

ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting

May 24, 2022

The Livingston Township Zoning Board of Adjustment met for its Conference, Re-organization and Regular Meeting by means of Zoom Webinar telecommunications at 7:05 PM. Chairman Hochberg announced that proper notice had been given pursuant to the Open Public Meetings Act and guidance provided by the State's Division of Local Government Services. Secretary Bier called the Roll:

Present:	James Hochberg	Absent:	Laurie Kahn
	Lauren Tabak-Fass		
	Anthony Nardone (<i>Joined meeting at 7:46 PM</i>)		
	Jared Resnick		
	Edward Bier		
	Pearl Hwang		
	Ketan Bhuptani		
	Richard Vallario, Esq., Board Attorney		
	Jackie Hollis, Planning Administrator		

Communications:

Minutes: The minutes of April 26, 2022 was accepted as presented.

Old Business:

The Board voted unanimously in favor of memorializing the following Resolutions:

- 26 North Ridge Road; Application No. 2022-15-V; Steven & Jeannette Podgorski
- 22 Collins Terrace; Application No. 2022-21-V; 22 Collins, LLC
- 21 Tower Road; Application No. 2022-14-V; 21 Tower LLC
- 17 Congressional Parkway; Application No. 2022-24-V; Congress Builders LLC

New Business –

Variance (Adjourned from April 26, 2022)

Block 4203; Lot 14

12 Spalding Drive

Application No. 2022-17-V

Hengfeng Liao & Wenyu Chien

Applicant seeks approval for a garage and first floor addition in violation of the following Sections:

170-99C2 Front Yard Setback – 40' required; 35.73' proposed; 4.27' variance requested.

170-99C3 Right Side Yard Setback – 10' required 4.5' proposed; 5.5' variance requested.

170-99C3 Aggregate Side Yard Setback – 30% required; 29% proposed; 1% variance requested.

Hengfeng Liao (Applicant) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. A motion to approve the application was made by Member Bhuptani 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 3901; Lot 60
7 Highland Drive
Application No. 2022-19-V
Tanya Koifman & Karen Wilson

Applicant seeks approval for a first floor addition in violation of the following Sections:
170-99C3 Right Side Yard Setback – 10' required; 7.8' proposed; 2.2' variance requested.
170-99C3 Aggregate Side Yard Setback – 30% required; 18.2% proposed; 11.8% variance requested.

Tanja Koifman (Applicant) and Christine Miseo (Architect) appeared and were sworn in to offer testimony.

Member(s) of the Public: Rita & Anthony Miloslavsky, 11 Highland Drive

The hardship was reconfirmed (steep topography and easement on property) upon a motion to approve made by Member Resnick and second by Member Fass. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 5500; Lot 24
228 Hillside Avenue
Application No. 2021-23-V
Da Da Guo

Applicant seeks approval for a first and second floor addition and deck in violation of the following Sections:
170-98C2 Front Yard Setback – 50' required; 22.2' proposed; 27.8' variance requested.
170-98C3 Right Side Yard Setback – 10' required 6.2' proposed; 3.8' variance requested.
170-98C3 Left Side Yard Setback – 10' required; 6.8' proposed; 3.2' variance requested.
170-98C3 Side Yard Aggregate – 30% required; 26% proposed; 4% variance requested.
170-87CC3 Habitable Floor Ratio – 21% allowed; 33.7% proposed; 12.7% variance requested.

Da Da Guo (Applicant) and Po Wu (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 and undersized lot) upon a motion to approve made by Member Nardone and second by Member Hwang. Members Bier and Fass voted against the motion. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 6400; Lot 24
5 Goodhart Drive
Application No. 2022-30-V
5 Goodhart LLC

Applicant seeks approval for a second story addition in violation of the following Section:
170-87CC1 Habitable Floor Ratio – 15% allowed; 18.16% proposed; 3.16% variance requested.

Attorney for Applicant: Matthew Posada, Esq. of Sills Cummis & Gross, P.C.

Witnesses for Applicant: Ayman Sedra, Architect
John McDonough, Planner
Matt Flynn, Planner (Sworn; no testimony)

No members of the public had questions for the witnesses or offered statements in support of, or opposition to, the Application.

After hearing testimony, a motion to approve the application was made by Member Fass and second by Member Bhuptani. Members Nardone abstained from voting. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

The Board went into recess from 8:35 PM to 8:42 PM.

Variance (Continued from March 26, 2022)

Block 2905; Lot 14

151 Sycamore Avenue

Application No. 2021-49-V

MSB Builders, LLC

Applicant seeks approval for a 2 ½ story single family home with a proposed in-ground pool, patio, pergola, and sports court. The application was amended to seek the following variances:

170-87BB3 Habitable Floor Area – 3520 sq ft allowed; 4864 sq ft proposed; 1344 sq ft variance requested.

170-91(16) Retaining Wall – Refer to Denial Letter dated May 16, 2022

Attorney for Applicant: Matthew Posada, Esq. of Sills Cummis & Gross, P.C.

Witnesses for Applicant: Michael Lanzafama, P.E. of Casey and Keller, Inc.
Mark Roselli, Architect

Members of the Public: Lucia & Edward Uibelhoer, 147 Sycamore Avenue
Roberta Birmingham, 15 Hampton Terrace
Matt Shapiro, 159 Sycamore Avenue

After hearing comments from the Board and the public, the applicant requested an adjournment to revise the plans. The Board granted the adjournment to August 23, 2022 with no further notices required.

Adjournment

With no further business, the meeting adjourned at 10:31 PM.

Respectfully submitted,

Jackie Hollis, Planning Administrator