

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT

March 28, 2007

7:30 p.m.

Chairman Joel Boroff called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. He stated that adequate notice of this Board of Adjustment meeting was given as required by the Open Public Meeting Act.

Members Present: Chairman Joel Boroff, Walter Voytus, H.H. Montague, Peter Hoffman, Frederick Infante, James Clancy, Patricia D'Ambrosio*.

*arrived at 8:43 p.m.

Alan A. Siegel, Esq., attorney for the Board, was present.

Members Absent: Elaine Rocha Bennett, Helen Kecskemety.

Approval of the Minutes

The Minutes of January 24, 2007 were approved as amended.

The meeting scheduled for February 28, 2007 was cancelled.

Old Business

Mr. Boroff noted that the Board has thoroughly reviewed and discussed the draft of their rules and regulations as drafted by Mr. Voytus and Mrs. D'Ambrosio. It is now in its final form. Mr. Boroff asked Board members if they had any further corrections on this document. They had none.

Mr. Voytus made a motion to approve the Rules and Regulations of the Zoning Board of Adjustment of Chatham Borough. Mr. Montague seconded the motion. A voice vote was taken. The Rules and Regulations were unanimously approved.

The Board's Rules and Regulations will be published on the Chatham Borough website.

Mr. Boroff thanked Mr. Voytus and Mrs. D'Ambrosio for their hard work on this project.

On other matters, Mr. Boroff reminded Board members that there are two more opportunities to take their mandatory training. Two sessions are being held in April. One session will be held in Jersey City and another in Gloucester.

Mr. Boroff congratulated Mr. Montague on being electing Chairman of the Borough Planning Board.

Mr. Montague reported on the recent activities of the Planning Board. The Board is currently reviewing the side yard setback issue.

Mr. Siegel reviewed the latest developments on the Omnipoint case. He noted that the Board had turned down the Omnipoint's application to install a telecommunications device on top of an existing PSE & G transmission tower behind Rose Terrace. Omnipoint has now filed a brief contending that the Board had act arbitrarily, capriciously, and unreasonably. Mr. Siegel has now filed the Board's brief contending that it had acted properly. Mr. Siegel said he expects to hear from Omnipoint claiming that the Board's brief is wrong. In April a hearing will be held before the Morris County Superior Judge. The judge will rule either to reverse the Zoning Board's decision and permit the installation or to sustain the Zoning Board's decision and prohibit the installation. Another action the judge may take is to have the matter returned to the Zoning Board for additional hearings. Mr. Siegel will report on the outcome at the Board's April meeting.

New Business

There was none.

New and Return Applications

Mr. Boroff announced the status of the following applications.

Nowikas – 8 Jackson Ave., has withdrawn

Hull – 12 Oliver St., has continued to the April 27, 2007 meeting.

221 Main Street, LLC – 221 Main St. – a formal transfer of responsibility will take place tonight.

Iacouzzi – 146 No. Passaic Ave., will be heard tonight.

Johe – 35 Meadowbrook Ave., will be heard tonight.

Grosso – 200 Washington Ave., will be heard tonight.

221 Main Street, LLC – 221 Main St.

Barry Osmun, Esq., the attorney for the applicant, was present.

Mr. Boroff noted that the Board has been advised by the Borough that this application should be transferred from the Board of Adjustment to the Planning Board for a number of legal reasons.

Mr. Siegel reported that he and the Planning Board Attorney, Mr. Foster, are in agreement, as is Attorney Osmun, that the Zoning Officer is not correct in his assessment of this application. This application should be transferred to the Planning Board.

Mr. Osmun agreed with this new development.

Mr. Infante made a motion to transfer the application of 221 Main Street, LLC from the Board of Adjustment to the Planning Board for a hearing to be held on April 11, 2007, 7:30 in the Council Chambers. Mr. Montague seconded the motion. A roll call vote was taken. 6 – yes 0 – no.

Iacouzzi – 146 North Passaic Ave.

