

Township of Livingston  
Planning Department  
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ZONING BOARD OF ADJUSTMENT  
Minutes of the Meeting

May 7, 2020

Conference & Special Meetings:

At 6:00 PM, Chairman Hochberg announced that proper notice had been given and Secretary Fass called the Roll:

Present: James Hochberg, Chairman  
Tony Nardone, Vice Chair  
Pearl Hwang  
Jared Resnick  
Kalpesh Kenia  
Ed Bier  
Vineeta Khanna  
Lauren Tabak-Fass  
Laurie Kahn  
Richard Vallario, Esq., Board Attorney  
Jackie Hollis, Planning Administrator  
Catherine Maddrey, Planning Assistant  
Barry Lewis, Township Manager (Zoom Moderator)

Absent: None

Minutes: The minutes of February 25, 2020 were accepted as presented.

Communications: Mr. Vallario, Esq. informed the Board that if they missed any part of the testimony, they could not vote on an application.

At 6:05 PM., it was announced that proper notice had been given and the Roll was called: The Regular Meeting continued with the same attendees. Mr. Lewis informed all participants and attendees how the question and answer portion of the meeting would be conducted.

Variance  
Block 3900; Lot 85  
40 Intervale Road  
Application No. 2020-9-V  
Pradeep Kumar & Nidhi Gupta

Applicant is requesting approval to build a new home in violation of the following Section:  
170-87BB3 Habitable Floor Area – 3520 sq ft required; 3890 sq ft proposed; 415 sq ft variance requested.

Chairman Hochberg announced that the application was being adjourned to the next meeting on Tuesday, May 26, 2020; new notices are required for the deficient mailings.

Variance (Continued from February 25, 2020)

Block 2503; Lot 16  
14 West Lawn Road  
Application No. 2019-66-V  
14 West Lawn Road LLC

Applicant proposes an addition in violation of the following Sections:

170-98C3 Right Side Yard Setback – 10' required; 7.7' proposed; 2.3' variance requested  
170-98C3 Left Side Yard Setback – 10' required; 5.8' proposed; 4.2' variance requested  
170-98C3 Aggregate Side Yard Setback – 30% required; 27% proposed; 3% variance requested  
170-87CC3 Habitable Floor Ratio – 21% required; 32.6% proposed; 11.6% variance requested

The applicant was represented by Michael J. Piromalli, Esq. Ingrid Nagy (Applicant) and William Figdor (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (undersized lot) upon motion made by Member Resnick and second by Member Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 502; Lot 4  
2 Splitrock Road  
Application No. 2020-8-V  
Roland & Patrycja Lee

Applicant is requesting approval for an addition in violation of the following Section:

170-87L(1)(b) Corner Lot Setback – 50' required; 37.75' proposed; 12.25' variance requested.

Roland & Patrycja Lee (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (irregular shaped lot) upon motion made by Member Resnick and second by Member Fass. Chairman Hochberg missed testimony, therefore, could not vote on this application. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 4706; Lot 10  
20 Village Road  
Application No. 2020-7-V  
Phillip & Rosanna Forgione

Applicant is requesting approval for an addition in violation of the following Sections:

170-99C2 Front Yard Setback – 40' required; 30.11' proposed; 5.24' variance requested.  
170-99C3 Aggregate Side Yard Setback – 30% required; 28.6% proposed; 1.4% variance requested.

Phillip A. Forgione (Applicant) and Christine Miseo (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (narrow shallow lot) up motion was made by Member Khanna and second by Member Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 1601; Lot 7  
22 Briar Cliff Road  
Application No. 2020-13-V  
Jamie Hammer

Applicant is requesting approval for an addition in violation of the following Sections:  
170-99C3 Right Side Yard Setback – 10' required; 5.34' proposed; 4.66' variance requested.  
170-99C3 Left Side Yard Setback – 10' required; 8' proposed; 2' variance requested.  
170-99C3 Aggregate Side Yard – 30% required; 24% proposed; 6% variance requested.

Jamie & Nicholas Hammer (Applicant), Doug Asral (Architect), and Chris Frieman (Contractor) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (narrow lot) up motion was made by Member Bier and second by Member Khanna. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 1512; Lot 17  
26 Glendale Avenue  
Application No. 2020-11-V  
Yao Chen & Cathleen Zhang

Applicant is requesting approval for a two story addition in violation of the following Sections:  
170-99C2 Front Yard Setback – 40' required; 26' proposed; 14' variance requested.  
170-99C3 Side Yard Setback – 10' required; 7.5' proposed; 2.5' variance requested.  
170-87BB4 Habitable Floor Area – 3220 sq ft required; 3890 sq ft proposed; 670 sq ft variance requested.

Yao Chen (Applicant) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (irregular shaped lot) up motion was made by Member Resnick and second by Member Khanna. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 5103; Lot 85  
7 Downing Place  
Application No. 2020-12-V  
CW Development, LLC

Applicant is requesting approval for an addition in violation of the following Sections:  
170-87BB3 Habitable Floor Area – 3520 sq ft required; 3908 sq ft proposed; 388 sq ft variance requested.  
170-87CC3 Habitable Floor Ratio – 21% required; 23.8% proposed; 2.8% variance requested.

The applicant was represented by Evan Drachman, Esq. Yuval Wellish (Architect) was sworn in to offer testimony.

Members of the Public with Question & Comments:  
Jason Oceans – 18 Downing Place  
Seth Holland – 8 Darby Terrace

The Board expressed concerns on the size of the proposed home and advised the applicant to revise the plans eliminate a variance in order to conform to the neighborhood, therefore, continuing the hearing to June 23, 2020. No further notices are required.

Variance  
Block 1509; Lot 20  
9 Fernwood Road  
Application No. 2020-14-V  
Nuno Cunha

Applicant is requesting approval for a first and second floor addition in violation of the following Sections:  
170-99C3 Right Side Yard Setback – 10' required; 9.85' proposed; 0.15' variance requested.  
170-99C3 Left Side Yard Setback – 10' required; 4.69' proposed; 5.31' variance requested.  
170-99C3 Aggregate Side Yard – 30% required; 23% proposed; 7% variance requested.

Nuno Cunha (Applicant) and Daniel Angel Roma (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (undersized and irregular shaped lot) up motion was made by Member Nardone and second by Member Resnick. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 1706; Lot 30  
9 Redwood Road  
Application No. 2020-15-V  
Agib Gerges/Tag Investment Group

Applicant proposes the following:  
170-99C2 Front Yard Setback – 40' required; 35.58' proposed; 4.42' variance requested.  
170-99C3 Side Yard Setback – 10' required; 6.54' proposed; 3.46' variance requested.  
170-99C3 Aggregate Side Yard – 30% required; 28.3% proposed; 1.7' variance requested.  
170-99C4 Rear Yard Setback – 35' required; 16.51' proposed; 18.49' variance requested.

The applicant was represented by Roosevelt J. Donat, Esq. Agib Gerges (Applicant) and Margaret Petersen (Architect) appeared and were sworn in to offer testimony.

Members of the Public with Questions:  
Mehdi Chamcham - 7 Redwood Road

The hardship was reconfirmed (undersized lot) up motion was made by Member Hwang and second by Member Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

With no further business, the meeting adjourned at 8:33 PM.

Respectfully submitted,

Catherine Maddrey, Planning Assistant