TOWN OF WESTFIELD

BOARD OF ADJUSTMENT

IN RE:
PUBLIC HEARING:

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TRANSCRIPT OF PROCEEDINGS
Monday, March 14, 2022
Municipal Building
425 East Broad Street
Westfield, New Jersey
Commencing at 7:30 p.m.

*Meeting held virtually via Zoom*
BEFORE:

FRANK FUSARO, CHAIRMAN
CHRIS MASCIALE, VICE-CHAIRMAN
ALLYSON HROBLAK, MEMBER
ELDY PAVON, MEMBER
MATT SONTZ, MEMBER
CAROL MOLNAR, MEMBER
CHARLES GELINAS, FIRST ALTERNATE
SAMUEL REISEN, SECOND ALTERNATE

DON SAMMET, ZONING OFFICIAL/PLANNER

APPEARANCES:

WELLS, JAWORSKI & LIEBMAN, LLP
BY: KATHRYN J. RAZIN, ESQ.
Attorney for the BOARD

HEHL & HEHL
BY: STEPHEN HEHL, ESQ.
Attorney for the APPLICANTS DIPIETRO AND FERRARO
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NONE MARKED

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WITH CONDITIONS

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*HEARING CARRIED TO MAY 9, 2022
CHAIRMAN FUSARO: This is a meeting of the Zoning Board of Adjustment for the Town of Westfield. If everyone could please rise for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRMAN FUSARO: Thank you. This is a regularly scheduled meeting for the Board of Adjustment of the Town of Westfield at which formal action may be taken. The public will have the opportunity to be heard as the Board considers these applications. Adequate notice of this meeting was provided by posting on the bulletin board of the Town Hall, mailing of notices to the Westfield Leader, the Newark Star Ledger, and filing with the town clerk of the Town of Westfield all in accordance with the requirements of the Open Public Meeting Act.

Katherine Razin, the Board Attorney, will give a brief statement explaining the Board of Adjustments powers, purpose, and criteria for granting variances.
MS. RAZIN: Good evening. Last month, we talked about the fact that the Board can grant appeals of the Zoning Officer's decision and also interpretations. And so, I wanted to also advise the types of D Variances that were subject to the Board's jurisdiction. There're actually six types of D variances which are all in addition to the C-type Variances. There's the D-1 Variance, which is a use variance with a type of underlying use. There's a D-2 Variance, which expands a nonconforming use or structure. A D-3 Variance for a conditional use. A D-4 Variance for FAR, floor area ratio. A D-5 Variance, which is an increase in the permitted density. And a D-6 Height Variance. And those are all under the 70-D Section and under the Board's purview as part of the release that can be granted.

CHAIRMAN FUSARO: Thank you, Ms. Razin. Mr. Secretary, can you please call the roll?

MR. SAMMET: Certainly.
Chair Fusaro.

CHAIRMAN FUSARO: Here.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Here.
MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Here.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Here.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Here.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Here.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Here.

MR. SAMMET: Mr. Reisen.

MR. REISEN: Present.

MR. SAMMET: And Mr. Cohen is absent this evening.

CHAIRMAN FUSARO: Thank you, Mr. Sammet. We are going to -- before we get into the memorialization of the resolutions from the last meeting, I just want to announce one slight adjustment to our modifications to our agenda. The agenda that was published stated that we would be reviewing the draft of our 2021 Annual Report at the end of the meeting. However, we are going to move that up to the beginning of the meeting. We'll try to keep it as short and brief as possible knowing that we have a full agenda this
evening. So, I just wanted to make that
announcement, number one.

Number two, let's move on to the
approval of the Minutes from the last meeting. I
believe the Board Members all received the actual
181-page transcript of our meeting of February 14.
Does anyone have any questions or
modifications to that transcript?

MR. MASCIALE: No.

CHAIRMAN FUSARO: Seeing none, may I
have a motion to approve the Minutes from the
Board meeting of February 14?

MR. MASCIALE: So moved.

MS. MOLNAR: Second.

CHAIRMAN FUSARO: Seconded,
Ms. Molnar. All in favor?

BOARD MEMBERS: Aye.

CHAIRMAN FUSARO: Seeing none, the
Minutes are approved.

Next is the memorialization of
resolutions. We have one resolution from our
January 31, 2022, meeting, as well as, I believe,
five resolutions from our February 14, 2022,
meeting. So, Mr. Sammet, I will turn the floor
over to you for the approval of the resolutions.
MR. SAMMET: We have the first on your agenda is the resolution for 918 South Avenue West. Is there a motion to approve this resolution?

MR. MASCIALE: So moved.

MR. SAMMET: By Mr. Masciale. And a second?

MS. HROBLAK: Second.

MR. SAMMET: Seconded by Ms. Hroblak. And I'll read the eligible members off the resolution, itself. Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Mr. Cohen is absent.

Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: And Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Thank you.

CHAIRMAN FUSARO: Resolution is
approved. Thank you.

MR. SAMMET: The next resolution is for Tanya Brubaker at 920 Irving Avenue. Is there a motion to approve this resolution?

MR. MASCIALE: So moved.

MR. SAMMET: By Mr. Masciale. Do we have a second?

MR. SONTZ: Second.

MR. SAMMET: Seconded by Mr. Sontz.

Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Mr. Cohen is absent.

Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: And Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: Your third resolution this evening is that for Francis Scott Ferraro and Angela Wilkos at 712 Oak Avenue. Do I have a
motion to approve this resolution?

MR. MASCIALE: So moved.

MR. SAMMET: By Mr. Masciale. Do I have a second?

(Crosstalk.)

MR. REISEN: Second.

MS. HROBLAK: Second.

MR. SAMMET: I'm sorry. I didn't catch. Who was the second?

CHAIRMAN FUSARO: Mr. Reisen.

(Crosstalk.)

MR. SAMMET: Mr. Reisen, second.

No, Mr. Reisen isn't here. Oh, yes, he is.

Excuse me.

MR. REISEN: Yeah, I am. I seconded it if I'm eligible.

MR. SAMMET: I'm sorry, Mr. Reisen, I don't see you on the list of --

MS. RAZIN: Because he was an alternate, I think, right, that night.

MR. REISEN: Yeah, I was.

MR. GELINAS: I'll second.

MR. MASCIALE: He can second, technically.

MR. SAMMET: Can he second?
MS. RAZIN: Not -- I don't think if he's eligible to vote on it. I don't think he can.

MR. SAMMET: So second by Mr. Gelinas, then. Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Mr. Cohen is absent.

Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: The next resolution is that of Kenneth Band, 301 Vernon Place. Is there a motion to approve this resolution?

MR. MASCIALE: So moved.

MR. SAMMET: So moved by Mr. Masciale. Is there a second?

MR. GELINAS: Second.

MR. SAMMET: Second by Mr. Gelinas.
Roll call. Chairman Fusaro.

CHAIRMAN FUSARO: Yes.
MR. SAMMET: Mr. Masciale.
MR. MASCIALE: Yes.
MR. SAMMET: Mr. Cohen is absent.
Mr. Sontz.
MR. SONTZ: Yes.
MR. SAMMET: Mr. Gelinas.
MR. GELINAS: Yes.
MS. MOLNAR: You skipped Molnar.
Wait a minute, you skipped Molnar.
MR. SAMMET: Ms. Molnar, I didn't see your name of eligible members on this resolution.
MS. RAZIN: That might have been my error.
CHAIRMAN FUSARO: Molnar and Hroblak were opposed.
MS. RAZIN: Oh, right. That's why.
MR. SAMMET: The next resolution is that of Thomas and Stacy Shepherd at 440 Topping Hill Road. Is there a motion to approve this resolution?
MR. MASCIALE: So moved.
MS. MOLNAR: Second.
MR. SAMMET: Mr. Masciale, second by Ms. Molnar.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Mr. Cohen is absent this evening. Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: And Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: Your last resolution is that of Ralph Capasso at 620 Lenox Avenue. Is there a motion to approve this resolution?

MR. MASCIALE: So moved.

MS. MOLNAR: Second.

MR. SAMMET: I heard Mr. Masciale made a motion, and the second was?

CHAIRMAN FUSARO: Molnar.

Ms. Molnar.
MR. SAMMET: Ms. Molnar.

Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Mr. Cohen, again, is absent. Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: Thank you.

CHAIRMAN FUSARO: Thank you, Mr. Sammet. The next order of business is the withdrawal of any applications. There is one application this evening that is being withdrawn. That is Application #21-38, PNC Bank. The address is 1 Lincoln Plaza, Westfield, New Jersey. That application --

MS. MOLNAR: Was any reason given?
CHAIRMAN FUSARO: I'm sorry?

MS. MOLNAR: Any reason given?

CHAIRMAN FUSARO: No. No reason was given. They withdrew the application. Should they want to reapply, they'll start the process anew and get back in line.

Are there any applications that were carried? There are no applications that were carried this evening. There is one request for a time extension, and that is from Ms. Lori Spector, 132 Marlboro Street. Is Ms. Specter on, Mr. Sammet?

MR. SAMMET: She is Mr. Chairman. I can allow her to speak.

CHAIRMAN FUSARO: Please.

MR. SAMMET: Ms. Spector, if you unmute your microphone, we should be able to hear you.

MS. SPECTOR: Can you hear me?

MR. SAMMET: We can, yes. Thank you.

CHAIRMAN FUSARO: We can hear you. Welcome. Place raise your right hand and I'll swear you in.

LORI SPECTOR, having been duly
sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Tell us about your extension.

MS. SPECTOR: I have an extension request for a variance to build a garage attached to my house. I'm still saving money for that and materials have only gone up in cost. So, unfortunately, it's yet another year. But I'd like to request an extension.

CHAIRMAN FUSARO: Do you think that a one-year extension should be sufficient? I assume that your plans are to get started within a year sometime during the month of March 2023. Is that sufficient?

MS. SPECTOR: That's the intention.

CHAIRMAN FUSARO: Thank you so much. Any Board Members have any questions for Ms. Spector?

MR. MASCIALE: I do. We have given extensions on this in the past, and I fully understand the difficulties, especially with the recent years on here. But could you just restate that the conditions haven't changed? I think on the original there was plenty of room for a garage. I just want to make sure that there's
been no changes to the property. That it remains
in the condition that the Board previously
approved it.

MS. SPECTOR: Yes, that's correct.

It's in the same condition as when I originally
applied.

CHAIRMAN FUSARO: 2019. We granted
one extension. The approval was initially granted
in March of 2019. A one-year extension was
granted in March of 2020, and now one additional
year is being requested until March of 2023.

MS. SPECTOR: Yes. We've gone ahead
and priced out with various contractors. So we've
just been in the process of saving at this point.

CHAIRMAN FUSARO: No problem.

Understood. We thank you for appearing. Any
Board Members have any other questions or
comments? Seeing none, can I have a motion on the
floor?

MR. MASCIALE: I'll make a motion to
grant the extension for another year.

CHAIRMAN FUSARO: Motion made by

Mr. Masciale. Do I have a second?

MR. GELINAS: Second.

MS. PAVON: Second.
CHAIRMAN FUSARO: Second by Mr. Gelinas. He beat you to the punch, Ms. Pavon.

MS. PAVON: Nice CJ. Nice.

MR. GELINAS: Sorry about that Eldy, you get the next one.

CHAIRMAN FUSARO: You've got to be quick with the unmute button. Mr. Sammet, please call the roll.

MR. SAMMET: Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: Mr. Reisen.

MR. REISEN: Yes.

CHAIRMAN FUSARO: Thank you so much,
Don. As I mentioned earlier, before we get into the applications, I want to just briefly discuss the annual report which we're in the process of compiling. The annual report by the Board is prepared every year and sent over to the town council for their review. They'll see our conclusions, our recommendations, etcetera. I've received several comments from several Board Members. I had asked everyone individually to please review it and get back to me with any comments, revisions, conclusions, recommendations, etcetera. Basically, I'm going to summarize what I believe everyone is trying to say. And then what I would do is -- or what I would request -- is that I will forward these to Don, and he will incorporate them into a revision and send it out to the Board. We will be able to review it during the upcoming month and, hopefully, if all goes as planned, approve the report at our April meeting. Just so that to remind everyone, this will be the last Zoom meeting that we have, hopefully, forever, but certainly for a while. The next meeting, our April meeting, will be in-person at Town Hall.

Getting into a couple of the
comments that I've received, and again, they basically are all along the same lines. One of them that everyone has commented on is on Page 6 of the report, it basically states how many applications we've heard, how many were approved, how many were denied, and the type of application whether they were C or D Variances. There was a comment to if we could possibly include another column in that chart which basically would show how many applications were approved with conditions and/or how many applications were approved after the Board had requested some changes -- or I should say recommended some changes -- where the applicants actually went back, took the Board's comments to heart, made the suggestions that we had commented on, and then came back and did receive an approval. Everyone seems to be in agreement that we should have some sort of reference to that in the report.

The other item that -- and we've been dealing with this for a number of years, and we usually put this in our conclusions and recommendations section. I don't really know how far we can go or can't go with it, but it appears that most of the applications that we hear
throughout the year have to do with the RS-6 Zone, which is the smallest zone that we have in the ordinance. Being that the last arsenal or being that the homes that are being built nowadays are larger, we are constantly getting variance requests from residential properties that are in the RS-6 Zone. So we had mentioned to the council the past several years that I'm aware of, if not longer, that perhaps that RS-6 zoning should be reviewed and some modifications made to it with respect to perhaps some of the coverages and/or setbacks. So that would reduce the number of applications that we see with respect to the RS-6 Zone.

The other item, which again, was mentioned in quite a few of the comments that were returned to me had to do with stormwater. As everyone knows, stormwater is a large issue not only in town but, basically, across the United States as climate change is taking effect. We have requested or mentioned to the Engineering Department and to the Town Council that some serious consideration be given to some of these applications with respect to stormwater runoff. As you know, a lot of our applications that come
before us have to do with coverage. Increased
coverage, obviously, increases runoff. And if it
continues at the current rate or is exacerbated as
people request larger and larger homes with more
and more coverage, the stormwater situation is
only going to get worse. As you know, the Town
has put together the WIRC, which is the Westfield
Infrastructure Resilience Committee. They are
reviewing these stormwater recommendations and
suggestions in town. All the infrastructure, but
one of them obviously being stormwater. Perhaps,
and again, Don, I don't know -- feel free to jump
in on any of the comments -- I don't know if the
town has or if the engineering department can
compile a map of the town which shows some of the
flood-prone areas. If we were to have that
perhaps when applications are before us in those
areas, we can certainly look at them a little
closer to see if any mitigation to the stormwater
can be brought about, etcetera. That's was
something that I believe we would put in a
recommendation to the council and perhaps, that
can be incorporated.

In addition, one Board Member,
actually Allyson, had mentioned that perhaps we
can speak to the chair or some people that are on
the WIRC and ask that one of our Board Members be
liaison to that committee. I believe that would
be helpful just to kind of see what their thoughts
are. Obviously, we deal with infrastructure as it
pertains to all these applications, so perhaps we
can request that one of us be named the liaison on
that committee. I will discuss it with Don and
some of the council members. I don't know how
many members are on that committee. I do know who
the Chairwoman is and I can certainly reach out to
her as well.

I believe those are the bulk of the
comments other than the obvious that the wrong
date was on there, which Don has already changed
from 2020 to 2021. That's just a typographical
issue that we dealt with. Any other comments --

MS. MOLNAR: I had made a request.
CHAIRMAN FUSARO: I'm sorry, yes.

Carol made a comment with respect to parking in
the front yard.

MS. MOLNAR: Yes. About 10 years
ago, my neighbor adjusted his driveway so that it
encroached on his front yard. So he had to get a
variance to allow that parking in the front yard.
And then last year, the new house that was built where the Gate house burnt down, they put pavers in the front yard to let a car park there, and he was told to remove the pavers because parking is not allowed in the front yard. So I think we should tighten up our language regarding front-yard parking to add clarity. Because last month, we allowed a little -- someone to create parking in the front yard. So to me, it's not clear. The statute must not be clear.

CHAIRMAN FUSARO: We'll certainly reread that portion of the zoning ordinance, and I can discuss it with Don as far as clarity goes. I know that I believe the last application that you're referring to that allowed parking in the front yard basically one of the reasons was the garage was forward and that the parking space would be in front of that garage which basically put it in the front yard. I believe we had --

MS. MOLNAR: It's literally in front of the house. The parking spot was an extra spot in front of the house. So I think the application seems to be an inconsistent system. The Gate house had to remove these pavers because they couldn't have a parking spot, yet we allowed these
folks. So maybe we have to add clarity somehow.