Jerry Iacouzzi, the applicant, was sworn in to testify.

Andrew Passacantando, the architect, was sworn in.

Mr. Iacouzzi testified that when he and his wife purchased the property 10 or 11 years ago, there was no garage. For the past 5 or 6 years, he has done a number of renovations on his home. At this point in the renovations, he would like to construct a “moderate, detached garage” in style with the historic nature of his residence. Mr. Iacouzzi noted that his residence has won the Borough Historic Preservation award in 2006 for their outstanding renovations. The proposed garage would be the final renovation.

Mr. Iacouzzi testified that his house was built in 1927. It was originally a two-family structure. He and his wife converted it to a single-family structure after the renovations were completed. They left much of the exterior structure in place. The original wood siding was restored.

Mr. Boroff noted that Mr. Iacouzzi is seeking a building coverage of 198 sq. ft. and a FAR variance of 326 sq. ft. Mr. Boroff felt both of those variances were very large. He recalled Mr. Iacouzzi had been before the Board in 2002 and was denied a FAR variance. Mr. Boroff asked Mr. Iacouzzi to testify further on the positive and negative criteria.

Mr. Iacouzzi recalled that in 2002 the original renovations were being done to the house. Back then he had proposed a sunroom, which had driven the FAR variance. He stated that most of the houses in his neighborhood have garages, either attached or detached. He stated that it would be nice to have a garage for his vehicles and for storage.

Mr. Siegel confirmed with Mr. Iacouzzi that the FAR variance is for the garage. Mr. Siegel asked Mr. Iacouzzi if his statement that a garage would be “nice to have” is the basis of his argument for this FAR variance. Mr. Boroff reminded Mr. Iacouzzi that he needed 5 affirmative votes to approve a FAR variance. Specific legal proofs would have to be given for a FAR variance.

Mr. Iacuzzi stated that his house needed a garage. In the winter, it's hard on his cars when they have to sit in the driveway.

Mr. Siegel reminded Mr. Iacuzzi and his architect that they are also seeking a "C" variance for the building coverage, as well as a "D" variance. Stronger evidence is needed. With variances like these, applicants cannot just say "I want it". Mr. Boroff pointed out that Mr. Iacuzzi will have to prove that his proposed garage will not be detrimental to the neighborhood, even though the Borough encourages garages. The proposed garage would have to be in keeping with the applicant's neighborhood or else it may become an issue. Mr. Boroff suggested Mr. Iacuzzi present more physical evidence.

Mr. Boroff reminded Mr. Iacuzzi that the FAR variance size he is proposing isn't usually approved by the Board unless very good proofs are given and that there will be no detriments to the zone plan.

Mr. Iacuzzi said historically he has shown that he is capable of doing significant improvements to this structure.

Mr. Voytus agreed that he (Mr. Iacuzzi) has made important changes to his home; however, specific proofs are needed for this proposed garage. He suggested the applicant research the number of garages in his 200-ft. radius, what types of garages, and how many exceed their FAR. Mr. Iacuzzi should also prove that his proposed garage is consistent with the neighborhood.

Mr. Montague suggested Mr. Iacuzzi give reasons why he is proposing a two – car garage. Is a two-garage the norm for his neighborhood? Following up, Mr. Infante suggested Mr. Iacuzzi give photos or documentations/figures to prove his case.

An unidentified neighbor of Mr. Iacuzzi expressed concern about possible run-off the garage may cause. Mr. Voytus informed him that the Borough Engineer reviews all plans for issues like run-off.

Mr. Iacuzzi asked that his application be continued.

The Iacuzzi application will continue to the April 25, 2007 meeting.

Johe – 35 Meadowbrook Road

Jennifer Johe, the applicant, was sworn in to testify.

Ms. Johe stated that she is seeking a side yard variance for a proposed master bathroom. This bathroom will be constructed over an existing first floor office.

