

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
May 15, 2018

Chairman Leonardis opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer and The Courier News and providing same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustments, not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

ROLL CALL:

Present:

Gino Leonardis, Chairman
James Gustafson, Vice Chairman
Maria Campagna
Darlene Cullen
Cindy Eichler
Frank Lemos
April Wasnick, 1st Alternate
Joseph Scrudato, 2nd Alternate

Absent:

Ken Bonanno

Also attending: Larry Lavender, Esq.

MINUTES: April 17, 2018.

Mrs. Eichler made motion, seconded by Mrs. Cullen to accept the above stated *Meeting Minutes*. Those in Favor: Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scrudato and Vice Chairman Gustafson. Those oppose: None.

RESOLUTIONS:

- A. Case # 11-18 -- Elizabeth Bach**
Block 222: Lot 24: R-7.5 Zone
3301 Clark Lane

Mr. Lemos made motion, seconded by Mrs. Eichler to accept the above stated *Resolution*. Those in Favor: Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scrudato and Vice Chairman Gustafson. Those oppose: None.

- B. Case # 12-18 -- Vincent DiNizo**
Block 198: Lot 10: R-7.5 Zone
501 Maple Avenue

Mrs. Cullen made motion, seconded by Mrs. Eichler to accept the above stated *Resolution*. Those in Favor: Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scrudato and Vice Chairman Gustafson. Those oppose: None.

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HEARING: (5 Residential)

A. Case # 37-17 -- Dave Spayder
Block 420: Lot 17: R-1-2 Zone
2208 Second Place

The applicant was heard and approved for a 12' X 20' deck on November 21, 2017. The applicant is requesting an amendment to construct a 14' X 20' deck to a pre-existing non-conforming structure. Same variances are being requested: Front Yard Setback: Existing 26.7' -- Required 30' -- Variance 3.3'; Second Front Yard Setback (corner lot): Existing 13.7' -- Required 30' -- Variance 16.3'; Lot Width: Existing 50' -- Required 75' -- Variance 5'; Side Yard Setback: Existing 5.8' -- Required 8' -- Variance 2.2'.

April Wasnick recused herself.

Dave Spayder – 901 Lorraine Avenue, South Plainfield, New Jersey – applicant, was sworn in. It is determined that Mr. Spayder owns part of the house on 2208 Second Place but does not live there. His mother occupies the home. He advised the Board that he made an error on the original application. He indicated the deck to be 12' X 20' on the application. However, he would like to extend the deck to 14' X 20' to be beyond the 12' concrete slab that exists currently so he does not have to drill into the concrete for the deck footings.

Chairman Leonardis asked if the change in deck size will affect any setbacks. Mr. Spayder answered '*not at all*'. Chairman Leonardis continued... it is going deeper? Yes, per Mr. Spayder.

Chairman Leonardis reiterated... the additional length is going to the rear of the house. There is still approximately thirty feet (30') to the rear property line.

Chairman Leonardis asked Mr. Spayder if anything else is being changed other than the two feet (2'). Mr. Spayder stated no.

Marie Campagna commented that at first she could not understand why the additional two feet (2'). However, Mr. Spayder had answered the question.... 'measure twice, cut once.'

Chairman Leonardis opens the discussion to the audience. No comments or concerns.

Chairman Leonardis stated that this is an application previous seen. The addition of the two feet (2') towards the rear of the property is not impeding on any of the setbacks. Marie Campagna confirmed with Mr. Lavender that all items in the prior hearing including conditions are included in this hearing.

Chairman Leonardis calls for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna, Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scudato, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

B. Case # 13-18 -- Andres Mosquera
Block 57: Lot 15: R-7.5 Zone
245 East Golf Avenue

The applicant is requesting to construct an add-a-level to a pre-existing non-conforming dwelling. Variances being requested: Front Yard Setback: Existing 24.54' -- Required 30' -- Variance 5.46'; Lot Width: Existing 50' -- Required 75' -- Variance 25'.

Andres Mosquera – 245 East Golf Avenue, South Plainfield, New Jersey – applicant, is sworn in. Mr. Mosquera addressed the Board. He would like to add a second floor to his existing home. Last year had twins... needs more space.

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Chairman Leonardis questioned Mr. Mosquera:

- Describe the proposed home.
 - *First floor: Living room, dining room (current home does not have), game room for the children.*
 - *Second floor: Four (4) bedrooms... one for him and his wife, one for his stepdaughter, one for each twin and bathroom.*
- Vertical only? Going out? *Going out two feet (2') toward the back. Nothing to the sides.*
 - Vice Chairman Gustafson asked if it is a cantilever... two feet (2') past the house foundation? *Yes.*
- Foundation change? *No.*
- How will the house be finished? *Removing all the existing siding. The whole house will have new siding. First floor already has new windows. Second floor will have new windows. A new roof.*
- Is the house going to look like the rendering submitted? With stone? *Yes... but no stone. That is what the architect drew. It will be all siding. Cannot afford the stones.*
- Will there be a sliding glass door coming off the side? *Yes. There is concrete patio.*
- No garage? *Yes.*
- Driveway will remain? *Yes.*
- Corner lot? *No.*

Chairman Leonardis reviews the setbacks. The application calls for a 24.5' setback. Looking at the survey, coming off the corner of the existing house, a 20.5' setback. No columns, no roof over front steps.

