

**METUCHEN ZONING BOARD OF ADJUSEMENT
MINUTES**

October 13, 2022

The meeting was called to order at 7:45pm by Brian Tobin, Vice Chairman, who read the statement in accordance with the Open Public Meetings Act.

Present:	Angela Sielski Byron Sondergard Jonathan Schuchman Brian Tobin, Vice Chairman	Jonathan Capp Robert Renaud, Esquire Denise Hamilton, Secretary
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Late: Christopher Cosenza 8:10pm

Absent:	Jonathan Rabinowitz Daniel Topping, Chairman	Iris Delgado Robert Mannix, Engineer
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NEW BUSINESS:

22-1339 William Rance, Jr. – Applicant is seeking bulk variance approval for lot width, front and side yard setbacks, all other variances, exceptions and waivers required to continue construction on the existing structure.
163 Center Street Block 55 Lot 12 & 13

Mr. Rance stated that his family has been in the house since 1967 and he would like to continue the construction to enhance it.

Mr. Frank Hall, Architect, was sworn in by Mr. Renaud. He has been licensed in New Jersey since 1992 and appeared before numerous Boards. His license remains in good standing. He was accepted as an expert witness. He stated that the existing house is cape-style with a dormer space on the second floor. His proposal includes some interior changes and the extension of the second-floor space to the rear of the house. They discovered significant damage to the structure resulting in excess demolition after the initial work began. The house sits on a 52.5 feet wide lot where Ordinance requirement is 62.5 feet. It is also a corner lot with a 19.5 wide buildable area. To demolish the rest of the house and floor system so it sits on a buildable envelope, would be a detriment to the property and the neighborhood because the house would be too shallow. Construction of the home can be finished without damage to the neighborhood by keeping the house where it exist. The finish product would be what was permitted earlier this year before substandard conditions were discovered. The house would be more attractive and an upgrade to what was previously there. The plans were already approved by the zoning official and construction department. The reason for the court appearance is because more than 50% of the house had to be demolished and reconstructed. Excess demolition was not intended to build anything greater than what was permitted.

Mr. Renaud explained that the hardship was created due to the exceptional narrowness of the existing lot and location of the existing structure. A variance could be granted without substantial detriment to the public good and without impairing the intent and purposes of the zone plan and the zoning.

Mr. Hall stated the variances required: 1) Lot width is non-compliance where 52.5 exist and 62.5; 2) Existing non-conforming front yard setback on Maple Street is 14.5 feet where 25 feet is required; 3) Existing non-conforming front yard setback on Center Street is 24.66 feet where 25 feet is required; and 4) Interior side yard setback of 6.5 feet where 8 feet is required. All are pre-existing conditions.

Board expressed appreciation for the organized presentation.

PUBLIC PORTION:

Mr. Tobin opened the floor to the public for questioning of the witness.

A resident asked who was LRK and was informed the is the company's name of the Borough's Planner.

Mr. Tobin invited additional questions from the public, hearing no response, the floor was closed.

Mr. Tobin opened the floor to the public for comments/concerns.

A student was sworn in by Mr. Renaud, who asked how the Board determines whether an application should be approved or denied.

Mr. Renaud responded that this application is for a "C" Variance. The Board has two choices; is the hardship related to the land, or would the building on the land prevent conformance? There is also a D Variance (called a Flexible C), whether the benefit outweighs the detriment. The Board must decide if the Applicant has met the criteria for the variance(s) being requested.

Mr. Tobin invited additional questions. No one stepped forward. The floor was closed.

The Board expressed appreciation for the effort made to improve on the home using the same footprint.

Motion to approve was made by Mr. Sondergard and seconded by Ms. Sielski. Ms. Sielski, Mr. Sondergard, Mr. Schumann, Mr. Capp and Mr. Tobin voted yes. Motion was approved.

CORRESPONDENCE:

ZBA Proposed Rules – Robert Renaud

Mr. Renaud stated that the changes requested at the last meeting were incorporated in the rules. The resolution is ready to be adopted. Meeting time can be moved from 7:45p to 7:30p once Board approval is made at the first meeting in January 2023 to adopt this change.

Resolution for Adoption of Proposed Rules

Motion to adopt the resolution was made by Mr. Schuchmann and seconded by Mr. Sondergard. Ms. Sielski, Mr. Sondergard, Mr. Schumann, Mr. Capp and Mr. Tobin voted yes. Motion was approved.

Minutes – July 14, 2022

Motion to approve was made by Mr. Sondergard and seconded by Mr. Schumann. With all in favor, the minutes were approved.

ADJOURNMENT:

Motion to adjourn was made by Mr. Sondergard and seconded by Ms. Sielski. Voice vote, with all in favor, the meeting was adjourned at 8:13pm.

Respectfully submitted,



D.E. Hamilton