

ZONING BOARD
Minutes of the Meeting
July 26, 2011

The Livingston Zoning Board of Adjustment met for a Conference Meeting at 7:15 p.m. in the Executive Conference Room with a Regular Meeting to follow at 7:30 p.m. in the Court Room of the Livingston Municipal Building located at 357 South Livingston Avenue. Notice of the meeting was published in the West Essex Tribune and posted at the Livingston Municipal Building.

Conference Meeting:

At 7:17 p.m., Secretary Ajay Shah called the Roll:

Present:	Alan Ozarow	Absent:	Michael Silverman
	James Hochberg		
	Susan Atteridge		
	Kris Boni		
	Jack Gillman		
	Shawn Klein		
	Ajay Shah		
	Jill Wishnew		
	Herb Ford, Board Attorney		
	Jackie Coombs-Hollis, Planning Administrator		

* Jack Gillman joined the meeting at 7:22 pm.

1. Minutes. The Minutes of June 28, 2011 were accepted as presented.
2. New Business.
 - a. The Board discussed the August Zoning Board meeting and decided for the time being to leave the date until such time that Planning Administrator, Jackie Coombs-Hollis determines that any/all current pending applications have not been deemed complete for scheduling.
 - b. The Board reviewed the proposed Annual Report prepared by Board Attorney, Herb Ford.
3. Adjournment. The Conference Meeting was adjourned at 7:30 p.m.

Regular Meeting:

At 7:36 p.m., Chairman Ozarow announced that proper notice had been given and Secretary Ajay Shah called the Roll:

Present:	Alan Ozarow	Absent:	Michael Silverman
	James Hochberg		
	Susan Atteridge		
	Kris Boni		
	Jack Gillman		
	Shawn Klein		
	Ajay Shah		
	Jill Wishnew		
	Herb Ford, Board Attorney		
	Richard Vallario, Planning Board Attorney		
	Jackie Coombs-Hollis, Planning Administrator		

Approval of Memorializing Resolutions. Upon motion made and seconded, the following Resolutions were unanimously approved by the present members of the Board:

- Interpretation of Batting Cages
- Eric & Susan Bernbach – Application No. 2011-16-V
- David Jasin & Felix Gil – Application No. 2011-20-V
- Rajesh & Anju Agarwal – Application No. 2011-21-V
- Shamsher & Romana Dhanoa – Application No. 2011-23-V
- Pamela & Michael Cotler – Application No. 2011-17-V
- Peter McPhee on behalf of Michael & Peggy Erb – Application No. 2011-18-V
- Jon & Kip Mandelbaum – Application No. 2011-8-V

Secretary Ajay Shah called the first applicant, Mr. & Mrs. Rabinowitz.

1. Variance

Block: 1307; Lot: 29
21 Mayhew Drive
Application No. 2011-25-V
Mr. & Mrs. Rabinowitz

R-2 Zone

Applicant proposes to construct an addition to a single family residence. Violation of the following sections:

- 170-97C(2) Front Yard Setback (60' required, 54.5' proposed; 5.5' variance requested)
- 170-87AA(2) Habitable Floor Area (4,870 SF allowed, 5,790 SF proposed; 920 SF variance requested)
- 170-87BB(2) Habitable Floor Ratio (18% allowed, 23.14% proposed; 5.14% variance requested)

Board Attorney, Herb Ford recused himself from the application.
Planning Board Attorney, Richard Vallario was present to provide guidance to the Board.

Diana Hoffman, AIA appeared as architect for the applicant.

Witnesses testifying under oath for the Applicant that were sworn and qualified:
Mike Lanzafama, as planner & engineer

Previous exhibit A16 dated 7/9/10 was submitted and marked as Exhibit A-1.
A 3D drawing/rendering was submitted and marked as Exhibit A-2.

Members of the public with questions for the Applicant were:
Margie Karpas, 17 Mayhew Drive
Rachel Ginsberg, 25 Mayhew Drive
Helen Juran, 43 Cobblewood Road
Jonathan Friedman, 41 Cobblewood Road
Debbie Schneider, 19 Mayhew Drive
Neil Goldstein, 24 Mayhew Drive

During testimony, the Board found that the addition is conforming to the neighborhood therefore having no negative impact.

Upon motion made by Mr. Hochberg and seconded by Mr. Shah, the Board approved the application subject to a memorializing resolution by the unanimous votes of Mr. Hochberg, Mr. Shah, Ms. Atteridge, Mr. Gillman, Ms. Wishnew, Ms. Boni and Mr. Ozarow; they being all of the Members present and eligible to vote.

The Board was in recess from 8:37 pm to 8:43 pm.

Secretary Ajay Shah called the next applicant, Yuan Yang Xie.

2. Variance (*Amendment – Continued from 5/26/11*)

Block: 5601; Lot: 5

221 Hillside Avenue

Application No. 2010-29-V

Yuan Yang Xie

R-3 Zone

Applicant proposes to keep the existing barn/garage structure in the rear of the property. Violation of the following section:

- 170-87BB(3) Habitable Floor Area (3,520 SF allowed, 6,018 SF proposed; applicant was previously approved for 1,914 SF variance, an additional 584 SF variance is required to keep the barn/garage)

Chairman Ozarow recused himself from the application.

Yuan Yang Xie was sworn in to offer testimony.

Witnesses testifying under oath for the Applicant that were sworn and qualified:

Thomas Baio, as architect

Photos were submitted and marked as Exhibit A-1.

No testimony or questions were offered by members of the public.

During testimony, the Board found that the barn/garage would not cause a negative impact, and stated that the conditions of approval would be that the structure be completely rehabilitated to its original state. The Board further found that the rehabilitation must be completed concurrently with the main house in order for the applicant to obtain a Certificate of Occupancy.

Upon motion made by Mr. Hochberg and seconded by Ms. Atteridge, the Board approved the application subject to a memorializing resolution by the unanimous votes of Mr. Hochberg, Ms. Atteridge, Mr. Shah, Ms. Boni and Mr. Klein; they being all of the Members present and eligible to vote.

Chairman Ozarow announced that the following application is adjourned to 9/27/11 because the Board has requested the Township Engineer be present at the meeting:

- Application No. 2011-28-V – Jon Roitman, 17 Vanderbilt Drive

Secretary Ajay Shah called the next applicant, Scott & Eliza Millman.

3. Variance

Block: 2400; Lot: 3

3 Trinity Drive

Application No. 2011-27-V

Scott & Eliza Millman

R-3 Zone

Applicant proposes to construct an addition to a single family residence. Violation of the following sections:

- 170-98C(2) Front Yard Setback (50' required, 46.75' proposed; 3.25' variance requested)
- 170-98C(3) Side Yard Aggregate Setback (30.15' required, 26.5' proposed; 3.65' variance requested)

Scott & Eliza Millman were sworn in to offer testimony.

No testimony or questions were offered by members of the public.

During testimony, the Board found that the addition is conforming to the neighborhood therefore having no negative impact.

Upon motion made by Mr. Gillman and seconded by Mr. Shah, the Board approved the application subject to a memorializing resolution by the unanimous votes of Mr. Gillman, Mr. Shah, Ms. Atteridge, Ms. Wishnew, Ms. Boni, Mr. Hochberg and Mr. Ozarow; they being all of the Members present and eligible to vote.

Adjournment. The Regular Meeting was adjourned at 9:20 pm.

Respectfully submitted,

Jackie Coombs-Hollis
Planning Administrator