Ms. Johe testified that the first floor office is at one end, 8 feet from the property line. At the other end, it is also 8 ½ feet from the property line. The proposed bathroom will be

set back 9 ½ feet from the property line. Ms. Johe calculated the bathroom would be 2 ½ feet in violation of the side yard setback regulation for a second story addition.

Mr. Boroff reviewed the Zoning Officer's calculations for the Side Yard #2 setback. The existing side yard setback (#2) is 7.92 feet. The allowable is 12 feet. Mr. Boroff noted that the new second floor requires 12 feet and 9 feet is provided.

Mr. Siegel pointed out the paperwork for this application indicates a number of additions are being proposed for this house. Ms. Johe agreed, pointing out that the proposed bathroom over the office is the only item that needed a variance. Mr. Siegel noted that Ms. Johe's plans include a kitchen addition, an expansion of an existing deck, construction of a second floor bedroom addition toward the back the house, and the bathroom addition on the easterly side of the house. Ms. Johe agreed. Mr. Boroff confirmed with Ms. Johe that the side yard setback is needed for a small part of the entire project Mr. Siegel had just gone over.

Ms. Johe submitted Exhibit A-1, photo-board of the homes within a 200-ft. radius of her home. There are 31 homes within this range. These homes face the applicant's house.

Ms. Johe also submitted the following:

Exhibit A-2, a sub-set of photos of houses behind the applicant's house

Exhibit A-3, photos of applicant's house, taken from different angles

Exhibit A-4, neighborhood survey

Ms. Johe testified that her house "opens up to" Somerset Ave., Mercer Ave., and Penn Terrace. Behind her house is Chatham Street. On Exhibit A-1, Ms. Johe put dots on the homes which have second floors which are less than 12 feet from the property line. She did this notation to prove that there are quite a few homes in her neighborhood that have existing second stories within 12 feet. Ms. Johe said she had obtained these figures from Borough Hall and submitted them as the survey marked Exhibit A-4. This exhibit shows 13 houses out of 31 homes are less than 12 feet from the property line. This exhibit also shows that it's not uncommon in the applicant's neighborhood for the homes to have second stories within the 12 feet setback.

Ms. Johe stated that in Exhibit A-4, she included a spreadsheet showing an analysis of how many homes in the 200-ft. radius had two or more bathrooms. She testified that 22 houses in this radius had two bathrooms and nine homes did not.

Mr. Boroff asked her to focus some more on the side yard issue. Ms. Johe reiterated that she is proposing 9 ½ feet for Side Yard #2. Referring to Exhibit A-4, Ms. Johe reviewed the side yards of her neighborhood. She pointed out her proposed side yard setback will be consistent with the neighborhood.

Ms. Johe and Mr. Siegel discussed the proposed roof-line shown in P-1 of Exhibit A-3. Referring to P-1, Mr. Infante said he had visited the site and found the existing structure is further than where Ms. Johe wants to build to. Ms. Johe agreed with this observation.

Mr. Infante confirmed with Ms. Johe that the proposed second floor will not extend out beyond what already exists.

Mr. Montague asked if the proposed master bedroom was moved further back, how much more side yard setback would result. Ms. Johe answered that she couldn't move the bedroom back any further. The rooms are wall-to-wall.

Mr. Boroff asked Ms. Johe what she would see from the window of the proposed bathroom on the second floor. Ms. Johe answered she would see the neighbor's garage. She would not be looking directly into the neighbor's bedroom.

At Mr. Siegel's request, Ms. Johe outlined on Exhibit A-3 where the proposed addition will go.

Mr. Siegel asked Ms. Johe what would be the existing distance between her office and the garage at 31 Meadowbrook Road. Ms. Johe answered 21 ½ feet. She explained how she calculated that figure.

Mr. Siegel asked Ms. Johe if there was anything between her house and the neighbor's garage, meaning vegetation. Using Exhibit A-3, Ms. Johe pointed out two oak tree trunks and deciduous vegetation. In the summer this vegetation will become much fuller.