MR. SAMMET: I agree. The ordinance language needs to be tightened up. I don't think -- well, I'll speak for myself -- I'm not a fan of parking spaces placed in front of the home just like you're stating happened, Ms. Molnar, 10 years ago when the person needed to get a variance. I've already looked at some other language to try and fix that; if you will.

MS. MOLNAR: Thank you so much. Wonderful. Thank you.

CHAIRMAN FUSARO: So I think those were all the comments. I kind of summarized them. If I missed any others, please, Board Members, feel free to express them at this time. And if not, Don and I will review them. I'll have Don incorporate them into the report and, hopefully, send it out to the rest of the Board for their review. And if we can get it voted on next meeting, great. If we have to push it to May, it's not a problem. Anybody else comments about the January report? I see none. Let's move on. The first application for this evening is Stan -- it's a continuation of an application that we heard months ago from Stan and
Jessica Kopec, 119 South Scotch Plains Avenue.
Applicant is seeking approval to construct a bedroom over the existing one-story family room off the rear and finishing the balance of the attic with compliant dormers as well as attaching the garage to the existing dwelling and the mudroom connector contrary to the following sections of the Westfield Land Use Ordinance:
Section 12.04F where the building coverage permitted is 20% or 1,373.33-square feet 3,600-square feet max, and proposed is 23.02% or 1,575.03-square feet, and; Section 11.09E-6 where minimum side yard setback right side permitted is 10-feet and proposed is 2.44-feet.

MS. RAZIN: Frank, can I just interrupt for one second? I believe -- and I apologize for interrupting -- I believe that Mr. Sammet was only sworn in for the last hearing, and I just want to make sure -- I'm going to swear him in for tonight and ongoing before we continue.

CHAIRMAN FUSARO: Yes, please.

DON SAMMET, having been duly sworn, was sworn into office as ZONING OFFICIAL/PLANNER for 2022:

MS. RAZIN: Thank you. I apologize.
I just want to make sure we're set with that.

CHAIRMAN FUSARO: Thank you,

Ms. Razin. Yes, we did discuss that, and I apologize I missed it.

Mr. and Mrs. Kopec, are they -- I see Mr. Kopec right there. That's great. I see Mr. Ralph. I'm assuming that since both of you testified before I'd like to remind you that you're both still under oath. I thank you for submitting the revised plans. Please tell us about your application.

MR. RALPH: Good evening and thank you for having us back. I will be rather brief tonight. I think our changes are pretty self-evident, but I do want to put on the record what we've revised and how we took the commentary into account. I'd like to share my screen. It will be the same as was submitted, so no need for exhibits. You should have a seven-page architectural with the revision date 2/24/22. Do you agree with that?

CHAIRMAN FUSARO: Yes.

MR. RALPH: And you should have a single-page survey with spot elevations added to it.
CHAIRMAN FUSARO: Correct. From Harbor Consultants.

MR. RALPH: Excellent. So I'll be speaking to those and, again, I'll just run through with what was revised and why, and happy to answer questions. Last hearing, we had a little bit of feedback at the end with the rear yard neighbor with some concerns about drainage and water. And at the request of the Board, we engaged Harbor Consultants to provide what I have up on my screen now which was a spot elevation survey added to the property survey that we had. And what you'll find here is that the house itself is a bit of a high point on the lot with 132, 131 1/2, 131.4.

So the house, itself, sits at a plateau as well, but it's back, and it drains in all directions away from the house. We do have what I was hoping which is we have pitch towards the street as we drop down to 131 at the sidewalk and the street, that's Scotch Plains Ave. That was good. And we see what was testified to by the rear neighbor that we taper down from 131 to 130, 129, and by the time we arrive at the neighbor's property, we're 128. I will also note that they
took this shot on each of the neighbors as well. And you'll actually see that all of the neighbors are higher than the rear yard neighbor. So the data does show that there is a low spot there, and we'll also testify that we are not the sole contributor. And, hopefully, you see that our revisions actually improve the condition. That's an explanation of this data that you have.

In terms of the architectural revisions, they're relatively minor. And I'll go to the floor plan page itself on A-4. And we made some notes and revisions here. So what did we change? Well, I did hear a comment about seeing if we could reduce the coverage. We took that seriously. And while it was not a very large reduction, we did reduce the mudroom enough by 30-square feet that our coverage variance request is now 22.54%. So we were previously asking 23.02, we are now asking 22.54%. I figured as we were in the revision cycle, we might as well tighten up at your request.

And then the major change with the garage you'll see we added an elevation note. My proposal which I was not able to connect with the township engineer, but I would be happy to subject
our final plans to his approval as a condition, but our strategy here was to actually raise the slab height of our proposed garage since it is new to, approximately, 132.5-feet. Such that, when we install a new driveway on the property from the garage to the curb, we can achieve pitch to Scotch Plains. And that was what we had represented we hoped to do. And I feel that the spot elevations we received show that we can do it. So again, basic change here, elevating the attached garage structure by a little over a foot from what we had originally planned to be the elevation. That provided less steps required to the dwelling. So we could tighten up and optimize the mudroom addition plan. And you'll see the configuration of the stairs changed from the prior version. And again, we pulled in that square footage to respect the request for reduction.

And the only other thing I'll state here is that we had stated last time, but I'll say it again for the sake of the Board, if you were to approve this, we would take all of the roof area above the master and the roof area above the mudroom and the garage, and we would work such that the gutters would flow towards the front of
the garage addition and would discharge to the
driveway. And then, in redoing the driveway and
the grading around it, we have the opportunity to
take all of that stormwater to Scotch Plains Ave.
And I would maintain that's a relatively vast
improvement on the existing drainage pattern that
is there today. And that is my very brief summary
and I'm happy the answer any questions.

CHAIRMAN FUSARO: Thank you,

Mr. Ralph. In reviewing the revised plans that
you submitted, I see that -- and just for the
record, the way I interpret the current elevations
-- as it stands right now, the current driveway,
the entire current driveway, drains toward the
back of the property. The front-most elevation is
131.6, and the rear of the driveway right before
the garage is 129.7. There's an approximate
2-foot drop. So that entire driveway currently is
draining towards the rear of the property, and
certainly, in my opinion, contributing to some
water runoff in the rear yard, accumulation in the
rear yard. As you stated in your revised plan,
since that existing garage is being removed, that
will certainly create some additional lawn area
that will absorb some additional stormwater
runoff. The new garage is being constructed where
the current driveway is, and as you mentioned,
your proposed grades that are shown on the revised
plans that we received would have the driveway or
will have the driveway draining towards Scotch
Plains Avenue.

I believe that removing the garage
creating some additional impervious coverage, and
simultaneously regrading the driveway so that it
drains towards Scotch Plains Avenue, and
connecting the downspouts to also drain towards
Scotch Plains Avenue will certainly help the
condition along the rear of the property. I see
that the drain we had originally asked, looking at
my notes, we had asked for an elevation of that
lawn drain which is there. I see that that's
128.4. While it is slightly higher by a couple of
inches, I think 4-inches from the neighbor's
property in the back, it is certainly lower than
everything else around it including both neighbors
to the right, to the left, as well as some of the
additional neighbors along the back.

So I thank you for making those
revisions. And I thank you for also shrinking
that mudroom down albeit half of 1-percent, every
little bit counts. So thank you for that. Does anyone on the Board have any questions for Mr. Ralph?

MS. MOLNAR: Yeah, I have one question. About the chimney. A lot of the new homes today don't seem to have chimneys, but this seems to have a big, square chimney box on the left side of the house. Is there any reason for that?

MR. RALPH: You know, that preceded me. So I can't answer that with any specificity for you.

CHAIRMAN FUSARO: I believe that's existing.

MS. MOLNAR: Pre-existing. So with the renovations, you won't convert it?

MR. RALPH: No plans to alter that, nope.

CHAIRMAN FUSARO: That chimney, I would venture to guess if it was existing with the house would probably contain flues in it for the existing heating system. So it certainly can't be eliminated due to that. Okay. That's great.

MS. MOLNAR: One other question.

Did you look at any way to reduce the coverage
even more other than the mudroom?

    MR. RALPH: Yeah, we certainly did.
And our feeling was that, you know, the garage is
at its minimum size, the master achieves what it
needs to achieve, and the mudroom, as I said, we
kind of optimized down to its fine size. I felt
that anything else would be counterproductive to
the project as a whole.

    CHAIRMAN FUSARO: Thank you,
Mr. Ralph. Any other Board Members have any
questions for Mr. Ralph?

    MS. HROBLAK: I have a couple. Was
there any consideration given to discharging part
of the runoff onto the front lawn?

    MR. RALPH: Just so that I'm
answering you clearly. Are you talking about when
we do like the dormers and the attic work? What
specifically are you thinking of?

    MS. HROBLAK: I'm thinking about any
additional runoff that's created. Was there any
consideration as opposed to dumping it all out on
Scotch Plains? By raising the garage floor, could
you send some down --

    MR. RALPH: I understand. I
understand.
MS. HROBLAK: -- the existing leaders to the front?

MR. RALPH: I would think that our objective, and probably part of the engineering review, would be that the driveway cross-pitches and that cross-pitch could be certainly towards our property, the subject property, and not our neighbor. So I think that that could be readily achieved even with what we've put before you, that this section of the driveway would be the lower section so that it's flowing towards Scotch Plains and across the yard. I think that's a great suggestion.

MS. HROBLAK: Are there any roof leaders on the other side of the house that could discharge some?

MR. RALPH: That, yeah. The intent with this side of the house, they do currently just splash to the yard. That's correct.

MS. HROBLAK: So if there's a possible way to redirect some of the addition, you know?

MR. RALPH: Definitely. Yeah. We want to try to avoid regrading the whole property, but I think anything that's being touched by the
excavation in the driveway is fair game to
mitigate on-site.

MS. HROBLAK: My other question is:
Will you be containing the driveway within a solid
curb in order to prevent it from going laterally?
Whereas you're going to have a garage floor at
132, but the grade next to it is, you know, 129
right now. I'm not sure how much you can actually
raise that right next to it. Some of it is going
to try to flow laterally in the back.

MR. RALPH: That's fair. The garage
is happening at this corner that's 130.09, it's
almost 131, and this is 131.1 here. So when we
redo the driveway, I think that we'll be pretty
good. I don't think it's a massive change to
grade, but I also don't believe that the applicant
would object to that side getting some curbing,
albeit subtle, just so that the drainage pattern
is as we discussed.

MS. HROBLAK: Right. Okay. Even if
it's like a smooth, asphalt transition up.

MR. RALPH: Exactly. Right.

Exactly. A little turn-up. I have no objection
at all to that.

MS. HROBLAK: Thank you.
CHAIRMAN FUSARO: Any other Board Members? Seeing none, does anyone from the public have any questions for Mr. Ralph? If so, please virtually raise your hand, and Mr. Sammet will allow you into the meeting.

MR. SAMMET: Mr. Fahy. Mr. Fahy, if you unmute your mic, we should be able to hear you now.

MR. FAHY: Good evening, ladies and gentlemen.

CHAIRMAN FUSARO: Good evening, Mr. Fahy. I believe we swore you in at the last meeting. I just want to remind you that you're still under oath. Please proceed.

MR. FAHY: Yes, sir. Just a quick question. I think -- and I can't remember -- but I think there're four drains that are on the Kopec's property that run into our system and then discharge onto Hazel. My question was: What do they intend to do with those four drains? I'm assuming two of them will be disconnected when they move the garage because two of them are on the garage -- on that side of the driveway. My question is what do they plan to do with those once they disconnect them?
CHAIRMAN FUSARO: Mr. Ralph, I see that the plan -- survey that was given to us by Harbor Consultants shows the one-yard drain in the upper left-hand corner. I'm assuming that Mr. Fahy is referring to the trench drain which is currently located in the front of the garage as the other drains. That one is being eliminated because the going is to going be there. However, I believe your proposed -- looking at the proposed plan -- is there, I guess there's no need for a trench drain in front of the new garage because the driveway is going to be pitched away from the garage.

MR. RALPH: That's correct. We did not need to incorporate one there. And there're two other incidental drains that are near the garage that we haven't specifically -- I don't know that Mr. and Mrs. Kopec had talked about abandoning them, specifically. I believe that we were intending to maintain the grading and the existing drainage systems as they were at the rear of the property, and just return this to greenery. And as you stated, no need to replace the trench drain. So again, I don't believe there's any removal or abandoning of any drainage systems.
except for the trench drain which is mitigated by
the new drainage pattern.

MR. FAHY: I would say I don't think
the survey is entirely accurate. There's one
drain by the tree at the rear of the property.
There's also another drain there that does not
show on this survey. But to the best of my
recollection, there are two other ones. One is on
the down leader on the garage on the corner that's
marked as 129.4. And I believe there's another
one at the corner that's marked 129.7. It's close
to Lot 801, I guess. And when you move the
garage, you're going to have to excavate. So my
question is: What do you plan to do -- once you
disconnect those two in particular, what do you
plan to do with them? It runs into our system,
that's why. So I'm trying to figure out once they
get disconnected, what happens to them?

MS. HROBLAK: Mr. Ralph, do you have
any idea how that area will be graded after the
garage is removed? That will affect how much
water will go into those drains.

MR. RALPH: Yeah, correct. I think
there's a pretty natural pattern from 131 to 130.
It's relatively clean contours back and down as it
goes; if we were to do contours. And again, you can see that the garage is set basically within inches of the natural pattern. We had not intended to regrade. They would just remove, demo, and refill with clean fill and topsoil and seed; so to speak. So again, I think -- and Mr. Kopec can speak up -- but I think they're neither here nor there on the drainage system. They're happy to have that drainage system persist in place with no modification. And as I've demonstrated tonight, this will clearly improve the drainage situation for the rear neighbor, Mr. Fahy.

CHAIRMAN FUSARO: Mr. Fahy, I believe what Mr. Ralph is saying is that once that garage is removed, the grades will be returned to basically what you see on the current grading sheet. So the 129.4 will remain at 129.4. The 129.7 will remain at 129.7. However, once the garage is gone, it will be backfilled with topsoil and seeded to those grades. If there are existing drains at those two locations, they would remain at the current elevation and at the current location. Is that Correct, Mr. Ralph.

MR. RALPH: That is correct.
CHAIRMAN FUSARO: Does that answer your question, Mr. Fahy?

MR. FAHY: So they're not going to be capped and abandoned?

CHAIRMAN FUSARO: Mr. Ralph?

MR. FAHY: The one at the far corner, the 129.4, it's a down leader right now. So if you're not going to cap it or abandon it, are you just going to put a drain in the yard? I guess is the question. And then what's being drained in there in particular?

(Crosstalk.)

MR. FAHY: Because our system -- sorry. Go ahead.

MR. RALPH: No. No. It might help if you maybe stated -- and in some ways, maybe this is neighbor-to-neighbor -- but I'm not -- I understand your question, but if there is a motive or a specific ask it might be helpful to just present that to Mr. Kopec so that he can -- because if your suggestion is remove it, that you'd be happier if we remove it and cap it and just keep the rear drain, then he can say yes or no to that.

MR. FAHY: Well, listen, I'm just
asking the question because I mean that
opportunity is always available, but, I mean, this
is medium, I guess. My question is: What are you
doing with the drains? That's all. If you're
going to cap them and abandon them, that's all I'm
asking. But something has to be changed because
you're moving the whole location of the garage.
They can't stay necessarily as they are because
they're going to be excavated. So if they're
going to be buried and capped, that's fine. I'm
just trying to figure out if that's the deal or if
you're planning on doing something else to it.

MR. RALPH: That's fair. And to do
best by all parties here, my suggestion would be
that the final determination on what we do with
those two drains specifically could be subject to
our final engineer plan and the town engineer's
review, and if it is deemed those should be
removed for the best of the property and the
existing drainage system; that is what we'll do.
If it's deemed that those should become lawn
drains into the system; that's what we'll do. I'm
hesitating just because I don't want to make the
wrong call with the data that I have at my
fingertips tonight.
MS. HROBLAK: Mr. Fahy, when the garage is removed, if those drains that you're speaking of that we don't actually see on our plans are to survive the excavation process, they would just be converted into lawn drains which would then be channeling far less water than prior because there's no structure there. So you'll be getting nominal inflow. It would be probably less than the one shown on the plan.

MR. FAHY: That's fine. As long as I have -- like right now, nobody knows, I guess. It's just nobody knows. That's the whole point of my question.