Vice Chairman Gustafson advised the Board that this section of the Borough, there is no curb or sidewalks. Therefore, there is an additional ten feet (10') approximately to the house.

Chairman Leonardis addressed the Board Members. The relief that the applicant is requiring is to the corner of the front porch. Therefore, there will be a need for approximately 3' – 3.5' of additional setback. The actually existing will be 20.5' where 30' is required. Like Vice Chairman Gustafson stated earlier, that street does not have utility, sidewalk easements etc.

Mrs. Campagna confirmed with the applicant that there will be no changes to the driveway. Mrs. Campagna questioned Mr. Mosquera:

- Can two (2) cars be next to each other? *Yes.*
- The driveway continues to the fence? Then concrete? *Yes.*
- The concrete walkway continues to the street? *Yes.*
- How many cars in total can you fit? *Three (3).*
- How many cars do you have? *Two (2).*
- What is the concrete that goes around the house? *It is a patio.*
- What is the small piece of concrete in the back? *That is where I put the hammock.*
- Is there a door that goes from the side of the house to the patio? *Yes.*
- You are not changing the footprint of the house... but changing the configuration of the first floor and adding the second. *Correct.*

Chairman Leonardis opens the discussion to the audience. No comments or concerns.

Chairman Leonardis stated this is a common situation. Taking a smaller house and going up to accommodate a growing family. Great improvement to the neighborhood. Chairman Leonardis asked Mr. Mosquera if the porch will be closed in. Mr. Mosquera stated no. Chairman Leonardis stated that as a condition the porch cannot be enclosed.

Chairman Leonardis calls for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Eichler. Those in favor: Mrs. Campagna, Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scudato, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

**C. Case # 14-18 -- Bruce & Cecilia Grand-Jean
Block 159: Lot 16: R-10 Zone
524 Sampton Avenue**

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The applicant is requesting to construct an 18'X24' detached garage, 12'X18' above ground pool and 10'X12' shed to a pre-existing non-conforming situation. Variance being requested: Lot Width: Existing 88' -- Required 100' -- Variance 12'.

Bruce & Cecilia Grand-Jean – 524 Sampton Avenue, South Plainfield, New Jersey – applicants, are sworn in.

Mr. Grand-Jean stated they would like to add a garage that was previously demolished by the previous owner. Mrs. Grand-Jean added that they would like to add a 12'X18' pool and a shed. Husband has 'lots of toys and would like them put away.'

Chairman Leonardis confirmed with Mr. & Mrs. Grand-Jean that the lot is irregularly sized.

Chairman Leonardis reiterated... two (2) car garage, pool and shed. The house fronts on Sampton Avenue.

Chairman Leonardis questioned Mr. Grand-Jean:

- Describe the garage? *One (1) overhead door and one (1) entry door way.*
- Roof? *Metal roof.*
- Attic space? *Yes.*
- How many feet of attic space? *Approximately, four (4) foot. The maximum height of the garage will be fifteen feet (15').*
- Storing cars? *No... power equipment and woodworking equipment.*
- Building a shop? *Yes.*
- Metal Siding? *Yes.*
- Size of shed? *10'X12' shed – pre-fab wood.*

Mr. Lavender asked:

- Will there be electric to the shed? *No.*
- Only utility to the garage – electric? *Yes.*
- No water? *No.*
- No Bathroom? *No.*
 - As a condition the space cannot be converted into a bathroom and living space.

Chairman Leonardis reviewed the variance. The only variance is for an existing lot width – twelve feet (12').

Chairman Leonardis asked how many feet the garage will be off the property line. Mr. Grand-Jean stated five feet (5'). Chairman Leonardis confirmed... it is five feet (5') to an accessory building and eight feet (8') to a primary building.

Mr. Lavender asked if there will be a deck on the pool. Mrs. Grand-Jean stated yes... a small one that comes with the pool with a fence that goes around the pool. Chairman Leonardis stated that the deck would need to face the inside of the yard. May put the filter and pump towards the property line side. Mr. Grand-Jean asked maintaining the five (5') feet. Chairman Leonardis stated yes.