Ms. Johe had no further testimony.

There were no further questions from the Board. There were no questions from the public.

Mr. Boroff asked the Board for their comments.

Mr. Voytus and Mr. Clancy felt the applicant was making a reasonable request. Mr. Voytus pointed out that there is vegetation between the new addition and the next door neighbor's house. He felt the proposed addition would not be a detriment to the neighborhood. Mr. Montague noted that the proposed side yard setback is a very small amount. Mr. Infante commented that it's refreshing to see an applicant seeking less than her house already has. Mr. Hoffman said walking down Meadowbrook Road; he noticed that the houses were close together. What the applicant is proposing will be consistent with the neighborhood. Mr. Boroff felt the addition would be suitable for this part of Meadowbrook Road.

A motion was made/seconded to approve this application as presented. A roll call vote was taken. 6 – yes 0 – no. The application was approved.

Grosso – 200 Washington Ave.

The following were sworn in to testify:

Christopher Grosso, the applicant

Peter Dorne, the architect for the applicant

Jennifer Zorn, the planner for the applicant

Martin Newmark, attorney for the applicant, was also present.

Mr. Boroff confirmed that all Board members had the updated denial sheet. Regarding the newest denial sheet, Mr. Newmark noted that the calculations of the basement had been included. This inclusion made the FAR go in excess of 1100 sq. ft. Mr. Taylor, the Borough Zoning Officer, had informed Mr. Newmark and Mr. Grosso that the basement calculations should not have been included. A re-calculation was made. The FAR is now over the allowable by 84 sq. ft.

At this point in the meeting, Board member Patricia D'Ambrosio joined the proceedings.

Mr. Boroff confirmed with Mr. Newmark that the applicant's house is no longer a 4,000 sq. ft. house.

Mr. Newmark introduced Peter Dorne, the applicant's architect.

Mr. Boroff reminded Mr. Newmark, Mr. Dorne, and Ms. Zorne that the Board takes the FAR regulations very seriously. Any amount of overage for both FAR and building coverage is a major concern.

Mr. Dorne submitted his professional credentials to the Board. The Board accepted them.

Mr. Dorne submitted Exhibit A-1, site plan.

Mr. Montague asked if there was a list of houses in the 200 ft. radius of the applicant. Mr. Montague was concerned that he may be within the radius. The Board checked the map. Mr. Montague's home was not within the radius and he had not received a notice from the applicant.

Mr. Dorne testified that the house, with all the proposed designs, is at its exact original height. He testified that in the plans 600 sq. ft. of impervious surface was "given back". He noted that the existing driveway is very large and comes up in an awkward position in the backyard. Mr. Dorne said he suggested to the applicant to turn the garage and make it face Fairview Avenue. Also, the driveway could be made a great deal smaller. Mr. Dorne stated that 2 feet was added to the left of the garage and 2 feet to the right was added. A proposed mudroom, measuring 88 sq. ft., will be added.

Regarding building coverage, Mr. Dorne pointed out the proposed expansion of the porches. The expansion will go over existing stoops. Mr. Dorne felt the stoops were not safe. The stoops did not allow for a step-out onto a platform and a safe transition down to the grade. Mr. Newmark confirmed with Mr. Dorne that these were exterior items that influenced the building coverage, not the FAR.

Mr. Voytus asked how much building coverage is added for those two stoops. Mr. Dorne answered that the first proposed stoop to the left measures 4.175 sq. ft. The original stoop measured less than that. The second proposed stoop adds 68.089 sq. ft.

Mr. Boroff confirmed with Mr. Dorne that 75 sq. ft. have been added to building coverage because of these stoops.

Mr. Siegel pointed out the stoop in front. Mr. Dorne stated that is a new stoop which will be replacing a small stoop. The increase of this stoop will be 2.903 sq. ft. from what was previously there. Mr. Siegel confirmed with Mr. Dorne that the total of the 3 stoops is 75 sq. ft. Mr. Boroff confirmed with Mr. Dorne that the existing stoops do not comply with the Borough Code. The proposed new stoops will comply. At Mr. Montague's request, Mr. Dorne went over the exact increase in measurement, for each stoop.