MS. HROBLAK: Nobody knows what?

MR. FAHY: What they're going to do with them.

CHAIRMAN FUSARO: Mr. Fahy, I did would think that those two drains that you're talking about right now are basically only there to collect the water runoff from the garage which will no longer be there. Once that garage is eliminated, as Mr. Ralph has stated, those existing drains can either be converted to a lawn drain similar to the one that's currently in existence in the rear left-hand corner or they can
be eliminated. As Mr. Hroblak mentioned, since
they are -- it appears they're only there to
collect water from the garage roof which will no
longer be there. Then it would be up to the town
engineer and the building department to determine
whether those drains should remain or not remain.
And if there's a preference one way or the other
between yourself and the Kopec's then I'm sure
that it could be worked out. Either way, as
Mr. Hroblak said, I don't believe they will be
collecting an enormous amount of water since their
current purpose of collecting water from the
garage will no longer be there.

I guess this is what I would ask then and maybe
the details we can work out in the future. If
they're no longer needed, if they could be buried
and capped so nothing is introduced into the
system, any sort of debris, I think that would be
fine too.

CHAIRMAN FUSARO: Certainly. I
don't see a reason why that can't happen. And
certainly, it would probably make sense to do that
simply because what they're being used for now is
not what they'll be used for later. So cutting
and capping them properly I'm sure could be worked out.

MR. FAHY: Great. I appreciate it.

CHAIRMAN FUSARO: No problem at all.

Thank you, Mr. Fahy. Do you have any other questions?

MR. FAHY: No, sir.

CHAIRMAN FUSARO: Thank you so much.

MR. FAHY: Thank you.

CHAIRMAN FUSARO: Anyone else from the audience have any questions for Mr. Ralph? Seeing none. Any other Board Members? Seeing none, I'll close that portion of the meeting and open it up to Board discussion. You've heard from Mr. Ralph with respect to the changes that we had requested or the comments that we had made. I believe both himself and the applicant have worked towards meeting the requirements that we had recommended. As I mentioned earlier, the elimination of the garage will certainly increase the impervious coverage on the property and the regrading I believe of the driveway will also significantly, hopefully, significantly help the water accumulation in the backyard. I'm in favor of supporting the application based on those
revisions. How does the rest of the Board feel?

MR. MASCIALE: I agree, Frank. I think the applicant did a great job and in consideration. I drove by and looked at the grading. There's no guarantee on the water runoff, but I think this is going to make a big difference and moves it in the right direction. Based on that, I support the additional coverage and I'm in favor of the application.

CHAIRMAN FUSARO: Thank you, Chris. I think it's certainly not going to make the situation worse, in my opinion. Better, if anything. Any other Board Members? Comments?

MS. HROBLAK: Yeah. I'm with Chris. I think the changes accommodated our comments. I also want to add that I went out and looked at the site again, and you know, I'm not convinced that that drain was ever going to do what it was meant to do based on my approximate estimates of the depths of the drains, and the outlet point on Hazel. So it's very possible that some water just sits in that drain. But that kind of goes to maybe it was just an ill-conceived, undesigned drainage system. But, yeah, it's not making it any worse. We're going to try and discharge some
onto the grass and the rest out to Scotch Plains.

CHAIRMAN FUSARO: Thank you, Allyson. Anyone else? Comments?

MS. MOLNAR: Yeah. I had a question. On coverage, historically, the Board tries to stay below 22%?

MR. MASCIALE: We have in the past, but each application is different, Carol, and you've got to take it on its own merits. But, you know, sometimes the property is undersized and, you know, it's just a general variance. But each case has to be taken on its own merits.

MS. MOLNAR: Thank you.

CHAIRMAN FUSARO: Yes. And I believe they're point-half of 1% over that 22% kind of recommendation that we usually try to stick by. Anyone else?

MS. HROBLAK: Did he reduce the coverage? It was like 22.5? Was that the final number?

CHAIRMAN FUSARO: Yeah, 22.54. From 23.02 to 22.54, yes. They eliminated some square footage in that mudroom. And if you look at the architectural plans of the mudroom, they have four closets that are 1-foot wide. I mean I don't
think you can make a closet any smaller. I don't think they even make a door that's 1-foot wide. Anyone that's what's on the architectural plans. I know Allyson had made a comment or a possible condition with respect to having some sort of curb along the right-side property line.

MR. MASCIALE: I think it's a great idea, and Allyson should make a motion to include it.

MS. HROBLAK: Thanks, Chris. I'd like to make a motion.

MS. RAZIN: I'm going to also include the discharge on the grass in addition to going towards Scotch Plains to the extent feasible.

MS. HROBLAK: I was going to mention that.

MS. RAZIN: And the condition per the neighboring property owner that the drains, if they're no longer needed, are buried and capped properly in the future.

MS. HROBLAK: I was going to leave that to the town engineer to make that determination on whether they are functional or not.
MS. RAZIN: I'm saying if they're -- okay, yeah.

MS. HROBLAK: If the town deems it, they be cut and capped to prevent clogging of the adjacent drainage system.

MS. RAZIN: Okay. Perfect.

CHAIRMAN FUSARO: Do I have a motion? Allyson?

MR. MASCIALE: Allyson is on mute.

CHAIRMAN FUSARO: Allyson? Maybe not.

MS. HROBLAK: All right. Here I am. Sorry, my little box disappeared from the Zoom window. I'll make a motion to accept the application with the following conditions that there be a curb installed along the right-side property line between the subject property and Lot 8.01 to prevent discharge onto that lot. As well as a sloping of the driveway in the front yard area to allow sheet flow onto the front yard. And also, to have the town engineer determine the outcome of the drains behind the existing garage.

CHAIRMAN FUSARO: Do I have a second?

MS. PAVON: Second.
CHAIRMAN FUSARO: Second by Ms. Pavon. Mr. Sammet, roll call, please.

MR. SAMMET: Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: And Mr. Reisen.

MR. REISEN: Yes.

MR. SAMMET: Approved with conditions.

CHAIRMAN FUSARO: The application is approved. Thank you, Mr. Ralph. Thank you, Mr. Kopec. Enjoy the rest of your evening, and good luck with your project.

MR. RALPH: Thank you for your
collaboration as always. Take care.

CHAIRMAN FUSARO: Our next application is 245 Charles Street, Christopher Jonson. The applicant is seeking to replace existing 4-foot fence with a white vinyl 6-foot fence. The existing 4-foot high fence on Charles Street side that wraps around to North Avenue will remain as is. The side street fence facing North Avenue will be replaced, as well as the neighbor-facing rear side fence with a 6-foot high fence; contrary to the following section of the Westfield Land Use Ordinance: Section 12.07 where fence height permitted is 4-feet and proposed is 6-feet.

Is Mr. Jonson in the audience?

Please raise your hand and Mr. Sammet will let you in.

MR. SAMMET: He's there, Mr. Chairman.

CHAIRMAN FUSARO: I see. Thank you so much. Mr. Jonson, let me swear you in.

CHRISTOPHER JOHNSON, having been duly sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Do you have anyone else here with you this evening or you're flying
solo?

MR. JONSON: Flying solo.

CHAIRMAN FUSARO: Okay. Great.

Thank you so much. Tell us about your application.

MR. JONSON: This application is basically for allowing my fence to be 6-foot high. My property is located on the corner of Charles Street and North Avenue. North Avenue is a busy street. As the survey that is in the application shows, a significant portion of my backyard is used for leisure, and I have young children as well. And so the combination of going to minimize as much, you know, vehicle noise while we're enjoying our backyard coupled with having as high as possible a fence so that any play objects don't go across -- which, hopefully, they don't. For those two reasons, I think a variance can be granted in this case. You know as these are potential hardships, and it's my understanding that variances can be granted based on that.

CHAIRMAN FUSARO: Thank you, Mr. Jonson. I believe I'm familiar with the property. The home was built recently; is that correct?
MR. JONSON: Yeah. I don't know the exact date the construction was completed, but we purchased the home in December of 2014 as a new construction.

CHAIRMAN FUSARO: And the existing fence along the neighbor's property, was that fence, is that new or was it there when the home was constructed in 2014 or was it there from the prior -- there used to be a prior residence on this piece of property that was demolished?

MR. JONSON: Yeah. The existing fence that's along the neighbor's side was there when I purchased the home and it's unchanged since then.

CHAIRMAN FUSARO: I believe from the photographs that were included in our packet, there are a bunch of arborvitaes. There's additional screening by that fence certainly running across the North Avenue side; is that correct?

MR. JONSON: Correct. And a portion as well between my house and the neighbor's house, but not all the way.

CHAIRMAN FUSARO: Yes, I see that in the photographs as well. And you would not be
opposed to a condition stating that those
arborvitases are to be maintained and if any of
them died that you would be willing to replace
them.

MR. JONSON: No, I'm not opposed,
but I'd like a little clarity on the question.
Which ones are you referring to? Because I have a
set of arborvitases that run along North Avenue,
they actually wrap around to Charles Street. But
there's also five or six, I don't know the exact
number, between my home and the neighbor's home.
So I don't know if you're referring specifically
to the arborvitases between my home and the
neighbors or the ones that are running along North
Avenue.

CHAIRMAN FUSARO: I was referring to
the ones running along North Avenue. However,
looking at the photographs, it would appear -- and
please correct me if I'm wrong -- that the ones
running along the side property between yours and
the neighbors, it would appear to me based on the
photo of the 4-foot fence and arborvitases that
they are on his property and not yours.

MR. JONSON: They're actually on my
property.
CHAIRMAN FUSARO: Those are your trees, not his?

MR. JONSON: Those are my trees, exactly. They run right up along my property line.

CHAIRMAN FUSARO: So all the arborvitaes both the ones along North Avenue and the one along the adjoining property are yours?

MR. JONSON: Correct.

CHAIRMAN FUSARO: In that case, we'll discuss it with several other Board Members, we may ask you to maintain all of them. Is there a pool or anything on the property next to it?

MR. JONSON: I wish. I don't know if that would be permitted. No, is the answer.

CHAIRMAN FUSARO: Looking at the survey --

MS. HROBLAK: Frank?

CHAIRMAN FUSARO: Yes.

MS. HROBLAK: Were you asking if he had a pool or if the neighbor had a pool?

CHAIRMAN FUSARO: I asked if the neighbor had a pool.

MR. JONSON: No, the neighbor does not have a pool.
CHAIRMAN FUSARO:  Sorry.  Thanks, Allyson, for picking that up.  Looking at the survey that we have from EKA, it would appear that that side of your property abuts -- there's a, I guess, the neighbor's garage, a shed, and then the driveway.  Correct?  There is no home located within 10- or 15-feet of that property line; is that correct?

MR. JONSON:  Correct.  I mean I can't tell you for sure about the 15-feet part of what you said, but there is no abutting home on my property line with my neighbor's property line.

CHAIRMAN FUSARO:  Thank you.  Does any Board Members have any questions for Mr. Jonson?

MR. MASCIALE:  Yes, I do, Frank.  Mr. Jonson, the arborvitaes look like they're pretty full along the North Avenue.  Could you just state what you're looking to achieve that the arborvitaes are not providing you today?

MR. JONSON:  Sure.  It's difficult to tell from the photo; if you have access to that.

MR. MASCIALE:  Yes.

MR. JONSON:  You can tell that there
are River Birch trees as well between the arborvitaes. That's how the landscaper designed it to get maximum Coverage from a higher height, I guess. So it's in between, so I don't know, there's also -- I can look here -- there's a picture of the inside which may -- you'll see what I'm about to try to describe. No, my picture on the inside doesn't really -- I guess, it does sort of, the angle isn't the best. But basically, there are five River Birches between the arborvitaes, and so there are open spaces that look out into North Avenue from there, which would be better covered by a 6-foot high fence.

MR. MASCIALE: Versus a 4-foot fence.

MR. JONSON: Versus a 4-foot fence.

MR. MASCIALE: So there's like five or six spots, the two-feet, is you're looking to block in?

MR. JONSON: Correct.

MR. MASCIALE: And there's no way to do that with screening?

MR. JONSON: What do you mean by screening?

MR. MASCIALE: Like another tree or
a bush on your side of the fence. I mean to me
there's --

MR. JONSON: Part of the reason is
you know I indicated this is used for leisure and
recreation. Bringing in another tree would take
away from that ability and would minimize yard
area.

CHAIRMAN FUSARO: Mr. Jonson, again,
looking at the photographs, the fence that you
currently have along the corner and the front of
your property is a sculpted wood fence or a
sculpted vinyl fence, and the fence you're looking
to replace looks like a simple 4-foot high
stockade fence. You're looking to replace it with
a -- the last page of our packet shows a diagram
of the fence that you're looking to replace it
with. And I guess it would be a sculpted-type
fence similar to what you have in the front.
However, even though it's six-foot-high, the top
of it is basically open.

MR. JONSON: Yeah. I did that for
aesthetic purposes in part to this application to
try and maintain the consistency with the look of
the outside fence. Personally, I wouldn't be
opposed to just having a block full 6-foot height
for the reasons that I was already explaining.

CHAIRMAN FUSARO: Thank you. Any other Board Members have any questions for Mr. Jonson at this time?

MS. HROBLAK: I have a quick question. The arborvitaes along the neighbor's property, would they have to be removed? Are they along the fence line? Would they be killed by new fence construction, like, damaged?

MR. JONSON: No. They're fully grown at this point, and the sunlight is -- the fence has been in front of them all along. So there shouldn't be any risk to their survival or anything. They're well-rooted and there's plenty of sun coverage, so there shouldn't be any impact. I'm obviously not a -- whatever the scientific term is for somebody who deals with plants -- but they've got critical mass.

MS. HROBLAK: I like it; critical mass. I think it's a town arborist; the person.

MR. JONSON: Arborist. That is the word, yeah.

MS. HROBLAK: Thank you. I couldn't tell if some of them were actually going to be along the line of the fence here. Thank you.
CHAIRMAN FUSARO: Any other Board Members? Seeing none, does anyone from the public wish to address this application? Please raise your hand virtually and Mr. Sammet will allow you into the meeting.

MR. SAMMET: Going once. There's no one, Mr. Chair.

CHAIRMAN FUSARO: Thank you so much, Mr. Sammet. We'll close that portion of the meeting. No one else, no other Board Members have any comments or questions for Mr. Jonson. At this time, we'll close that portion of the meeting as well and open it up to Board discussion.

As you know, Mr. Jonson's property is along North Avenue located virtually across the street from Lord and Taylor or where Lord and Taylor was. North Avenue is a state highway and does, obviously, have a significant amount of traffic. The photographs that you have in your package obviously show quite a bit of screening, in my opinion, as Chris had mentioned as well. However, it appears that Mr. Jonson would like to increase that screening with the addition of this six-foot-high fence. And Don, correct me if I'm wrong, this would normally be allowed in a rear
yard, but since this is a unique triangular-shaped lot, that's where the front yard, side yard issues come into play; is that correct?

MR. SAMMET: That's right. The applicant is proposing a 6-foot tall fence in what the zoning ordinance considers a street-side yard. Similar to -- well, exactly how a fence is treated for a front yard area in Westfield where you want the smaller fences. So only 4-foot is permitted where he's proposing.

CHAIRMAN FUSARO: Thank you so much. While I'm kind of -- no pun intended -- on the fence about this application, as I mentioned previously, there is a fair amount of screening in my opinion. However, the applicant is requesting some additional screening. I do kind of like the fence design that's being proposed with the sculpted top to match the 4-foot fence which is around the remaining portion of the property. You know, certainly under the C-1 Variance, would be what we would be -- C-1 Criteria, I'm sorry, is what we would be reviewing this under. Don has also included in his report where that setback line would be where this portion of the property is considered the street-side yard.
Having said that, I would support the application. How does the rest of the Board feel?

MS. MOLNAR: I feel there's plenty of screening, but since he does have small children, I'd be in favor of a higher fence.

CHAIRMAN FUSARO: Thank you, Carol. Anyone else?

MR. REISEN: I concur with everything that's been said.

CHAIRMAN FUSARO: Thank you, Sam.

MS. HROBLAK: I'm also confused with Chris, but I do understand the desire to close off that space. It's just kind of interesting to me. I thought you'd maybe get more sound barrier with a higher, solid fence if you were going to do it.

MR. JONSON: Yeah, I mean. Definitely for sure --

CHAIRMAN FUSARO: Mr. Jonson, sorry, we have that portion closed. However, if you'd like to hear from Mr. Jonson, I can certainly reopen it.

