

**ZONING BOARD OF ADJUSTMENT**  
**Minutes of the Meeting**

**August 22, 2023**

The Livingston Township Zoning Board of Adjustments met for its Conference and Regular Meeting by means of Zoom Webinar telecommunications at 7:00PM. Acting Chairperson Bier 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. At 7:09PM, Secretary Kahn called the Roll.

Present:	Edward Bier, Vice Chairman James Hochberg Anthony Nardone Laurie Kahn Ketan Bhuptani Michael Affrunti Richard Vallario, Esq. – Substitute Attorney Jackie Hollis, Planning Administrator Catherine Maddrey, Planning Coordinator	Absent:	Lauren Tabak-Fass, Chairwoman Jared Resnick
----------	--	---------	--

Communications:                   None

Minutes:           The minutes of August 8, 2023 were accepted.

Old Business: Consideration of Memorializing Resolution:  
50 E. Mount Pleasant Associates, LLC; Application No. 2022-18-PFSPV (Amendment)  
Vice Chairman Bier announced that this memorializing resolution was moved to September 12, 2023.

Request to Amend Memorializing Resolution - PSEG – Application No. 2022-63-PFSPV  
Jennifer Carillo-Perez, Esq. appeared and represented the Applicant. The Board having comments and questions, felt the amended resolution was not yet ready for a vote. This will be considered at the conference meeting on September 12, 2023.

New Business

Variance  
Block 6001; Lot 80  
14 Baker Road  
Application No. 2023-23-V  
Nicole Staci Tedesco

Applicant seeks approval for a two-story rear addition and a new entry portico over existing covered porch in violation of the following Sections:

170-99C2 Front Yard Setback – 60' required; 42.4' proposed; 17.6' variance requested  
170-87CC2 Habitable Floor Ratio – 18% allowed; 25% proposed; 7% variance requested

Nicole Staci Tedesco, Applicant and Laurence Appel, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was made by Member

Hochberg and second by Member Nardone. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 4505; Lot 64  
5 Manor Road  
Application No. 2023-28-V  
Chris Welber

Applicant seeks approval for a sunroom in the rear/side yard in violation of the following Sections:  
170-99C3 Side Yard Setback – 10’ required; 6’ proposed; 4’ variance requested  
170-99C3 Aggregate Side Yard Setback – 33.3’ required; 15.9’ proposed; 17.4’ variance requested

Chris Welber, Applicant and Brian Adams, Builder appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was made by Member Kahn and second by Member Affrunti. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 1000; Lot 15  
76 West McClellan Avenue  
Application No. 2023-38-V  
Leke Gjoni

Applicant seeks approval for demolition and reconstruction of house in violation of the following Sections:  
170-97C4 Rear Yard Setback – 50’ required; 32.92’ proposed; 17.08’ variance requested  
170-87CC2 Habitable Floor Ratio – 18% allowed; 22.9% proposed; 4.9% variance requested

Appearing for Applicant: Steven Schepis, Esq. of The Law Office of Steven C. Schepis, LLC

Witnesses for Applicant: Jonathan Babula, Architect of Babula Architecture LLC  
Peter Steck, P.P. of Community Planning Consultant

Member(s) of the Public with Questions/Comments: William Colonna – 74 West McClellan Avenue

After hearing testimony, a motion to approve the application was made by Member Affrunti and second by Member Hochberg. 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 9:16 PM to 9:26 PM.*

Variance  
Block 2000; Lot 16  
14 Melrose Drive  
Application No. 2023-29-V  
Sainath Tadikonda & Amruthu Kommu

Applicant seeks approval for new construction of a single family residence in violation of the following Sections:

170-99C2 Front Yard Setback – 40’ required; 35.8’ proposed; 4.2’ variance requested

170-87CC4 Habitable Floor Ratio – 30% allowed; 33.8% proposed; 3.8% variance requested

Appearing for Applicant: Susan Rubright, Esq. of Brach Eichler LLC

Witnesses for Applicant: Kiersten Osterkorn, P.E. & P.P. of Omland & Osterkorn, Inc.  
Gregory Ralph, Architect of Gregory Ralph Architect Design Studio  
Sainath Tadikonda, Applicant/Owner

Member(s) of the Public with Questions/Comments: None

After hearing testimony, a motion to approve the application was made by Member Hochberg and second by Member Affrunti. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance  
Block 1704; Lot 19  
89 East McClellan Avenue  
Application No. 2023-25-V  
Gary & Darice Tufaro

Applicant seeks approval for a two car garage in violation of the following Section:

170-87E(1)(a) Accessory Building (Height) – 13’ allowed; 20’ proposed; 7’ variance requested

Planning Administrator, Jackie Hollis announced that this application was adjourned to the next regular meeting on September 12, 2023. It was noted that this meeting would not be held on Zoom, but would be an in-person meeting at the Livingston Municipal & Police Building. No further notices were required.

Variance  
Block 2905; Lot 49  
9 Montgomery Road  
Application No. 2023-27-V  
Shalini Verma

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

170-98C2 Left Side Yard Setback – 10’ required; 5.5’ proposed (existing); 4.5’ variance requested

170-98C3 Aggregate Side Yard – 30% required; 28.4% proposed; 1.6% variance requested

170-87CC3 Habitable Floor Ratio – 21% allowed; 24.6% proposed; 3.6% variance requested

Shalini Verma & Rohit Singh, Applicants and Afshan Vandal, Architect appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. After hearing testimony and closing of the evidentiary record, a motion to approve the application was made by Member Affrunti and second by Member Kahn. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 5104; Lot 11

146 West Hobart Gap Road

Application No. 2023-26-V

Tatyana & Alexey Braginskiy

Applicant seeks approval for a fence in the front yard and a pool cover in violation of the following Sections:  
170-90(2)(b) Fence Height – 4’ allowed; 5’ proposed; 1’ variance requested  
170-87(1)(f) Accessory Structure (Pool Cover) – 1868.5’ allowed; 2168.5’ proposed; 818.5’ variance requested

Alexey Braginsky, Applicant appeared and was sworn in to offer testimony.

Martin Chiarolanzio, Construction Official & Zoning Officer then joined the meeting to offer comments to the Board.

Members of the Public with Questions & Statements:

Anil Agarwal – 42 Coddington Terrace

Urmila Agarwal – 42 Coddington Terrace

David Webster – 10 Downing Place

Ursula Webster – 10 Downing Place

Stewart Levis – 38 Coddington Terrace

Marvin Slatkin – 8 Downing Place

After hearing testimony and closing of the evidentiary record, a motion to deny the application for the fence was made by Member Nardone and second by Member Affrunti. A motion to deny the application for the pool cover was made by Member Hochberg and second by Member Nardone. The remaining members of the Board present and eligible voted in favor of both motions, subject to memorializing resolutions.

Adjournment. With no further business, the meeting adjourned at 11:40 PM.

Respectfully submitted,

Catherine Maddrey, Planning Coordinator