Referring to Exhibit A-1, Mr. Dorne pointed out the existing rear yard setback. He testified that the existing house is at 23.74 sq. ft. The required rear setback is 39.50 ft. and is a pre-existing non-conformity.

Mr. Newmark confirmed with Mr. Dorne that he is increasing the rear yard setback violation because the proposed mudroom is being built closer to the property line than what is permitted. Mr. Dorne pointed out that the mudroom will be only one story.

Mr. Montague asked what would be the square footage of the mudroom.

Mr. Dorne answered 88 square feet.

Mr. Montague pointed out that the proposed mudroom had steps.

Mr. Dorne testified that the mudroom steps measured 30.813 sq. ft.

Mr. Montague noted that the square footage of the mudroom and the steps combined total about 130 sq. ft.

Mr. Boroff and Mr. Montague pointed out that if the mudroom and its stairs were not proposed, the applicant would probably not have to appear before the Board. The proposed garage size could also be reduced.

Mr. Dorne testified that the dimensions of existing garage are roughly 20 ft. 10 in. by 21 ft. 3 in. The applicant is proposing to add 2 feet in the front and 2 feet at the rear. This

would make the garage 25 ft. 3 in. which would allow for two garage doors with ample room for a car to enter. Mr. Montague believed the garage would measure 26 feet wall to wall. He felt that was very wide. He noted that the Board generally doesn't approve garages that wide. Mr. Dorne said typically 9 ft. doors are installed. In this particular application, 8 ft. doors will be installed to allow areas on either side for recycling materials, bike storage, etc.

Mr. Dorne reviewed the second floor plans. He testified that the main section of the house will not be changed. Nothing will be added to the roof of the family room. Two bedrooms will be added above the garage. The area above the porch will be expanded.

Mr. Boroff asked how large the bedrooms above the garage are. Mr. Dorne answered these two new bedrooms will measure 12 ft. by 18 ft. each. Mr. Boroff said he was trying to understand the impact of the enlarged garage on the proposed bedrooms above it. Mr. Dorne felt that the 12 ft. dimension is not large for a bedroom. He also felt that if the garage does not expand 2 feet on either side, the bedrooms above it will be very small. Mr. Boroff confirmed with Mr. Dorne that currently the applicant's house has 3 bedrooms. The plans propose a total of 4 bedrooms. The applicant's planner will testify further on the bedrooms.

Mr. Dorne submitted Exhibit A-2, photo of the front of the applicant's house. Mr. Dorne said he tried to put this photo as close to scale as he could to his drawing of the proposed plans. This exhibit shows that the master bath will be built over the front porch. He pointed out the location where the front stoop will be shifted. This shifting will move the front door to a more appropriate place. Also, a nice foyer will be created inside and an area for a powder room.

Mr. Dorne testified that the second floor over the garage area will "step down". This arrangement will keep the structure as low down as possible. Mr. Voytus felt that the roof-line is changing. Mr. Dorne answered that it wasn't changing; it was "just in a perspective". The gable is lower. Mr. Dorne testified that the height of the house is 26 ft. 4 in.

Mr. Dorne submitted Exhibit A-3, the right elevation, existing and proposed. He pointed out the family room at the rear with the proposed mudroom. He pointed out the existing massing and the existing roofline.

At 9:16 p.m. a break was taken in the meeting.

At 9:35 p.m. the meeting resumed.

Mr. Dorne submitted Exhibit A-4, the rear elevation, existing and proposed. On the rear elevation, Mr. Dorne pointed out that the proposed elevation would pull the rear of the garage back 2 feet. The orientation of the garage doors will change. Also, a second floor will be added to the garage. He indicated the proposed side porch with the master

bathroom above. Mr. Dorne pointed out the stoops he had described earlier and the French doors.