Mr. Lemos questioned Mr. Grand-Jean:

- In the application it is stated as a garage / workshop. What does that mean? *For power tools*
- You are going work there? *As a hobby.*
- What kind of hobby? *Woodworking.*
- For resale? *No.*

Mrs. Campagna questioned Mr. Grand-Jean:

- What side of the garage will be facing the street? *The eighteen feet (18').*
- With one (1) overhead garage door? *Yes.*
- Any other structures other than the house on the property? *No.*

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Chairman Leonardis asked Mrs. Broderick to confirm the maximum size of a garage. It is confirmed that per ordinance a detached garage has a maximum of five hundred seventy-five (575) square feet. The applicant's proposed garage is approximately four hundred forty (440) square feet.

Mrs. Grand-Jean stated the garage and shed will be the same color as the house.

Chairman Leonardis opens the discussion to the audience. No comments or concerns.

Vice Chairman Gustafson requested Chairman Leonardis to review the conditions. Chairman Leonardis stated the following conditions:

- The only utility to the garage and shed will be electricity. No plumbing or mechanical.
- All pool decking must face away from the property line.
- Garage is within the allowable limits for detachable garages.
- Cannot convert the garage to living space.
- No commercial activity.

Chairman Leonardis calls for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna, Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scrudato, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

**D. Case # 16-18 -- Urszula & Przemyslaw Bienias
Block 318: Lot 11: R-10 Zone
423 Pitt Street**

The applicant is requesting to construct a 14'X28' side addition to a pre-existing non-conforming dwelling. Variances being requested: Front Yard Setback: Existing 24.2' -- Required 30' -- Variance 5.8'; Lot Width: Existing 75' -- Required 100' -- Variance 25'; Lot Area: Existing 7,500 sq. ft. -- Required 10,000 sq. ft. -- Variance 2,500 sq. ft.; Side Setback: Existing 3.4' -- Required 8' -- Variance 4.6'.

Przemyslaw Bienias – 423 Pitt Street, South Plainfield, New Jersey – applicant, is sworn in. Would like to build a 14'X18' addition to the right side of the home. Currently has two (2) bedrooms and one (1) bath.

Mr. Lavender asked if the existing home is one (1) story. Per Mr. Bienias, yes. Mr. Lavender continued... will the addition be one (1) story. Per Mr. Bienias, yes.

Chairman Leonardis reviews the variances. All variances are existing. The addition itself does not create any variances.

Chairman Leonardis questioned Mr. Bienias:

- What will the addition consist of? *Two (bedrooms) and one (1) bath.*
- How will the house be finished? *Re-siding the entire house. Currently has stucco. Will side the entire house.*

Chairman Leonardis stated that ultimately, the house will have four (4) bedrooms, two (2) bathrooms, a living room, a kitchen and a laundry room leading to the garage.

Mrs. Campagna questioned Mr. Bienias:

- In the back there are two (2) areas marked block. What are they? *The larger one is a patio. The other is a block of concrete for the grill.*
- Is the car a one (1) car garage? *Yes... one (1) car.*
- How many cars can you fit in the driveway? *Six (6) cars tightly. Only have two (2) cars.*
- The garage opens up into the kitchen? *No... to the laundry room.*

Mr. Lemos asked what the total coverage of the lot is. Chairman Leonardis and Mrs. Broderick determined that the lot coverage is under the maximum allowed.

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Chairman Leonardis asked Mr. Bienias how the additional rooms are accessed. It is not indicated on the plans. Mr. Bienias stated that there will be hallway cutting into the larger bedroom.

Chairman Leonardis stated that the variances are all pre-existing and the addition is not creating any additional variances.

Chairman Leonardis calls for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Campagna. Those in favor: Mrs. Campagna, Mrs. Cullen, Mrs. Eichler; Mr. Lemos; Mrs. Wasnick, Mr. Scudato, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

**E. Case # 07-18 -- Daniel VP LLC
Block 182: Lot 1: R-10 Zone
412 Lane Avenue**

Carried from April 3, 2018 meeting... The applicant is requesting to construct a rear addition to a pre-existing non-conforming dwelling. Variances being requested: Front Yard Setback (2nd Front – Corner Lot): Existing 13.9' -- Required 30' -- Variance 16.1'; Lot Width: Existing 62.50' -- Required 100' -- Variance 38.50'; Lot Area: Existing 6,827 sq. ft. -- Required 10,000 sq. ft. -- Variance 3,173 sq. ft.

Joanne Broderick stated that approximately 3:50 pm, Mr. Ed Santoro, attorney for applicant, visited the office requesting an adjournment. The general contractor could not make the meeting. Therefore, the hearing is carried to the next meeting... June 5, 2018. A letter advising the above is forthcoming from Mr. Santoro.

INFORMAL HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

CORRESPONDENCE: None

EXECUTIVE SESSION: None

ADJOURNMENT: 7:25 PM

Respectfully Submitted,
Joanne Broderick
Recording Secretary