

ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting

September 29, 2022

The Livingston Township Zoning Board of Adjustment met for its Conference, Re-organization and Regular Meeting by means of Zoom Webinar telecommunications at 7:03 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:	Anthony Nardone
	Lauren Tabak-Fass		Jackie Hollis,
	Edward Bier		Planning Administrator
	Jared Resnick		
	Pearl Hwang		
	Laurie Kahn		
	Ketan Bhuptani (<i>joined meeting at 7:21 PM</i>)		
	Donald Rinaldi, Esq., Acting Board Attorney		
	Andrew Janiw, Planning Consultant		
	Catherine Maddrey, Planning Coordinator		

Communications: None

Minutes: The minutes of August 23, 2022 were accepted as presented.

Old Business:

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

- 6 Redwood Road; Application No. 2022-32-V; Xiangyu Wen
- 133-135 East McClellan Avenue; Application No. 2022-22-PFSP-UV; Jorge Taboada

New Business –

Variance

Block 3300; Lot 31

27 Rumson Road

Application No. 2022-45-V

Ka Wing Pak

Applicant seeks approval to build a deck off rear of home in violation of the following Sections: 170-98C(4) Rear Yard Setback – 40' required; 31.9' proposed; 8.1' variance requested.

Ka Wing Pak, Applicant and Florence Antonacos Berwind, 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 (topography/steep slopes and shallow lot) upon a motion to approve made by Member Bier 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.

**Member Bhuptani joined the meeting at 7:21 PM*

Variance

Block 3902; Lot 19
22 Mount Pleasant Parkway
Application No. 2022-41-V
Nikhil Kulkarni

Applicant seeks approval to demolish existing deck and add a rear addition with basement in violation of the following Sections:

170-99C3 Right Side Yard Setback – 10’ required; 6.4’ proposed (existing); 3.6’ variance requested.

170-87CC4 Habitable Floor Ratio – 30% allowed; 41.3% proposed; 11.3% variance requested.

Nikhil Kulkarni, 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 (narrow, shallow, undersized lot) upon a motion to approve made by Member Fass and second by Member Resnick with a condition of approval that the basement would not be turned into an apartment with kitchen. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 5100; Lot 28
13 Wychwood Road
Application No. 2022-43V
Adam & Sarah Weinstein

Applicant seeks approval for a 2-story addition on left side of home in violation of the following Sections:

170-98C2 Front Yard Setback – 50’ required; 37.6’ proposed; 12.4’ variance requested.

170-87CC3 Habitable Floor Ratio – 21% allowed; 24.4% proposed; 3.4% variance requested.

Adam & Sarah Weinstein, Applicants and John Brower, 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 a motion to approve made by Member Resnick and second by Member Bhuptani. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Use Variance

Block 1512; Lot 11
127 East Mount Pleasant Avenue
Application No. 2022-46-PFSP-UV
Livingzen, LLC

Applicant proposes to construct a 1276 sq ft second floor addition to an existing single-story that contains a psychologist’s office use and associated site improvements.

Appearing for Applicant: John P. Wyciskala, Esq.

Witness for Applicant: Dr. John Massler a Pricipal of Livingzen, LLC
Marc Remo, P.E, P.P. of Remo Engineering, LLC
Ronald J. Kacmarsky, AIA of Ronald Kacmarsky
Architeectural Group

Member of the Public with questions/comments: Katty Becerra at 8 Greenwood Court

The Board went into recess from 9:23 PM to 9:35 PM.

After hearing testimony and closing evidentiary record, on motion by Member Hochberg and second by Member Resnick and subject to a memorializing resolution, the Application with variances and conditions stated on record was approved by the remaining members of the Board present and eligible.

Adjournment

With no further business, the meeting adjourned at 9:46 PM.

Respectfully submitted,

Catherine Maddrey, Planning Coordinator