MR. JONSON: No. I had the same thoughts. That's all I was saying. For sure, and I was back and forth. You know, looks versus
CHAIRMAN FUSARO: As I mentioned earlier, North Avenue is a heavily trafficked roadway. So certainly, a solid fence might be better. However, a sculpted fence with the combination of the arborvitaes will certainly suffice. Any other Board Members; comments?

MR. MASCIALE: I'll just comment, Frank. There's really no hardship here. The applicant is trying to maximize the use and the barrier. I understand he's on North Avenue. Typically. I'd be against this type of application because, without the screening, the 6-foot fence would block the sight lines and that, but with so much screening here, you're not going to see to fence anyway, and I like it sculpted. I think it doesn't maximize the 6-foot as a solid fence. And there're certain roads in town like Rahway Avenue where there're sections where there are side yards where there are preexisting 6-foot fences around, and it really gives a buffer. It's against the ordinance of the town, but there're certain neighborhoods where that's kind of grandfathered in; if you want to say it unofficially. In this location, you know, he's
trying to create a backyard and a hardship here. I don't really see a hardship, but I don't see a negative impact. And based on that with the C-1, I think we can grant this. But I would ask is if we give consideration if the screening for the trees dies what goes back in there. If you say replace a 20-foot arborvitae and loses 20 trees, he's going to have to take out a second mortgage. So maybe we should have some language in there that it's at least as high as the fence or something.

CHAIRMAN FUSARO: A minimum of

6-foot of whatever.

MR. MASCIALE: Something like that to cover the fencing.

CHAIRMAN FUSARO: Standard arborvitae trees are 6- to 8-feet usually.

MR. MASCIALE: Otherwise, bringing in a dozen 20-foot arborvitae get a little bit expensive.

CHAIRMAN FUSARO: Extremely. I agree.

MS. MOLNAR: Could we approve this under the C-2 rather the C-1 hardship because this is not a hardship.
MR. MASCIALE: I think we need to state it. I don't think we actually physically vote on C-1 or C-2, but we reference it. So, yeah, you're right Carol, C-2. I think that is correct.

CHAIRMAN FUSARO: That's fine.

Thank you. If there are no other comments, we've heard a proposed condition, do I have a motion?

MR. MASCIALE: I'll make a motion to accept the application with the condition that the screening be maintained with replacing at least 6-foot arborvitaes or equivalent.

CHAIRMAN FUSARO: Thank you, Mr. Masciale.

MS. HROBLAK: Second.

CHAIRMAN FUSARO: Seconded by Ms. Hroblak. Mr. Sammet, please call the roll.

MR. SAMMET: Chairman Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.
MR. SAMMET:  Ms. Pavon.
MS. PAVON:  Yes.
MR. SAMMET:  Mr. Sontz.
MR. SONTZ:  Yes.
MR. SAMMET:  Mr. Gelinas.
MR. GELINAS:  Yes.
MR. SAMMET:  Mr. Reisen.
MR. REISEN:  Yes.
CHAIRMAN FUSARO:  Thank you.

Mr. Jonson, your application is approved. Good luck with your project.

MR. JONSON:  Thank you.
CHAIRMAN FUSARO:  Enjoy your evening.

Moving right along to our third application of the evening. Is for 300 Roanoke Road, Giuseppe DiPietro and Lina Ferraro. Applicant is seeking approval to install an in-ground swimming pool and patio contrary to the Westfield Land Use Ordinance Section 13.02.D.3 where pool location; in zoning side-yard permitted is rear yard and proposed is zoning side yard. And Section 12.04.G where maximum improvement coverage permitted is 40% or 7,200-square feet, and proposed is 38.8% or 7,823-square feet.
I believe Mr. Hehl is representing the applicants this evening. I see Mr. Watson and I see the applicants.

MR. HEHL: I'm two boxes away from you.

CHAIRMAN FUSARO: Is there anyone else, Mr. Hehl?

MR. HEHL: No. Giuseppe and Lina and Mr. Watson; Jim Watson.

CHAIRMAN FUSARO: Thank you, Mr. Hehl. Please proceed.

MR. HEHL: Great. Thank you and great to see everyone. And I hope the next time, next months' meeting, will be in-person and move on back to a normal life. Again, thank you very much. This is an application by Giuseppe DiPietro and Lina Ferraro. I know everyone is probably familiar with the Ferraro family. They own the restaurant in town, Ferraro's South, which kind of helped us survive through the pandemic with orders from Ferraro's South, and also their interest in the Bovella's Bakery. But they are long-standing residents of Westfield, and the pandemic has brought to light the importance of family. And they're looking to continue that. And this Board
has had quite a few of those cases.

This is a bit of a unique application, and Mr. Sammet did a great job -- thank you, Don -- for giving an overview. There're two variances associated with this application. The first is that we're seeking to have the pool placed in the side yard. But as Don aptly noted in his report and you'll hear from the testimony as shown in the plans that were submitted. It's really because when you look at it, the true front yard is Roanoke, but as a practical matter, the house faces Lawrence and the quote-unquote "usable rear yard" is behind the house facing Lawrence. And I think as Don noted, the quote-unquote "rear yard" is less than 15-feet. So if you were to try and put it, there's no room for a pool there. The logical to put the pool is in the side yard.

The other variance is for the coverage, and we do meet the zone criteria for the 40%. So we're below the 40% but we're above the 7,200. But two factors there -- and I think this Board has heard extensive testimony on other applications -- that a pool, for coverage purposes, actually acts as detention, but also, we
have no problem making it -- if this Board is kind enough to approve this application -- to indicate that we would provide detention, work with the town engineer to provide additional detention to address the overage. Like I said, we're below the 40% but we're above the 72.

So that's an overview of the application, Mr. Chairman and Board Members.

Again, I'd like to thank Mr. Sammet. He always does a great job providing an overview to the Board of the items that we're going to discuss this evening. So what I'd like to do first is call up Mr. Watson to take us to the plans from EKA and he'll be wearing a hat not only as designer of the site but also as professional planner. And then, Giuseppe and Lina would like to say a few things to the Board. So I would call upon Mr. James Watson.

CHAIRMAN FUSARO: Thank you, Mr. Hehl. Mr. Watson, please raise your hand.

JAMES WATSON, having been duly sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Mr. Watson, I know you've appeared before the Board several times this year already. So we will continue to
recognize your expert testimony in the field of planning.

MR. WATSON: Thank you very much. Can everyone hear me okay?

CHAIRMAN FUSARO: Yes, sir.

MR. WATSON: I'm going to try and share my screen and I'll walk you through the plans. Don, do I need to do anything other than just hit the button?

MR. SAMMET: No. You should be able to, Jim. Yes, we can see it.

MR. WATSON: I'm going to start with the cover sheet. There we go. Typical cover sheet for our plans. In the upper left-hand corner, you have a list of owners within 200-feet. Upper right-hand corner you have your key map; it's the USC&G Quadrangle Map in this case. Below that, signature blocks where the approvals and for the owner/applicant. Left side and bottom you have some general notes. Set of plans is entitled "Variance Plan Tax Lot 33, Block 406." In the center of the sheet, you see your tax map data with the zoning criteria overlaid on there. Everything, or most of everything, you see is in the RS-24 Zone. To the upper right, everything
below that is the RS-16. In the center of the
sheet at the bottom is the zoning table. And I'll
zoom in a little bit on that.

This is a for the RS-16. I'm not
going to read everything. You'll see, we do have
a number of existing non-conformities. They were
granted by a prior approval back in 2009. The two
variances that we have to deal with tonight are
the location of the pool in the zoning side yard.
It is actually the functional rear yard of the
house. And again, as Mr. Hehl said, we violate
the maximum coverage. We do comply with the 40%.
We do not comply with the 7,200-square foot limit.

MS. MOLNAR: Has that been noted as
a variance?

MR. WATSON: It is noted as a
variance, yes. Because you have a two-prong
approach when it comes to maximum coverage of a
lot. And in this case, we don't meet the square
footage requirement.

MS. MOLNAR: But the general
requirements all say no variance, no
(indiscernible) that's a, yes?

MR. WATSON: Yeah. We don't know
how to -- we noticed for it. It was noticed for
in the paper and on the notices that were mailed
out. But sometimes, you know, we'll put "no"
because -- well, listen to my argument a little
bit more, and then we can make a decision. Okay?

MS. MOLNAR: Yep.

MR. WATSON: Moving along, what I'll
do is go to Sheet 2, which is your site plan and
grading plan. You'll see the existing house shown
and the existing driveway shown that are screened
back. You can see the proposed patio and pool
that is proposed in the functional rear yard of
the property. Technically, by your ordinance, the
shorter of the two street frontages on a corner
lot are defined as your front yard. Your rear
yard is opposite your front yard. So in this case
Roanoke Road, because it has a frontage of 50.67
which is shorter than the frontage of 61.45 along
Lawrence Avenue; Roanoke is your front yard. So
opposite Roanoke is this line here where my cursor
is going back and forth along, that is where by
ordinance you have to put your pool.

Houses built in 1950, your ordinance
was revised in a major revision around 2000 where
they started dedicating and getting very defined
as what is the front yard, what is the street-side
yard, what is the rear yard. So that's the reason the house faces the street-side yard, and the functional backyard is where we're putting the pool. Please keep in mind that no matter where we put this pool on this lot, we're conforming with the pool setback requirements. It's 15-feet to the rear yard and 15-feet to the side yard. So even if the house was twisted around and pushed out towards Roanoke with a different lot set up, we could still put the pool where we show it as long as it was behind or in the rear yard as defined by ordinance. So nothing about the location other than the fact that it doesn't meet your zoning definition of a rear yard, there's nothing else wrong with it.

Finishing up, the grading plan, we show some minor grading along the, I guess, it would be the southeasterly line along here. We're creating a high point over in this area. And the grades are going to push the water along the wall out towards Roanoke, and then they're going to swale it along the decking and along the side of the house going over an existing inlet and out to the front yard over the lawn area and out onto Lawrence Avenue. Again, we mimic -- let me go
back to this -- we are showing the -- we mimic the
notes from the cover sheet that were on the
left-hand side. We have a legend, and we also
have a title block in the lower right-hand corner
along with a bar scale and a detail for sod and
walk replacement. The final sheet in the set is
the survey which is shown here. It's a title
survey dated -- this was dated June 21, I believe
-- no, June 23, 2021. This shows the existing
conditions and the existing topo on the lot. You
can see that there's a paved drive going into a
side-entry garage. Technically, that is the front
of the house as defined by your zoning ordinance.
And the functional front of the house is the side
along the west that faces Lawrence Avenue. Again,
this is completely landscaped. There's a
retaining wall along the easterly line. Along the
south, there is more retaining wall. There's a
split in there where they have some landscaping in
between and another retaining wall moving along
the southerly line going towards Lawrence Avenue.

That's it for the plans. There's
not much to these. If you want, I can answer any
questions about the plans, and then I can move
into the planning testimony.
CHAIRMAN FUSARO: Mr. Watson, you mentioned that this home was constructed in 1950?

MR. WATSON: Yeah. I think it was 1950. That's what was in your tax rolls, the information. It might have been improved, expanded, and I guess a lot of things done. It doesn't look like a typically 1950s home. I took that from your tax roll information.

MS. MOLNAR: What was the original footprint of the original house compared to this footprint?

MR. WATSON: That, I don't know.

MR. SAMMET: I think, Mr. Molnar, I received the prior variance application, and from my recollection is that at that time they basically built the second story over the existing structure. So I'll make an assumption it's relatively close to what you see there today in terms of footprint.

MS. MOLNAR: Okay. Thank you.

CHAIRMAN FUSARO: One quick question, Mr. Watson. The retaining wall along the neighbor's property -- I'm looking at some of the top and bottom of wall elevations -- that wall appears to be, approximately, 7-feet high; is that
correct?

MR. WATSON: Let me go to the survey and we've got -- you're talking about the one along the easterly line?

CHAIRMAN FUSARO: Correct. Right there, yes.

MR. WATSON: You have about 5-foot here, 6, and in the corner, you've got about 7, yeah.

CHAIRMAN FUSARO: Some of the, I guess I would call it "renderings" that were submitted with the package, as well as some of the photographs, show a fair amount of screening, green screening back there. I'm assuming that -- yet they're on the other side of the retaining wall -- I'm assuming that vegetation all belongs to this property; correct?

MR. WATSON: Correct. There's a fence in there as well. In between the retaining wall and the fence is where most of this stuff is planted. If you want, I can show you pictures that were taken when we did the fieldwork. And this gives a good feeling for where the pool is going to go. The first picture is where my cursor is, that's the corner that you're referring to
that's 7-feet high.

CHAIRMAN FUSARO: Yes.

MR. WATSON: You can see, this wall tapers down. You can see the extensive landscaping in between the wall and the fence.

You see the other wall, the space between the two walls are along the southerly line. And again, it's extensively landscaped in between. I can show you a second picture that would be to the right of what you just saw.

MR. HEHL: I didn't see a photo, don't know if anybody else did.

CHAIRMAN FUSARO: Those are the ones that are included in our package, I assume, Mr. Watson?

MR. WATSON: No. Actually, let's mark these. These came from the fieldwork. I thought that they showed a greener nicer setup back there, and you can really get a feel for where the pool is going to go.

MR. MASCIALE: We're still looking at the survey.

CHAIRMAN FUSARO: We haven't seen it.

MR. WATSON: You haven't seen it?
I'm sorry.

MR. HEHL: No. That's what I was saying, Jim.

MR. WATSON: Let me see if I can do this. Let me stop sharing and come back in.

There we go. How's that? Better?

CHAIRMAN FUSARO: There you go, yes.

MS. RAZIN: Do you want to mark the whole package as one exhibit, Mr. Watson?

MR. WATSON: Yeah. I just have two photos in it.

MS. RAZIN: We'll do A-1 and we'll do two photos. And can you just give me an approximate date that they were taken?

MR. WATSON: They were taken June 21, 2021, by our field crew when we did the fieldwork for the project.

MS. RAZIN: And they're just site photos?

MR. WATSON: Correct.

MS. RAZIN: Okay. Thank you very much.

(Whereupon, Applicant's Exhibit A-1, FIELDWORK PHOTOGRAPHS DATED 06/21/21, was marked for identification.)
MR. WATSON: And just to show you the other photo -- let me see if I can do this. I'll stop and come back in with the other photo. And here's the one that's to the left of what you were just looking at. Can you see that?

CHAIRMAN FUSARO: Yes.

MR. WATSON: At the corner where my cursor is right now, that's the corner that we were talking about that's 7-feet high. And as I said, you can see the wall tapering down and the vast amount of landscaping they have on the site.

CHAIRMAN FUSARO: The 6-foot high fence behind that, all the greenery that's along the rear wall there?

MR. WATSON: Right. That's actually higher. It's 6-feet from the ground that's behind the wall. So this relative to our side of the wall, that's probably about 8- or 9-feet tall right there.

CHAIRMAN FUSARO: And that same fence exists to the left of the photograph, behind the arborvitaes to the left?

MR. WATSON: Correct.

CHAIRMAN FUSARO: All along behind that retaining wall.
MR. WATSON: Right. You just can't see it because of the thickness of the arborvitaes.

CHAIRMAN FUSARO: Great. Thank you.

Before Mr. Watson continues with his planning justification, does anyone have any current questions for Mr. Watson at this time? Board members? No? Mr. Watson, please continue.

MR. WATSON: Sure. I'm going to still share. I'll put the site plan back up. Let me zoom in a little bit so you have a picture when I'm talking. Like I said before, with tonight's application, we have two variances. The first is for the pool in the side yard. You see where my cursor is. Like I explained before, the easterly line of the property is your sideline by ordinance. The southerly line is your rear yard by ordinance. And the Roanoke Road frontage is your front yard, and Lawrence Avenue is your street-side yard by ordinance. Again, we have the pool in the side yard. We're going to ask for relief under C-1. Basically, it goes to the shape of the property; it's somewhat unique. We do have extenuating circumstances about the zoning ordinance being rewritten finding front yards,
rear yards, street-side yards, and regular side yards.

Again, the ordinance requires the shorter frontage on the corner lot. And to dedicate where the front and the rear yard is, the pool is in the side yard by ordinance. It is in the functional rear yard of the existing dwelling. And as I stated earlier, we do adhere to the 15-foot setback from the pool to the side yard and the rear yard however you define them. So the pool is setback 15-feet from the easterly line and from the southerly line. But we still meet all the setback requirements for the swimming pool; like I said. The functional front yard -- and I'll try not to hammer this too much -- the functional front yard again is Lawrence Avenue.