Mr. Newmark confirmed with Mr. Dorne that at the present time, the garage doors present themselves to the neighbors at the rear. The proposed rear elevation will not present these garage doors, but will present a second story at the rear.

Using Exhibit A-1, Mr. Newmark brought up the proposed changes to the driveway. He asked Mr. Dorne to explain how the cars presently come onto the site and enter the garage.

Mr. Dorne testified that currently the cars come in through Fairview Avenue and take a left hand turn into the garage. With this present arrangement, all the signaling and lights of the applicant's cars are very close to the neighbor. Also, there is a large macadam and impervious coverage close to the neighbor at the rear. Mr. Dorne testified that the proposed changes will reduce the impervious coverage by 600 sq. ft. After the existing macadam is taken up, grass will fill in that space.

Mr. Dorne submitted Exhibit A-5, a photo of the existing left elevation, and the proposed version. Using this exhibit, he pointed out where the area of the house where he believed a net gain would result.

Mr. Boroff asked what would be the distance between the applicant's house, with the proposed addition and the neighbor's house next door on Washington Ave.

Mr. Dorne answered 64 feet.

Mr. Dorne described the new façade material which will be used on the applicant's house. He submitted Exhibit A-6, a photo showing the new façade. He testified the materials which will be used are all "natural materials". He believed that these materials will last for a long time.

Mr. Dorne submitted Exhibit A-8, colorized rendering of the proposed renovation. He also submitted Exhibit A-9, existing left and rear elevations of the house. He pointed out where the new landscaping will be planted.

Mr. Dorne and the Board discussed the proposed mudroom. Mr. Boroff asked if part of the garage could be used for the mudroom. This arrangement could possibly cut down on the FAR and building coverage. Mr. Dorne explained the tight squeeze that arrangement would make for the applicant's car. He felt that a mudroom is very much part of today's living. Mr. Dorne said that the 12 feet dimension for the garage is important for the bedrooms above the garage.

Mr. Siegel asked Mr. Dorne what he could do to the plans to eliminate or reduce the FAR variance.

Mr. Dorne answered that he could possibly eliminate the mudroom.

Mr. Newmark agreed with Mr. Siegel's earlier observation that this is not a hardship case. He noted that a C-2 variance is being sought, as well as a "D" variance.

Mr. Siegel said that a great deal of testimony is needed on why these proposed changes would be better for the Borough of Chatham to permit a violation of the ordinance.

Mr. Newmark stated that the Board will hear further testimony tonight on how an "improved visual appearance" will be achieved by these proposed changes. The proposed plans will reduce impervious coverage. Mr. Newmark believed that this application would be a better planning alternative. More testimony will be given on the public benefits of this application.

Mr. Dorne indicated his testimony was finished.

The Board had no questions for Mr. Dorne.

Jennifer Zorn, the applicant's planner, came forward. Ms. Zorn submitted her professional credentials.

Ms. Zorn testified that she did an analysis to determine whether an appropriate case could be made for the variances being sought. Ms. Zorn reviewed the 3 variances being sought.

Mr. Newmark asked Ms. Zorn to testify on the study she had made on the applicant's neighborhood.

Ms. Zorn testified that the mudroom would not be an "extravagant extra". Working with Mr. Dorne, Ms. Zorn believed the intent was to maximize the existing footprint of the first floor and to upgrade safety conditions in the house.

Ms. Zorn submitted Exhibit A-10, a 2002 infrared aerial photo of the neighborhood. She high-lighted the applicant's property in yellow and created "a study area" showing the houses which would be influenced by the applicant's proposed changes. Ms. Zorn testified that the applicant's lot is one of the smaller lots in the area; however, it may appear larger. Ms. Zorn explained that the original placement of the applicant's house was aligned with all of the homes on Washington Ave. The applicant's property has a very large front setback. On the right side is a 30 ft. setback because the applicant's house is on a corner lot. On the left side there is a 51 ft. side yard setback, where only 12 feet is required. These conditions make the applicant's lot appear much larger than it is.

