is the owner of the adjacent property. She asked for clarification regarding drainage as she is concerned that the new construction may cause drainage issues.

Mr. Bridger said that the construction plans will be reviewed by the municipal engineer to ensure that the construction will not cause increased run-off.

Board Members discussed the application and a motion was made by Mr. Kaledin and seconded by Mr. Royce to grant a C (1) variance to allow a lot frontage of 135.03 ft. to permit demolition of the existing single-family dwelling and construction of a new single-family dwelling as set forth in the application, with conditions.

Moved by:	Cohen
Seconded by:	Clayton
Those in Favor:	Clayton, Cohen, Coulson, Floyd, Kaledin, Royce, Tenenbaum
Those Opposed:	None
Those Absent:	Schreiber

6. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:30 pm.

Respectfully Submitted,

Claudia Ceballos
Secretary
Approved: 7/26/2017