The other variance we have tonight is for the maximum coverage. The coverage we're going to appeal under C-2. We have to talk about five things very quickly. We have to talk about a specific parcel. We have to list the positive criteria. Talk about the negative criteria is the third thing. Weigh the positives and the negatives. And then finally, we have to come to the conclusion there's no substantial detriment.
The specific parcel, I would say this is unique. It's 126% of your required minimum lot area. It is a corner lot. It is oddly shaped. I don't think you have many lots like this in town.

Moving into Number 2, the positive criteria. I believe we comply under A, and this comes from the Purposes of Zoning. "To encourage municipal action and guide the appropriate use and development in all lands of the state no matter which will promote public health, safety, morals, and general welfare." Again, general welfare is what we're going to apply under. You're allowing an existing home to upgrade with desirable amenities in this day and age and increase home values in the immediate area and the town as well.

I also think we comply under E, which is: "To promote establishment of appropriate population densities and concentrations that will contribute to the wellbeing of persons, neighborhoods, communities, and regions, and the preservation of the environment." In layman's terms, streetscape. Everything that we are constructing is in a backyard that is lower than the surrounding yards, it's buffered extremely well with a lot of
plantings, and it is immediately behind the
dwelling. It's in the functional rear yard of the
existing dwelling. The only way to really see
this would be from Roanoke, and you'd have to be
able to look past the landscaping along Roanoke
and down behind the existing dwelling that's there
now where my cursor is, and even part of that is
screened and obscured from your view on Roanoke.

I also believe we comply with I,
which is: "To promote a desirable visual
environment through creative development
techniques, good civic design, and arrangements."
Again, this is a fine way to put a pool to an
existing dwelling. Like was stated earlier by
Mr. Hehl, keep in mind that the pool is counted as
impervious coverage in your ordinance. In
actuality, the pool is actually a detention
system. The pool that we have is -- what is it,
it's 504 -- when you do the math, 504-square feet.
So if you subtract the 504 from our overage in
your square footage column, we're really only
119-square feet over the 7,200 requirement.
Again, to put it in perspective, that's the size
of three sheets of plywood. That's not a huge
area. You have a lot that's got 120,000-square
feet on it. So this is not a big area that we are
going over on. But also keep in mind that the
pool acts as a stormwater management device.
Everything that hits that pool stays there until
it's pumped out by the owners or whoever operates
the pool. We can do additional stormwater
management if you feel it's necessary. The two
areas we could do is in between the driveway and
the easterly line over in the area where my cursor
is. Or the other area would be along the frontage
of Lawrence Avenue at the southerly end of the
front yard. We could put something over here.
The reason I suggest that area is when you do some
sort of detention pit, you want clean water to go
to it. We wouldn't capture anything from the
pool. What we would do is direct some of the roof
leaders into a system so that the maintenance is
lessened and you get clean water in there and you
don't have a failure of the system with grass
clippings, leaves, and the like.

The third thing we have to talk
about tonight are the negatives. And I don't see
any negatives to this. It's a typical residential
accessory use. You're allowing a family to
utilize their backyard, especially after the last
couple of years we've had, everybody is doing this. I've been before you several times on projects like this. Just a quick recap, like Mr. Hehl, stated we're allowing a family to have gatherings in a safe, isolated environment. The pool is 509-square feet. Like I said, it has no runoff and it works and acts as a detention device. The 119-square foot overage is less than a couple of sheets of plywood; like I said. We are putting it in the functional rear yard which has mature landscaping in place and has had it there for several years. And all the existing non-conformances were granted variances back in 2009. All the work will be done behind the existing dwelling, no change to the streetscape will be noticed by anyone on Roanoke or Lawrence Avenue. Like I stated, there are no negatives. And we can ask for the C-1 relief for the location of the pool in the side yard as defined by your zoning ordinance. And finally, just to reiterate, we do comply with your pool setback requirements of 15-feet to the side and 15-feet to the rear. And finally, it's my opinion, and I hope you agree with me, that by granting the two variances we're asking for there will be no substantial detriment
to your zoning ordinance or your master plan.
That's it for the planning testimony. If anybody
has any questions, I'll be glad to answer them.

MS. MOLNAR: I have two questions.
How close is the pool to the next-door neighbor's
porch?

MR. WATSON: That, I don't know. If
they adhered to the setback requirement, the pool
would be at least 30-feet away. I'm assuming that
their porch is 15-feet from the sideline, from
their sideline, and we have a 15-foot setback on
the pool.

MS. MOLNAR: Is the retaining wall
and the landscaping sufficient for noise reduction
and buffering? Because when you have a pool and a
lot of people in your backyard, it might generate
noise. Does the wall and the landscaping cut
back, cut down on some of the noise?

MR. WATSON: Yeah. If you want, I
can put the picture back up. We are about 9-feet
lower than them. You do have sufficient
landscaping. But keep in mind this is a
residential area. These are things that your
ordinance anticipates, and they are normal -- I'm
mean you're not going to have a pool party every
night. Once in a while, you may have a larger gathering. For the most part, I don't know, if your kids are like my kids, they use the pool from Memorial Day to the Fourth of July and after that, they just ignored it. They were doing other things. You know, you pay for the chemicals all year, but maybe three or four times they'll go in it after the Fourth of July and that's about it.

CHAIRMAN FUSARO: Mr. Watson, I've got a couple of questions for you. I'll start with a simple one. The opening in the retaining wall along the neighbor's property there where it starts and stops, I'm looking at your Sheet 2 of 2, and I see that you're proposing a new fence where that would face Lawrence Avenue in that corner of the home. And then there's a fence that runs across -- I'm assuming that's a new fence as well -- that's running across the front of the one section of retaining wall. And then what happens at the opening? Because if you look at one of the photographs, one that's in our package as well as one of the ones that you had posted up before where I had questioned that stockade fence that's existing, it looks like it stops in that area.

MR. WATSON: Well, let me zoom in a
little bit. You're still seeing the site plan?

CHAIRMAN FUSARO: Yes.

MR. WATSON: Let me know zoom in a little bit. This area right here is where you're talking about. We're proposing a new fence to come off of the house, up to the retaining wall, stay on our side or the northerly side of the retaining wall, come along to the end, and then connect to the fence that's up above that retaining wall and runs between the two pieces of retaining wall here. The fence that's new will start here where my cursor is, come down along the edge of the retaining wall, along the face of the retaining wall, and put back into the house. And that's for your building department. We have to secure the pool. How they connect, I'm assuming the building department will be very involved in.

CHAIRMAN FUSARO: I was curious as to what currently was between the opening, and you're telling me there is an existing fence there now?

MR. WATSON: Yeah. There's a fence here in between these two ends of the retaining wall, and it's shown in the photograph. I can put it back up if you need it.
CHAIRMAN FUSARO: That's okay. No problem. It's fine. I have no issue with that. The other question I had -- let's see here -- you mentioned in your application that you were removing a portion of the existing porch. Can you please explain to us where that would be? Because it doesn't appear clear on any of the plans of what exactly is being removed.

MR. WATSON: Hold on. I'm going to stop sharing and come back in with the photo. This is the area in the back, and this is the portion of the porch where my cursor is. To the left of that, they're going to take that off and regrade it a little bit so that you can get down from the porch that's underneath the roof and the overhand here and walk and transaction to the pool area. So they're going to take some of this off up here where these two flower pots are and it's going to be graded a little different. It may have a step-down. I don't have the whole thing in front of me right now, but this is where you're talking about is right here.

CHAIRMAN FUSARO: So it's basically, a patio area.

MR. WATSON: Right. They're just
going to remove it and regrade it.

CHAIRMAN FUSARO: While you have that photograph up; if you look behind the soccer net there, you see the fence I'm referring to.

MR. WATSON: Correct.

CHAIRMAN FUSARO: It looks like a 6-foot high stockade fence which is wood in color. What is below that?

MR. WATSON: That looks like it is part of --

CHAIRMAN FUSARO: Yeah. Right there.

MR. WATSON: It looks like they may continue -- it may be wall -- I can't really tell. But this is the curved part of the retaining wall that you see on the site plan, that's this area right here. This may be a neighbor's retaining wall that's underneath that fence.

CHAIRMAN FUSARO: That's fine. Thank you. You've testified that in your expert opinion it doesn't appear that this particular project is going to create any additional stormwater concerns as far as you can see?

MR. WATSON: Yeah. I mean we've talked about this before. When you take the pool
into consideration you're increasing the
impervious coverage on the project by 120-square
feet, basically. Three sheets of plywood is
144-square feet. So on a lot that's
120,000-square feet, you're about 1% maybe.

CHAIRMAN FUSARO: Based on the 7,200
that's allowed and 7,823 that you're requesting,
my calculations come out -- which is a difference
of 623-square feet -- my calculations come out to
be, approximately, 9%, 8.6-and change. I'll round
that off to 9% over on the coverage.

MR. WATSON: My argument is if you
take the pool out of that, we're only 119-square
feet over because the pool is 509-square feet and
we have to count that in the impervious
calculation.

CHAIRMAN FUSARO: Well, currently,
it's grass. So that's impervious coverage.

MR. WATSON: You do have the other
patio extension here. You can see where the seats
are. This whole thing is probably -- this is
definitely coming out because this is where the
pool is going to be. See where my cursor is
moving?

CHAIRMAN FUSARO: Yes.
MR. WATSON: There's another patio
back here where they have I guess outdoor
furniture sitting. So that's all coming out and
just going to be replaced; like I said earlier.

CHAIRMAN FUSARO: Two quick items
and then I'll ask if any other Board Members have
questions. I noticed from the renderings that
were submitted with our package which basically
show the layout of the proposed pool, the proposed
seating around the pool. These were created by
Seasonal World which I assume is the pool
installer/contractor. It shows a fair amount of
seating basically along both -- I'm going to call
it the rear of the pool -- as well as the one side
of the pool. Again, based on my quick
calculations here, that one patio area which is
12-feet wide shown on your plan there is about
425-square feet, and then the area up against the
rear retaining wall is about another 288-square
feet. So that's about 700-square feet. And since
we're over about 600--and whatever I had mentioned
before, 623, is there any consideration or would
you consider eliminating a portion of that patio
area/seating area, whatever you want to call it,
to kind of bring us a little bit closer to where
we need to be so that we get as close to
7,200-square feet as possible?

    MR. WATSON: I understand. A
suggestion, and it's just a suggestion at this
point, do you see where my cursor is?

    CHAIRMAN FUSARO: Yes.

    MR. WATSON: If you drew a line from
there to this corner here, that would allow you
the 3-feet around the pool and give you the
ability to walk all the way around the pool and
maintain it. That may help. You would have to
check with the applicant; they're up behind me.

    CHAIRMAN FUSARO: One other quick
question and then I'll let you go. The retaining
wall -- and Don, I think this question you may
need to help me out here a little -- as I
mentioned earlier, and as Mr. Watson confirmed,
the retaining wall along the rear of the property
in the far corner, at its highest point is,
approximately, 7-feet high. Is there something in
our ordinance that says any retaining wall above
5-feet requires a variance? Is that correct or
incorrect?

    MR. SAMMET: It's never -- retaining
walls have a 4-foot maximum height. You can tier
a retaining wall. So you get the 4-feet and then
you have to step the next section of wall back.

CHAIRMAN FUSARO: This is a 7-foot
wall. It's, obviously, higher than 4-feet. How
does that come into play here?

MR. SAMMET: Right. Well, I'm not
sure who it belongs to.

MR. WATSON: It's definitely our
wall.

MR. SAMMET: It may predate the
ordinance. I'm not sure when it was installed.

CHAIRMAN FUSARO: It's definitely
their wall because their arborvitaes are on top of
the wall -- you know, behind the wall.

MR. WATSON: Do you have the plan
from 2009? Fine did they submit anything? I
don't have anything other than what you see here.

CHAIRMAN FUSARO: Yeah. And there's
nothing -- I read through the variance that was
granted back in 2009, and it doesn't mention
anything regarding the height of the retaining
wall.

MR. HEHL: I agree, Mr. Chairman. I
looked at that also and I didn't see anything in
there. But again, we're not changing that, and as
Don mentioned, it may have predated the ordinance.

MR. SAMMET: Yeah. I don't know when it was put in.

CHAIRMAN FUSARO: I just wanted to bring that up. Okay. Are there any Board Members that have any other questions of Mr. Watson at this time before we bring in the applicants and then open it up to any public comments? Any Board Members have any other questions for Mr. Watson at this time?

MS. HROBLAK: I have two questions, Frank.

CHAIRMAN FUSARO: Sure.

MS. HROBLAK: One is for Mr. Watson and one is for Don. I was curious as to if you knew the invert level of the yard inlet drain that's over in the south end of the pool and where does it go?

MR. WATSON: That, I don't know. That might be a better question for the homeowner. A lot of times landscapers will put something like that in and tie it into the pipe that services all the gutters and leaders that come down along the house and pipe it out to the street. We did not see anything. It may come out of the wall. You
can still see the site plan; correct?

MS. HROBLAK: Yes.

MR. WATSON: It may come out over in an area over here and we just couldn't find it. It looks like something a landscaper would do. It's small so it's probably one of those Home Depot-type inlets where you just put the pipe into one side and you pop a grate onto the top and use it to drain a problem area in your yard.

CHAIRMAN FUSARO: Are there any dry wells that you know of on-site, Mr. Watson?

MR. WATSON: Not that I know of. Again, the homeowner is coming up behind us. It would probably be a better question for him.

MS. HROBLAK: So, yeah, I mean at the bottom of retaining walls it's frequently a wet situation, so I was curious if it was draining some spongy grass area or if it actually served a function and if you were going to be tying into it. It looks like your contour goes around it. It's still going to pick up some of the backyard runoff, so I'd like to know how it plays into it.

MR. WATSON: Yeah. We're trying to swale this all the way around this area and then along the southerly line out to the Lawrence
Avenue gutter.

MS. HROBLAK: Along, at grade.

You're just trying to drain along the grass.

MR. WATSON: Right.

MS. HROBLAK: My second question is for Don. Don, is there any requirement for the level of the, I would say, the surface elevation of the water in a pool? Does it have to be a certain amount of inches below what they're showing for coping elevation or the adjacent patio elevation?

MR. SAMMET: It's certainly not in zoning. I wouldn't be familiar with any construction code requirements.

MS. HROBLAK: Okay.

MR. WATSON: I know from experience, typically, it's between 8-inches and a foot because you have the skimmers pulling the water off. The coping elevation is the tile that goes around the trim. And that's the highest point of the pool and the deck basically because we grade away from that in all circumstances.

MS. HROBLAK: Yeah. I'm just curious as to how much detention volume is actually in the pool. Because some pools are only
a couple of inches down.

MR. WATSON: The forever pools are, but like this that's self-contained, you get at least 8-inches on something like this. To be safe, figure 6-inches. So do 6 times --

MS. HROBLAK: Yeah, it's a substantial volume. Also, are the chairs that are inside that pool shown in the drawing, are they built into the pool?

MR. WATSON: That would be a question for the homeowner. I just take the box and put it on.

MS. HROBLAK: Those are really cool. Those are all my questions. Thanks.

MR. WATSON: You're welcome.

CHAIRMAN FUSARO: Any other questions for Mr. Watson from the Board? Why don't we ask if there's anyone in the public that has any questions specifically Mr. Watson? You'll have a chance further on if you have any general comments about the application. But are there any specific questions from anyone in the audience for Mr. Watson as to his testimony? If there are, please raise your hand virtually and Mr. Sammet will let you in.
MR. SAMMET: I see a

Mr. Michael Melino. Mr. Melino, we should be able
to hear you now.

MR. MELINO: Thank you for this

invitation.

CHAIRMAN FUSARO: Mr. Melino, please

state your name and address for the record.

MR. MELINO: Sure. It's

Michael Melino, 980 Lawrence Avenue. I'm the

property adjacent to the one in question; Lot 32

on Lawrence Avenue.

CHAIRMAN FUSARO: Mr. Melino, please

raise your right hand.