Ms. Zorn brought up the rear yard setback variance. She submitted A-11, photo of the applicant's house and the neighbor's house directly behind him. She testified that there is about a 23 ft. existing difference between the lot line and the applicant's first floor addition. Approximately 39 feet is required. Currently along the property line is very mature evergreen vegetation. Therefore, Ms. Zorn did not believe the rear yard setback

should be a problem. She pointed out the only window that will be facing the neighbor's house will be a small crescent window.

Ms. Zorn discussed the building coverage issue. She believed the proposed building coverage is just over the allowable by a small amount. She also believed that it was not a matter of proposing extravagances for the house. From a planning perspective, Ms. Zorn stated that by widening of the garage and re-orienting the driveway, the safety of the applicant's property will increase.

Mr. Newmark asked Ms. Zorn if the re-arrangement of the driveway will result in an improved visual environment for the neighborhood. Ms. Zorn believed it would. She also believed this new driveway arrangement would benefit the neighbor next door, by moving the applicant's vehicular comings and goings farther away.

Ms. Zorn brought up the FAR variances. She did not want to testify using numbers. She preferred "pure perception". Ms. Zorn claimed that a lay person could walk down Meadowbrook Road and tell that the applicant's house was too big for the lot. At Mr. Boroff's request, Ms. Zorn high-lighted the 200 ft. radius of neighborhood houses. Returning to her testimony, Ms. Zorn stated that she walked through this area and visually assessed these houses to see if they were too big for their lots or not. Ms. Zorn testified that she did not find one house that was too large for the lot it was placed on.

Mr. Boroff asked Ms. Zorn if she was saying none of these houses were over on FAR.

Ms. Zorn answered that she honestly didn't know. She said she was working from a pure perception.

Mr. Siegel said the Board couldn't go by "pure perception". He suggested she or the applicant go through the tax records and calculate the FAR for these houses within the 200-ft radius. Mr. Boroff told Ms. Zorn that all of the bulk variances in the Borough are predicated on lot size. He told Ms. Zorn that she could continue with her testimony; however, the Board really needs the FAR figures of the neighboring homes.

Ms. Zorn submitted Exhibits A-12 and A-13, neighboring houses. These homes are within the 200 ft. radius. She pointed out the photo of the house across the street from the applicant's house. She felt this particular house is "the exact mimic" of what the applicant is proposing for his house. Ms. Zorn said one of the reasons that she didn't research the FARs of the neighborhood houses, was because there were houses in the immediate area which were very similar to what the applicant is proposing. She pointed out the house across the street fits into the lot perfectly. It has many of the same features that the applicant is proposing for his own house. Mr. Montague remembered when some of these neighboring house received approval for their additions. However, he and Mr. Boroff would still like to see the necessary statistics for these homes.

At the Board's request, Ms. Zorn pointed out each neighboring house on the aerial photo, stated its address, and indicated its corresponding photo. Some of the houses were outside the 200 feet radius.

Ms. Zorn testified that there are two houses within the 200 ft. radius that "mimic" what the applicant is proposing. Unfortunately, she did not have the FAR figures. These two houses have living space above their two-car garage. There is also living space above a smaller room on the first floor. She felt these two examples would prove that the applicant is not asking something atypical of the neighborhood. Mr. Boroff asked if these two houses had mudrooms. Ms. Zorn wasn't sure. She believed 197 Washington Ave. may have a mudroom because the addition at the back of this residence mimics what the applicant is proposing. Mr. Boroff suggested she research how many mudrooms exist in these houses within the 200 feet radius.

On behalf of the applicant, Mr. Newmark asked that the application be continued. This application will continue to the April 25, 2007 meeting.

The meeting adjourned at 10:20 p.m.

Respectfully submitted:

Elizabeth Holler
Recording Secretary