MICHAEL MELINO, having been duly

sworn, was examined and testified as follows:

MR. MELINO: My main issue I guess

is the proposed topography and impermeability of

the proposed pool area. Currently, as stated, I'm

on the south side which is surrounded by a wall

that's currently existing now with a fence. The

topography as I see it, and I haven't had a chance
to really study this, but the topography as I see

it now goes from 242 down to 237. And as I heard

Mr. Watson explain that the "swalling" as he

called it or mentioned was going towards Lawrence
Avenue which means it will be funneling through this chokepoint between the wall that currently exists on the south side and the house which is adjacent. And if you look at the topography, it goes from 242 -- I don't know if these are in feet or what -- down to 237. Currently, I've experienced during heavy rainstorms basically erosion in my mulch which is adjacent past the final part of the wall. So what happens is water flows between the wall and the south side and that arched wall that you see in the front. So there's a point in, so you can see, there's actually a pitch. It goes from 242 down to 237. And between these two walls, the arched wall in the front and the side wall on our property line, there's a water flow during heavy rain. I don't know if it's coming off of the drain spouts of the house, but I was concerned with the proposed impermeability of the backyard as it's currently proposed and the effect of the topography that we currently see on this gradient map. So I wish that could be addressed. And whether there's any intention to put storm cellars or some kind of storm drainage in this chock point here between the wall on the south side and the curved arched
fence in the front.

MR. WATSON: Right now we're proposing to get rid of the inlet that's there. You can see the callout on our site plan. We can leave it there. It's graded around it. We're just unsure about the quality of it right now, whether the pipe is usable. Like I stated before, my assumption is this is something a landscaper put in. The volume that it would handle would not be huge, but it would handle some of the water that comes down in between here. But with the construction and the regrading of the swale, the water shouldn't migrate past the low point that we're creating. You can see those 241-50 where my cursor is, it goes to 241 right here down to 240, and then down to 239. And it's not a defined ditch, but it is a low point that you can manage when you grade after construction and create a low point to manage and push the water out that way in between the retaining wall and the house. Nothing should be pushed onto you with this grading plan?

MR. MELINO: Currently, I don't know what the existing topography is at the points that we're talking about here between 231.5 and 239. But I can tell you that currently, I'm
experiencing some erosion on my property between the arched fence and the front of the arch facing Lawrence Avenue and the side wall on the south side of the property. So in that chokepoint there --

MR. WATSON: (Indicating.) Right.

MR. MELINO: Right in there, yes.

And what it does, it flows into my property. And I have a lot of mulch that's covering with flower arrangements in this area on my property side that gets eroded from a heavy rain currently. What I was concerned about is that if we're increasing the impermeability of the backyard and you're talking about a pinch modification, I'm wondering if that's going to exacerbate what I'm currently experiencing.

MR. WATSON: I'm going to switch to the existing conditions plan if you bear with me a second.

MR. HEHL: One thing I can add while Mr. Watson is doing that, Mr. Melino. As we indicated, or I indicated in the beginning that we would work with the township or the town engineer to address and work on additional detention based upon the increase in the impervious. And now that
this is good being brought to our attention because we can look into that and address those concerns while we do that.

MR. MELINO: Okay. I mean you can understand my point here by seeing how narrow the interface is between the south side wall between our property lines and this curved arch wall in the front. So basically we're acting as a funnel-effect coming through here that currently exists now. Only during heavy rains. I don't experience it during normal rainfalls. But I was wondering if it's actually coming off the gutters/downspouts or whether it's just natural runoff from the property which is even more problematic and could become more impermeable.

MR. WATSON: The only thing I can say is if you're experiencing erosion on your side, I don't see a focal point where anything is directed towards you. It looks like it's set up right now for a sheet flow type of condition where the water is not concentrated. And that's usually where you get the runoff when you have a concentrated flow. It may require a little bit of maintenance on our client's side or it may require a little maintenance on yours. From the contours
that I see on this, I can't pinpoint a problem area. But these are grading plans produced for the pool to show everybody how we're going to handle the runoff. If you have an existing problem, it may not show up on this.

MR. MELINO: No, I'm questioning whether you're going to exacerbate the existing situation. By the way, you had described the swalling of the topography that's going to exist after you do the patio installation because then it's going to focal more water down between our two property lines into that area that I have concern. And I'm probably 15- to 20-feet below their property. So I'm on a hill actually below them. So actually, there's a natural tendency for water flow to come down, but because of the walls along the greenery exists between our two properties, I'm okay except for this interval here that you see between these two walls. And it flows because it's angled towards my property.

MR. HEHL: Well, again, we can offer --

MR. WATSON: No, I understand your concern but --

MR. HEHL: I was going to say,
Mr. Watson, we would commit to having our engineers review this. And usually what you find in these conditions, particularly, when there's going to be oversight by the town engineer in conjunction with our engineers would address that. And we see the area that you're pointing to and if it requires additional drainage or detention in that area -- the applicants will be up next, but I don't think they'll have any problem in addressing that.

MR. MELINO: Yeah. I don't think it's a difficult issue. But you can realize the topography changed from the back which is 242 down to 237 which is towards the front right at that, basically, opening between the two walls. So it's basically is a 5-foot drop.

MR. WATSON: Right. And I understand. Just keep in mind though that as I testified to prior, you're looking at a larger area in the back that's being covered, but 509-square feet of that is going to be the pool where nothing is going to run off.

MR. MELINO: I understand that piece, but I'm concerned about the size of the patio as runoff, which is going to be expanded.
MR. HEHL: As I say, Mr. Melino, we're committed to look into that and have a design to address those concerns.

MR. WATSON: Sorry about that.

MR. MELINO: No. No. It's fine. I just wanted to bring it to your attention because I didn't want an exacerbation of an already existing condition. And if we can remediate that, it's to everyone's benefit.

MR. WATSON: I agree, yeah.

MR. HEHL: Thank you.

MR. MELINO: No, thank you.

CHAIRMAN FUSARO: Thank you, Mr. Melino. Anyone else from the audience have any questions for Mr. Watson at this time? Please raise your hand virtually and Mr. Sammet will allow you into the meeting.

MR. SAMMET: I don't see anyone, Mr. Chairman.

CHAIRMAN FUSARO: Thank you, Mr. Sammet. Mr. Hehl, would you like to continue perhaps with having your applicants --

MR. HEHL: Yes. And I see -- I think they're together; Giuseppe and Lina.

MR. DIPIETRO: Yes. Hello.
MR. HEHL: You'll have to put your camera on, though.

MR. DIPIETRO: Okay.

MS. FERRARO: Hi.

MR. DIPIETRO: Good evening.

CHAIRMAN FUSARO: Good evening. How are you?

MR. DIPIETRO: Good. How are you?

CHAIRMAN FUSARO: Can you please -- I'm sorry. Go ahead, Mr. Hehl.

MR. HEHL: I was going to say first you're going to have to be sworn in. I'm assuming we can do them together?

CHAIRMAN FUSARO: Yes. We'll do them together. Please state your name and address for the record.

MR. DIPIETRO: Giuseppe DiPietro, 300 Roanoke Road, Westfield, New Jersey.

MS. FERRARO: Lina Ferraro-DiPietro, 300 Roanoke Road, Westfield, New Jersey.

GIUSEPPE DIPIETRO and LINE FERRARO, having been duly sworn, were examined and testified as follows:

CHAIRMAN FUSARO: Please proceed, Mr. Hehl.
MR. HEHL: And I think whomever -- I was told that Giuseppe is going to take the lead on this, but if he does anything wrong, I'm sure Lina is going to hit him.

BY MR. HEHL:

Q. Mr. DiPietro, if you could just -- you've heard my opening statement -- if you could give a little background on your life here in Westfield and why you feel the addition of this pool is important to you and your family?

A. Got it. Like Steve said, we have multiple companies in town. Our family has been here for many years. I've also been a resident in Westfield for 25-years. And with Covid and everything that went on, it obviously brought to our attention that we needed a place for our family to just be together and spend some time. And being in Westfield, being in the restaurant business, summertime is very busy, so we really don't go away, we don't have a shore house. Summertime we're usually -- I'm usually here working, so it's important for us to have a place where I can spend some time with my kids. I have three children, and I'm down the street, and so it's important for us to have that quality time
together. We're not looking to have pool parties
and 30 kids over. I'm just looking to come home
and hang out with the family and relax for a bit
either in between lunch and dinner at the
restaurant or on my day off. So again, having the
pool is important. We hired these professionals
and everyone to show us where we could put the
pool. And this is the only place where the pool
fits. So there's no other place we can put it.
And, you know, speaking with our neighbors,
whatever they need, we're more than willing to do
whatever we have to do to make it right. We don't
want any runoff on any of the neighbors or want
privacy. We want the privacy also. So we're here
to work with the community to make it fair and not
be an annoyance to anyone.

MR. HEHL: As you indicated, the
concerns of Mr. Melino and the increase of the
impervious coverage, you have no problem working
with your engineer and the town engineer to
provide any detention or direction of water flow?
A. Yeah. That's no problem.
Q. Great. And again, I think we did
talk about it based upon Mr. Sammet's report and
actually, practical purposes, this is the only
 spot that this can go; correct?
A. Correct.
Q. There was a question before -- and I know on our little text chat -- Chairman Fusaro was looking at, in that picture, that was part of a retaining wall; correct?
A. Right, yeah.
Q. I thought so.
A. There was also a question about a drain back there. There is a large drain back there right now in that area that you guys were talking about. It's probably about 4-feet, 4-by-3-feet. It's big. And that goes down -- I believe it ties into Lawrence Ave.
Q. But again, you'll work with your engineers to make sure it's all functioning properly?
A. Yeah. Correct.
Q. And you're otherwise committed to all the improvements -- I know having been back there, a beautifully landscaped yard with substantial buffering -- all of that will be maintained?
A. Correct.
Q. Great.
MR. HEHL: Mr. Chairman, I have no further preliminary questions of Mr. DiPietro and Mrs. Ferraro.

CHAIRMAN FUSARO: Thank you. I have one quick question. You had mentioned, Mr. DiPietro, that that existing inlet that's shown on the plan, I'm assuming that's the one that Mr. Watson was referring to previously that on his plan is calling to be removed. Are we talking about the same inlet or is there an additional one?

MR. DIPIETRO: I'm not sure if that's the same one. But if that's -- there is a drain back there now. If that's the one we're talking about, you'd have to ask him.

CHAIRMAN FUSARO: Let's assume that's the same drain that we're talking about, and if we assume what you testified is correct and that drain is currently being piped out to Lawrence Avenue. Mr. Watson, I'm assuming we can possibly intercept that drain in the area that Mr. Melino is concerned about, add an additional lawn drain into that pipping which will alleviate the sheet flow onto Mr. Melino's property, and just put it back into that drainage pipe and
continue it out to Lawrence Avenue. Would you agree that that would work?

MR. WATSON: Yeah, it would work.

We'd have to actually get a little input from Mr. Melino to see if he knows if there's a defined, a concentrated flow coming onto him. Because that's where you have to pick up in the inlet. If you have a sheet flow, an inlet is not going to help.

CHAIRMAN FUSARO: Correct. They must create a slight swale around that inlet in that area between those two retaining walls.

MR. WATSON: Yeah. We can add another inlet too if it goes through that area.

MR. DIPIETRO: Yeah. Whatever we have to do to address that so it doesn't affect that area or to fix whatever area is going on now, absolutely, we'll be onboard and willing to do that.

CHAIRMAN FUSARO: Thank you. And as I had mentioned previously, and I believe Mr. Watson had also mentioned, as I'm sure several other Board Members will chime in shortly, we're always concerned about overages in coverage. I'm assuming that if we were to request that a portion
of the patio around the pool be removed, for
example, the area that Mr. Watson suggested along
the rear of the pool area furthest from the home,
you would be willing to shrink that area down
somewhat?

MR. DIPIETRO: Correct.

MS. FERRARO: Can you show us what
that is again? Where that is?

CHAIRMAN FUSARO: If look at
Mr. Watson's plan, okay, Mr. Watson if you take
that corner where the cursor currently is and you
draw a straight line all the way down alongside
the pool connected to that 3-foot dimension there.
You'd basically be eliminating that rear portion
of the patio. So you'd have a walkway around the
pool. Your seating area would now remain in the
12-foot section across the top and in the area
along the home.

MS. FERRARO: Okay. I'm just trying
to visualize that. So then we wouldn't put chairs
on that side; is that correct?

CHAIRMAN FUSARO: Correct. You
could put chairs, but they'd be on the lawn.

MS. FERRARO: So it would be 3-feet
then around the pool --
CHAIRMAN FUSARO: Correct.

MS. FERRARO: -- on that side?

MR. WATSON: Yeah. Along this side here would all be 3-feet.

MS. FERRARO: And how much is it now?

CHAIRMAN FUSARO: It's 11 at the widest point.

MS. FERRARO: Okay. We could figure that out.

MR. DIPIETRO: We can figure that out. It's no problem.

CHAIRMAN FUSARO: Yeah, so you basically would have a walkway around the pool instead of a seating area there. And in my rough calculations, you'd be eliminating, give-or-take, just under 200-square feet. So since we've over 600 now, that puts you around 400 over. So we're getting closer.

MS. FERRARO: Okay.

MR. DIPIETRO: That's fine.

CHAIRMAN FUSARO: I don't have any other questions for the applicants. Do any Board Members have any questions for the applicants at this time? I'm seeing none. We will thank
Mr. DiPietro and Ms. Ferraro for their testimony, and move on. Actually, before I do that, is there anyone from the public that would like to address the applicants at this time? Please raise your hand virtually and Mr. Sammet will let you into the meeting.

MR. SAMMET: We have someone who is coming up as "Zoom User" so I need to ask their name.

MR. NATHANSON: Am I unmuted?

MR. SAMMET: Yes, we can hear you, sir.

MR. NATHANSON: Hi. My name is David Nathanson. I'm their backdoor neighbor.

CHAIRMAN FUSARO: Please state your name and address for the record.

MR. NATHANSON: My name is David Nathanson. I live at 1 Breeze Knoll Drive.

CHAIRMAN FUSARO: Mr. Nathanson. I recognize that you had appeared before us a couple of months ago.

MR. NATHANSON: I did.

CHAIRMAN FUSARO: Please raise your hand.

DAVID NATHANSON, having been duly
sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Please proceed,

Mr. Nathanson.

MR. NATHANSON: All I'd like to say
is that I know the Ferraros for a long time in
town. I grew up here myself, so I don't have to
talk about what they've been as an asset to our
community, but more importantly, as a neighbor,
the DiPietros have been great. In the past,
anytime they've had any parties or whatever,
they've always been respectful. They're great
neighbors. And being in a 24-hour/7-days-a-week
business myself and having young kids, there's
nothing better than having time with your family
in your own oasis because you don't get to go away
much. So as a person, as a neighbor and someone
that endures the type of lifestyle that he has
working as much as we do, I think the pool will be
great for them and their family. Especially
during these times in the world we live in, it's
very important and special.

CHAIRMAN FUSARO: I appreciate your
time and your comments. Thank you so much.

MR. DIPIETRO: Thank you.

CHAIRMAN FUSARO: Have a good
evening. Anyone else, Mr. Sammet?

MR. SAMMET: We have Mr. Reid. Mr. Reid, we should be able to hear you now.

MR. REID: Yes. Hi. How are you?

I just wanted to give the support --

CHAIRMAN FUSARO: I'm sorry. Hold on. Please state your name and address for the record.

MR. REID: Andrew Reid, 960 Lawrence Avenue.

ANDREW REID, having been duly sworn, was examined and testified as follows:

MR. REID: I just wanted to give them our support for their application for a variance.

CHAIRMAN FUSARO: Thank you, Mr. Reid. And you're located on Lawrence Avenue across the street?

MR. REID: South side of them on the other side of Mr. Melino.

CHAIRMAN FUSARO: Thank you so much. We appreciate your comment and your support of the application. Thank you.

MR. SAMMET: We also have Mike Wyse. Mr. Wyse, we should be able to hear you.
MR. WYSE: Yes. Can you hear me?

CHAIRMAN FUSARO: Yes, we can hear you. Mr. Wyse, please state your name and address for the record.

MR. WYSE: Michael Wyse, 945 Lawrence Ave.

MICHAEL WYSE, having been duly sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Please proceed, Mr. Wyse.

MR. WYSE: Like Mr. Reid, I live across the street from Mr. Reid. My wife Marie and I both fully support the application for variance for both Giuseppe and Line.

CHAIRMAN FUSARO: Thank you so much. We appreciate your time.

MR. WYSE: Thank you.

CHAIRMAN FUSARO: Mr. Sammet, anyone else?

MR. SAMMET: Yes. We have a Mr. David Barbosa. Mr. Barbosa, we should be able to hear you now.

CHAIRMAN FUSARO: You're on mute, Mr. Barbosa. There we go.

MS. BARBOSA: It's actually
Mrs. Barbosa. How are you?

MR. BARBOSA: David and Lorena Barbosa, 305 Roanoke Road, Westfield.

DAVID BARBOSA and LORENA BARBOSA, having been duly sworn, were examined and testified as follows:

CHAIRMAN FUSARO: Please proceed, Mr. and Mrs. Barbosa.

MS. BARBOSA: Hi. So we live around the corner from the DiPietros and we did something similar here at our house about five years ago. Also, a similar situation. We own David Realty Group here in town, so as you all know, real estate is seven days a week, just the like the restaurant business, and we were not finding time as a family to spend together. Actually, we would make it to some of the town pools, but as soon as we'd get there, we'd have to leave because we had to come home and negotiate offers. So we got to the point where we said we need to have something where we can spend time with our family. So it's going to be a lot of fun. I hope you have many happy memories with your family and good luck.

MR. BARBOSA: And we're in full support. They're great neighbors. We're in full
support of it.

CHAIRMAN FUSARO: Thank you. Have a good evening. Anyone else, Mr. Sammet?

MR. SAMMET: No. I see no one else, Mr. Chair.

CHAIRMAN FUSARO: Thank you so much. We're going to close that portion of the meeting. Do any Board Members have any questions for Mr. DiPietro and Ms. Ferraro?

MS. RAZIN: Can I just ask a quick clarification? If the variance and the application is approved that Mr. Hehl and Mr. Watson just confirm off the line with me the exact variance for coverage that would then be required? Understanding that it's, approximately in the (indiscernible) you know, that it's approximate, but if somebody could just reach out to me following the meeting to confirm that.

MR. HEHL: No problem. I'll get the permit and give you a shout-out tomorrow.

MS. RAZIN: Thank you. I appreciate it.

MR. HEHL: No, thank you.

CHAIRMAN FUSARO: Mr. Hehl, anything else you'd like to add at this time?
MR. HEHL: We have no further witnesses. I think the public has spoken already. Just very briefly, again, this is a unique situation with the pool with a 15-feet rear yard, I think the location is well-sited. We do meet all the setback criteria for the pool, so it's generally just the location. As far as the coverage variance, again, we meet the overall coverage as far as the percentage below the 40% and with the commitment of the applicant to remove that area, and we'll certainly confirm the amount of that reduction, that we feel that both the variance for the location of the pool and the slight increase in impervious coverage has been granted. And, as always, truly appreciate the time and effort this Board puts into these applications and your Board professionals, particularly, Mr. Sammet. We appreciate your time.

CHAIRMAN FUSARO: Thank you, Mr. Hehl. If there are no other questions for Mr. Watson or the applicants of Mr. Hehl, we'll close that portion of the meeting and open up to Board discussion.

MS. MOLNAR: I'm sorry. I had one
question for Mr. Watson. The schedule of general requirements that's in our application, could you amend that to show, to reflect the variance that you need in the 12.04G? It says "no variance" but you do need a variance for 12.04G.

We'll take care of that.

MS. MOLNAR: Okay. Thank you.

CHAIRMAN FUSARO: As I said, we'll open it up to -- close it to public comments and so on and open it up to Board discussion. As you heard from the applicants, from their professionals, from some of their neighbors. Everyone seems to be in favor of the application. As I mentioned, I would like to see the area reduced somewhat. The applicants have agreed to reduce that one portion of the patio currently shown on the plan which is going to be reduced by, approximately, 200-square feet. Mr. Watson will calculate the exact square footage and provide it to our Board attorney and to Mr. Hehl, so if the application is approved, it will be reflected in the resolution. I don't have any additional comments -- well, I take that back. One thing that I would suggest as I mentioned earlier is
since Mr. Melino is concerned about the runoff and there is quite a steep grade change between the current property and Mr. Melino's property, so perhaps working with adding a condition that the applicants do work with our engineering department. Mr. Hehl has already agreed to that as have the applicant. And my suggestion of possibly adding an inlet or a yard drain. Probably an inlet would be better in that area between the two existing retaining walls to pick up some of that runoff which will hopefully alleviate the problem that Mr. Melino is having during heavy rainfall. It would certainly help it. Other than that, my only other question was I think that we have not really addressed -- nor do I know whether we need to address it or not -- is that 7-foot high retaining wall. But since we don't know if it was there prior to this home being even built, I honestly don't know, I guess we'll kind of leave that at bay.

MR. MASCIALE: I don't have an issue with it, Frank, based on the change in elevation in that area is so close to it. It's really not sticking out in my mind that far because the elevation is changing so much, and you know, I
think it was built there for a purpose. And it's not really that much area, the 7-feet. It quickly slopes down. Plus, I think it was built that way for a purpose and serves a purpose.

CHAIRMAN FUSARO: Okay. That's fine. Any other --

MS. HROBLAK: Frank, the retaining walls above 4-feet are usually considered needing engineering design. So that's really in my mind the biggest concern with going above 4-feet. I'm not sure what the purpose of the variance -- maybe so it gets reviewed. But on most municipalities above 4-feet, you've got to get engineering --

MR. MASCIALE: Yeah. I think you're right, Allyson. Where I've seen it, people use it as kind of a buffer or a shielding; almost like a fence.

MS. HROBLAK: But when they exceed a certain height, the earth pressures gets high and you need to have reinforcement and proper drainage and back fill. So that's usually where the 4-foot kicks in. I'm not sure if Don can speak to the 4-foot in our town.

CHAIRMAN FUSARO: It looks like it's a driveway retaining wall, not a poured concrete
one. I'm sure it was engineered at some point prior to it being put in.

MS. MOLNAR: Frank, would you explain to me what an inlet is?

CHAIRMAN FUSARO: An inlet, basically, is similar to what you would see along a street, however, it's generally smaller when it's on a property. The inlet can be -- depending on how much water it needs to collect -- it could be a 2-by-2 inlet, a 3-by-3 inlet. Whatever the engineers feel is appropriate for that area it would have a grate, and it would actually have a structure underneath so the grading would allow the water to go into a precast concrete structure underneath, which would be piped out to Lawrence Avenue. Versus a lawn drain, which is basically or generally, I should say, about 12-inch by 12-inch, usually polyethylene plastic-type drain which is just connected to a pipe, and again, that too would be piped out. I would leave it to the engineers to decide whether an inlet or lawn drain is required and the size of it since it's really not in our purview.

MS. MOLNAR: Thank you for the explanation.
CHAIRMAN FUSARO: When else do we've here. Any other Board Members have any comments about the application? Concerns? Questions?

MS. HROBLAK: I actually would make a condition, Frank, that once that inlet is removed that any associated piping be capped and not utilized. Because if it's piped out to Lawrence Avenue, it's just adding to Lawrence Avenue. I don't think it's a proper solution when it comes to the swale over there. If they need to address stormwater, I mean, there's far more stormwater coming off their roof and they had offered to put in a small amount of detention. If they were to pick up some of the roof runoff it would probably improve conditions far greater than trying to squeeze a swale between those two retaining walls. Extend that swale; I should say.

CHAIRMAN FUSARO: From listening to the testimony, I don't believe that Mr. Watson was able to tell us where the roof drains or downspouts are currently drained. They may be drained underground into that pipe that does go out to Lawrence. I don't think we know that.

MS. HROBLAK: I thought we heard testimony. Someone said it went out to Lawrence.
CHAIRMAN FUSARO: Yeah. The applicants had said it went out to Lawrence.

MR. DIPIETRO: I'm not one-hundred percent sure, but I think it does.

CHAIRMAN FUSARO: We don't know what's connected to it, Allyson. Whether it's just the inlet or whether the downspouts are also connected to it. I think we'll just leave that to engineers and put a condition in there that the drainage be confirmed with the applicant's engineers and our engineering department, and I think that would suffice. The only other condition the Board might want to consider is that the arborvitaes along the property be maintained. And I just happened to -- I was about to say that I don't have any other comments -- and looking at the photograph in our package; if the Board can kindly take a look at their package. The first page, the photograph on the first page, the lower portion of it where there is an emergency generator and a red brick sidewalk leading to the driveway area has an open 4-feet high fence. It looks like there is an arched type to it, an arbor. I think we may want to reopen a portion of the meeting to either ask the applicants and/or
the engineer if that's going to be converted to a 6-foot high fence, which I believe is required. Actually, hold on. Let me see. I take that back. It looks like they're going to put a 6-foot high fence across that area so that would not come into play. I answered my own question.

Anyone else have any other comments questions, concerns? I see none. Do I have a motion? Anyone?

MS. MOLNAR: I'll move it be accepted with the condition that the drainage be confirmed with the applicant's engineer and our engineering department, and the condition that the arborvitaes be maintained.

CHAIRMAN FUSARO: A motion was made by Ms. Molnar. Do we have a second?

MS. HROBLAK: Did you want to add a condition to that with the reduction of the 200-square feet?

MS. MOLNAR: Yes, the patio.

MS. HROBLAK: On the east side of the pool.

MS. MOLNAR: With a condition that the patio be 3-feet along the wall there.

CHAIRMAN FUSARO: Yes. The patio
along the rear of the pool shall be no wider than 3-feet.

MS. HROBLAK: I second.

CHAIRMAN FUSARO: Second by Ms. Hroblak. Mr. Sammet, please call the roll.

MR. SAMMET: Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.

MR. SAMMET: Mr. Sontz.

MR. SONTZ: Yes.

MR. SAMMET: Mr. Gelinas.

MR. GELINAS: Yes.

MR. SAMMET: Mr. Reisen.

MR. REISEN: Yes.

CHAIRMAN FUSARO: The application is approved. Good luck. Thank you and enjoy the rest of your evening.

MR. HEHL: Great, thank you. It's
great to see everyone and see you all soon.

MS. FERRARO: Thank you.

CHAIRMAN FUSARO: You're welcome.

Seeing that it's 10:08, we're going to take a quick break, a 10-minute break. If we can keep it down between 5 and 10 minutes, that would be great. And when we return, we'll address the rest of the applications on the agenda. We'll try to get through as many as we can. So please everyone turn off your video and/or your mics during the break. Thank you.

(Break taken.)

CHAIRMAN FUSARO: As I had mentioned earlier, we had a lengthy agenda this evening, it looks like at this point in time, we're going to carry Ms. Stankiewicz, 920 Cranford Avenue; Mr. Bartolucci, 4 Tamaques Way; and Mr. Laczynski, 857 Highland Avenue to our April meeting. I believe the April meeting is the 11th if I'm not mistaken, Mr. Sammet?

MR. SAMMET: That's correct because the Planning Board is the 4th. Mr. Chair, it looks like Mr. Laczynski would like to say something. I had to shut off the chat. The chat function shouldn't have been enabled.
CHAIRMAN FUSARO: Sure. The other applicants that I mentioned, will be carried to the April 11th meeting without further notice. I apologize.

MR. SAMMET: Mr. Chair, we should, if it wasn't stated already, that the meeting will be in-person in Town Hall at 425 East Broad Street in the Council Chambers starting at 7:30.

CHAIRMAN FUSARO: Thank you, Mr. Sammet. I did mention that at the beginning of the meeting.

MR. SAMMET: You did.

CHAIRMAN FUSARO: For those applicants who were not present at the beginning of the meeting, this will be our last Zoom meeting, and the following meetings will be held at Town Hall starting at 7:30 on April the 11th. Again, my apologies. We'll do the best we can to get through the next two applications this evening. And Mr. Sammet, you said that --

MR. SAMMET: Mr. Laczynski has raised his hand. I know he had reached through the chat, which shouldn't have been enabled, so I had to shut it off.

CHAIRMAN FUSARO: Okay. No problem.
1 Do you want to let him in? Go ahead.

2 MR. SAMMET: Sure. Mr. Laczynski,

3 we should be able to hear you now.

4 MR. LACZYNSKI: Hi there. Thank you

5 so much for listening to me. I understand it's a

6 long night and I appreciate you guys. I just have

7 a trip -- I'm wondering, for next month's meeting,

8 if my architect is in-person, is there

9 accommodation where my wife and I can come in via

10 remote somehow and still provide our testimony so

11 we can keep it on the schedule? Zoom or whatever.

12 CHAIRMAN FUSARO: I don't believe we

13 have those capabilities just yet. I know the town

14 is working on that. But we do not as of right

15 now. Sorry.

16 MR. LACZYNSKI: You don't have a

17 laptop in front of you guys or something like

18 that? We couldn't get any accommodation?

19 CHAIRMAN FUSARO: We don't have --

20 the meetings are either Zoom or in-person, not any

21 hybrid thereof because if we did that, then --

22 First of all, I don't think council chamber is set

23 up for that, Number 1. Number 2, we would have to

24 have a laptop there that the entire Board would

25 have to look at one particular laptop and we're
all sitting on a big dais.

MR. LACZYNSKI: I understand.

CHAIRMAN FUSARO: I know there are

plans in the future for that type of technology to

be enabled. It's just not been done as of yet. I

apologize.

MR. LACZYNSKI: That's during the

Westfield spring break. So you know it's kind of

a family vacation time. And you know it would be

nice to maybe just continue with Zoom meetings

next month or something for all the people that

are probably postponed here.

CHAIRMAN FUSARO: Unfortunately, we

can't do that because the notices have already

been sent out.

MR. LACZYNSKI: Got it.

CHAIRMAN FUSARO: We can't do that,

I apologize. Let the board secretary know whether

you will or will not be attending. It's really

not a problem. I fully understand.

MR. LACZYNSKI: I'll be there. I

have to cancel my vacation, but I'll do it.

CHAIRMAN FUSARO: That's your

prerogative, but if decide to go on vacation,

you'll certainly be put on our May agenda.
MR. LACZYNSKI: I'll plan to be available. Thank you so much for your consideration.

CHAIRMAN FUSARO: Let's continue. The next application is 800 Hillside Avenue, Christopher and Natalie Licini. Applicant is seeking approval to construct a new family room/photography studio with bathroom and staircase to new basement area as well a new covered terrace off the existing living room with a walkout balcony from the second-floor master bedroom contrary to the following sections of the Westfield Land Use Ordinance: Section 12.04F where building coverage permitted is 15% or 4,000-square feet, and proposed is 17.3% or 4,146-square feet.

MR. SAMMET: Good evening, Mr. Blasi. Is your client here with you?

MR. BLASI: Yes, they are.

MR. SAMMET: Okay. I'm looking for their name in the list of attendees. I see. Here we go. They have a number code today.

CHAIRMAN FUSARO: 786 -- there we go -- 786333. Got it. Mr. Blasi, I know you've appeared before the Board this year. So unless
the Board has any questions, comments, or
concerns, we'll continue to recognize you as an
expert in the field of architecture. Please
proceed.

MR. BLASI: So I'd like to start
with a little context to the site first. So I'm
going to go to the aerial view that's in your
packets that you've received in the variance
hearing package. And that, basically, this image,
the aerial view, shows Mountain Avenue and shows
Mountain View Circle, and then this road back here
is a private driveway which is Priscilla Lane.

What I'm looking to show everyone is the size of
the property where the house sits. Inside, this
right here is paving. This is the existing house
right in here, 1929/30 house sitting on this
corner that has side front yard and this area is
predominantly open. I'm going to show the
addition is being proposed in this area right here
where I'm moving.

CHAIRMAN FUSARO: Mr. Blasi, excuse
one second. I did forget to swear you in. I
apologize. If you could please raise your right
hand.

GREGORY BLASI, having been duly
sworn, was examined and testified as follows:

    CHAIRMAN FUSARO: Thank you.

    MR. BLASI: This is the area where

the addition will be proposed. I'll stop sharing

that and go to the existing front yard. The

existing front facade of the house; to give you

some context as to what the existing house looks

like. Existing 1930s Tudor. It has a wood-shake

roof and it has board timber and plastic. A brick

table. It still has that classic look of the

original house in scale and proportion. This here

is the existing rear of the building. So the

addition is being added to the house right on the

left side, the left-right side.

    CHAIRMAN FUSARO: We don't see the

photograph, Mr. Blasi.

    MR. BLASI: I'm sorry?

    CHAIRMAN FUSARO: Your screen is not

being shared if that's what you're trying to do.

We have the photographs in our packet.

    MR. BLASI: I'm trying to get them

so everyone can see them. Why won't this share?

My apologies. I cannot find it, so I'm going to

move on.

    CHAIRMAN FUSARO: We have the
photographs in front of us.

MR. BLASI: Okay. So you can see with the photographs in front of you the rear yard that no addition has been added to it. And it has, it's pretty flat along the rear side. The addition is going to be proposed on the left side of the year. And on the right side, there will be the covered porch. So what I wanted to demonstrate with that photograph is that the addition will show some relief from the flat facade of the existing where these homes in the 30s had beautiful crenulation and movement on the front facades, but plainer rear facades.

I will now share the site plan. Looking at the site plan; Hillside Avenue, Mountain View. This is the existing house. This area right here is the proposed covered porch and this area right here is the proposed addition, which is basically a family room, studio, powder room. I want to look at the zoning chart to demonstrate that no setbacks -- there's no relief for setbacks. There's no relief for impervious coverage which is at 20%, proposed allowable 30%. No relief for floor area ratio at 23% to 25%. The variance is building coverage, which you've
already stated allowable 15 which is proposed at
17.23. The addition is again located on the left
side of the rear which is against, adjacent to
this rear lane. This lane provides access to the
rear to the houses that are on Priscilla Lane and
facing the adjacent street rear yard. So the
views of this addition are seen from the rear yard
of these adjacent properties, not side or front
yard. I'd like to go to the first floor. You can
see on the first floor the existing house has an
entry, an existing formal living room, and then
there's a kitchen, office, dining room, sunroom,
existing garage. So what's being proposed is a
powder room, a storage area adjacent to the
garage, and a new family room and studio with
windows, fireplace, and furniture. And also being
proposed is this new covered porch. All open
covered porch area.

As for the second floor, the second
floor, the addition is a one-and-a-half story. So
this is showing the roof below. This is showing
the balcony of the proposed covered porch, and an
area, an existing bathroom that is being altered.
But the addition is here. This is the roof to the
addition and the balcony. As for the next sheet,
which is SD-04 Elevations in your packet. I'll
start with (1) Rear Elevation. This is showing
the rear of the addition. At the end
one-and-a-half stories of windows, a stucco facade
to match the existing materials of the building.
This detail that you see is the side of this door,
this door and transoms that are facing the rear
yard. Towards the right on the other side is the
new covered porch. This wood guardrail will match
the existing wood details on the house and some of
the gable ends. A mixture of wavy-wood detail,
Tudoresque detail with stucco, Tudor posts down
below and creating two new French doors to go into
the existing living room, and these are balcony
doors that are coming out from the master bedroom.

From the side, or actually from the
Mountain View circle view this is the side of this
pushed out one-and-a-half-story dormer. This is
the facade facing you which has windows into the
family room and door and transoms above that let
in the natural light. Light for art, light for
photography, light for the family. It serves both
purposes of bringing in natural light but matching
the Tudoresque style and window detail and facade
ornamentation. This is the private driveway side
which will have -- we're proposing a new garage
door and new windows that are transoms with insets
and stucco with bluestone sills to imply taller
windows but will be letting in natural light
through the transoms above, a decorative fireplace
with fireplace caps that match the existing
fireplace caps of the existing house, and then the
end dormer, and bay window, I should say bay
window.

These are the facades and plans.

Again, I'd like to make one comment. The comments
that I'd like to talk about is first thanking Don
for putting the report together, the detailed
report. I'm going to discuss C-2, flexible
benefits, and negatives for a C-2 Variance. The
items that I have is while allowing this beautiful
home to remain, the family may gain typical living
spaces that most homes in the neighborhood have.
This would entail a powder room, storage adjacent
to the garage. This will also allow for a family
room which the house does not currently have. The
property is not being demoed to provide two lots.
It's allowing this existing 1930s home to remain.
Two new homes would irrevocably change the density
of this site. As stated in the report, if two
homes were built, a total of 4,811-square feet would be allowable, and what is being proposed right now is 4,146-feet. I'd also like to say that the addition, the house is two-and-a-half stories, the addition that is being proposed is one-and-a-half stories. The existing nonconforming side yard setback is not being increased. The proposed addition is well within setbacks. The addition is being located, again, on a private driveway not affecting the adjacent properties only within a rear yard, which would have Priscilla Lane between the houses anyway as additional buffer after the rear yard. The existing lot has an open yard as you've seen through the aerial view. And by placing the addition on this side of the private lane, this area from Mountain View will still pretty much remain open. I'm not changing the character of the yard as much as an addition either in the center or the right side of the house would be. So other comments; the setbacks we've already discussed. There're no variances for setbacks, lot coverage or FAR. The existing living room I'd like to say is 26-by-17. So this room is bigger, but it's 3-feet longer which is purely a
requirement for technical use for photography. Mrs. Licini will speak more about what she does. But visiting the house, there's artwork, photography, sculptures, there're easels. I've heard through conversation educating of the children, and it's a beautiful environment inside the house that this space will use, as well as her family room, but I'll let her speak to that. The addition is 537-square feet over, 309 of that square feet is the covered porch which is open space. I'd just like to remark that the 309 and the 537 is the open covered porch leaving 228-square feet of basically addition.

So I will open up to any questions that you might have for me.

CHAIRMAN FUSARO: Thank you, Mr. Blasi. A couple of quick questions that I have and then we'll ask the Board if they have any questions for you. First, an obvious question. Some of the paperwork that we have, some of the plans show a pool. I'm assuming that there is no pool in the backyard.

MR. BLASI: Correct. If we go to the site plan, the site plan was changed and the revision bubble was placed on the site plan to
clearly indicate there is no pool being proposed.

CHAIRMAN FUSARO: Great. Thank you.

The other question I had -- and I'm not sure if you can answer this or perhaps the applicants might shed a little light. This particular project, it appears from the site plan is on two separate lots, Lot 15 and Lot 16; is that correct?

MR. BLASI: I'm looking at the survey. I'm looking at the block and lots. But I'm going to turn that question over to the clients.

CHAIRMAN FUSARO: Because I have some -- and when we get to them I'll ask them that question. Because there's part of -- it looks like some sort of a part of Lot 15 may have been an easement or a piece that was added. The reason I bring it up and my concern is in the future if these two lots, which they are two conforming lots if they were to be developed individually how that would affect this particular project. So that's why I brought it up. We'll wait to hear from the applicants about that. The overage, the way I see it, the 15% versus 17.23 is about 15% over. As you mentioned, a portion of that is the open covered porch, which, if the application were to
be approved, I would certainly suggest that a
c-condition be placed on that that it remains open
on -- I guess, normally, we say three sides, but
since two of them abut the house, it would be two
s-sides. I don't have any other questions at this
time for Mr. Blasi. Do any Board Members have any
questions?

MS. MOLNAR: Yes, I have a question.
What does the addition do to the runoff and
drainage on the property?

MR. BLASI: I'm going to -- first of
all, may I just ask the Board; are you currently
looking at the site plan?

CHAIRMAN FUSARO: Yes.

MR. BLASI: Okay. Thank you. I'm
not an engineer. Typically, the engineering would
have to be done to confirm that any additional
rainwater that would be added would be either
retained or able to runoff. My one comment I
would say from an architect's point of view; if
look at the maximum improvements of the coverage,
the lot coverage is well under the allowable lot
coverage. Again, I would leave that to
engineering through Don and town engineering along
with the final design for water retention.
MS. MOLNAR: Thank you.

CHAIRMAN FUSARO: Mr. Blasi, one other quick question. On the site plan, there's that area just to the left of the addition and to the left of the existing concrete patio there, it says "macadam." Could you elaborate on that a little bit? Right there. Yes, correct.

MR. BLASI: That is their existing driveway. It's basically their apron from Pricilla Lane into their garage. That is existing asphalt, macadam.

CHAIRMAN FUSARO: Thank you. Any other Board Members have any questions for Mr. Blasi at this time? Seeing none, why don't you the applicants in and we'll hear some testimony from them, and then we'll open it up to some additional questions. Mr. and Mrs. Licini.

MS. LICINI: Hi. How are you?

CHAIRMAN FUSARO: Hi. How are you?

Can you please state your name and address for the record?

MS. LICINI: Natalie and Christopher Licini, 800 Hillside Avenue, Westfield, New Jersey 07090.

CHAIRMAN FUSARO: Please raise your
right hand, as you're doing already. You've been
listening tonight I see. Thank you.

CHRISTOPHER and NATALIE LICINI,
having been duly sworn, were examined and
testified as follows:

CHAIRMAN FUSARO: Thank you and
please proceed.

MS. LICINI: My husband and I moved
here about four years ago from New York with our
three kids and we have really loved living here
even through Covid. We love our neighborhood and
we love our home. We don't have a family room, so
we were hoping that you might consider allowing
this addition to the home that we really love. We
don't want to move. But with spending so much
time at home with our three young kids, we need a
little more space to put them in different rooms.
And I, myself, I'm an artist. I paint, I'm an oil
painter and I'm a photographer. So being able to
do some things at home would really be great; with
limited childcare and everything that we're kind
of transitioning through. When we were creating
the family room space, we did design it with a lot
of natural light for paint and for photography.
So the interior wall, windows, and doors sort of
faces north which really fits our needs. And we
would be grateful if you would consider our
project.

CHAIRMAN FUSARO: Thank you. The
question I had asked previously that Mr. Blasi had
said that you could possibly elaborate on; could
you explain to us a little about the lot
configuration. Lot 14 is obviously next to your
property, and then it would appear that there's a
part of Lot 15 according to the site plan, or two
parts of Lot 15 and then Lot 16. So I'm assuming
that the property at some point has already been
subdivided or there's a subdivision that was
already approved for the property. Can you
elaborate on that a little bit?

MR. LICINI: Hi. This is
Mr. Licini, Chris. That's not something that we
asked for, so that was here before we were the
owners if it was asked for a subdivision. And our
project here, you know, we don't want to subdivide
the property. We don't want to sell it and make
two different homes that don't match the
neighborhood. We just want to increase the size
and match the look and feel. Like we like that
this is a 1929 Tudor. We're the people that --
actually, we were the target audience for this. And, yes, I know we will be going over the second lot and it's because we don't mind. We don't have intentions of splitting the lot and selling it and having two builders come in and build two houses. We want our kids to grow up here.

CHAIRMAN FUSARO: Thank you. Your testimony is that you have absolutely, at this time, no intention of building another home on the property at some point or selling it.

MR. LICINI: That's one-hundred percent our intention.

CHAIRMAN FUSARO: Thank you so much. As far as Ms. Molnar asked a question regarding the runoff and what impact the addition would have with respect to stormwater. Normally, that's something one of the engineers would provide some information on for us. But just a general question; have you had any issues with flooding? I believe your existing home does have a basement. Have there been any issues with any infiltration of water or any of the neighbors having runoff from their property to your, your property to theirs, etcetera?

MS. LICINI: To the best of my
knowledge, my neighbors have not had any issues from our home. And obviously living here four years, a storm like the end of August/early September was a test to see if we'd have any water in the basement and thankfully, it was next to nothing. I don't even think there was even an inch. And, of course, we were really worried with an old home like ours. So to the best of our knowledge, we've not had any issues. We hope we never do. It's relatively flat land.

CHAIRMAN FUSARO: Thank you. I have no further questions for the applicants. Any Board Members have any questions for the applicants? Anyone? Seeing none, at this time, why don't we open it up to public commentary. If anyone in the audience has any questions for either Mr. Blasi and/or the applicants, please virtually raise your hand and Mr. Sammet will allow you into the meeting.

MR. SAMMET: I'm not seeing any hands raised, Mr. Chairman.

Q. Thank you, Mr. Sammet. Seeing none, we'll close that portion of the meeting. Are there any other presentations or closing comments you'd like to make Mr. Blasi and/or the Licinis?
MS. LICINI: I'd just like to thank everyone for your time and consideration, and I'm here if you have any additional questions.

CHAIRMAN FUSARO: Thank you. We'll close that portion of the meeting and open it up to Board commentary -- Board discussion, I should say. I'm sorry. As I mentioned earlier, if the application were to be approved my suggestion would be that we put our standard comment, our standard condition in there with respect to that porch remaining open on two sides. As you've heard from the applicants, they certainly have no intention at this time of subdividing the lot further. The lot has already been subdivided, however, constructing any new homes -- or new home I should say -- on the Lot 15 portion of the current property. The home is, as Mr. Blasi described, an older home, a Tudor. I believe the addition that Mr. Blasi is proposing certainly fits in architecturally. It will be minimally viewed from Mountain View circle. I am familiar with Priscilla Lane; it is a private drive. There's virtually no through traffic there. As far as it being seen by too many people or having an issue with it, I don't think that's going to
come into play.

As far as stormwater goes, I know several Board Members on this Board in general certainly is concerned with additional coverage. It appears that pretty much every project that comes before us does add coverage. And even though it may be minimal, those minimums add up to quite a bit when you consider that we approve or we review 120-some odd applications a year.

Having been said, I think the addition certainly fits in with the neighborhood. It is a large piece of property. I don't think it's being overbuilt. And from a massing standpoint, I think it would kind of fit in. As I said, it is 15% over on the coverage. I don't know what -- off the top of my head, it doesn't appear that there's anything glaring that we could ask the applicants or Mr. Blasi to look at reducing other than possibly reducing that covered porch area since it would appear from what we've heard that the main reason for the application is to create this family room slash photography studio, and I guess the covered porch is just basically another aspect that may or may not be as important as the family room.
Anyone from the Board? I'd like to hear some comments about how everyone else feels.

MS. HROBLAK: I have a question for Don. Do we know what size these lots -- what was the zone classification prior to these being combined?

MR. SAMMET: Oh, gosh. I wouldn't know. You'd probably be going back a few decades.

CHAIRMAN FUSARO: I believe it's in an RS-12 now.

MR. SAMMET: It's currently an RS-12, yeah.

CHAIRMAN FUSARO: So there are two conforming a little over 12,000-square foot lots.

MR. SAMMET: Theoretically, you could get two 12,000-square foot lots.

MR. MASCIALE: And it's 15% in an RS-12; correct?

MR. SAMMET: No. Well, the permitted lot coverage goes by lot size, actually not by zone district. So on a -- I think I put it in my report on a 12,000-square foot lot, you're permitted about 20% coverage. But this lot, being over that, they're only permitted at 15% lot coverage.
CHAIRMAN FUSARO: Right 12,000 --

Don's report says, that's correct, 20% and it
would be 2,400-square on a 12,000-square foot lot.
Certainly, this is a 24,000-plus-square foot lot.

MS. HROBLAK: I guess that's what
I'm getting at. You're getting almost a free
entire lot of undeveloped area, and should remain
undeveloped should the property be sold in 50
years.

MR. SAMMET: That was kind of the
point I was making in my report. Hypothetically,
if this was two separate lots in the RS-12 Zone,
you'd be allowed a greater coverage.

MS. HROBLAK: We're minimizing it
this way; right?

MR. SAMMET: Exactly. You're
getting less coverage with this larger lot even
with the variance request.

MS. HROBLAK: Yeah. I think that
works quite a bit in favor. Whether the runoff
becomes an issue, time will tell with the
neighbors. I mean Hillside slopes down toward
Mountain View Circle all the way down to New
Providence Road as I can attest to reaching about
40 miles an hour on my bicycle coming down
Hillside. You can fly down that road.

CHAIRMAN FUSARO: Good thing your brakes work; right?

MS. HROBLAK: Yeah. That is how I test them. I usually bail out at Cedar Grove. It's pretty steep and people on either side of them from either -- well, I'm not sure how it impacts. Priscilla goes down as well I think if you -- they're higher than the next neighbor on Priscilla. You'll find out if you're pissing everyone off. It's hard to tell, we don't have a grading plan. But I'm sure they'll come talk to you.

CHAIRMAN FUSARO: Any other Board Members have any comments regarding the application?

MR. MASCALE: I think it's a great design. I think it fits and we're way under with the two lots. And it's not a two-story, it's a one-and-a-half. I think it's going to fit right into the neighborhood, and it's not overdeveloped -- over massing as you said, Frank. To me, this fits in and we know Mr. Blasi and his architectural designs always look great. And this is going to look really good.
CHAIRMAN FUSARO: Thank you, Chris.
Any other Board Members? No? Did I hear a yes? No?

MR. GELINAS: Yeah. Sorry. I wanted to ask one thing too. With respect to the affidavit that was provided about the use of the space for painting and photographing clients and it says that they reviewed the ordinance Section 14.01 and will comply. Is that something that we want to factor into our ultimate set of conditions when we vote on this?

CHAIRMAN FUSARO: Katie, is that something that we should reference in our conditions?

MS. RAZIN: I'm not sure in what regard you're --

MR. SAMMET: I think what it is Katie is the applicant has testified that they're an artist --

MS. RAZIN: Yes.

MR. SAMMET: -- and the addition will be used --

MS. RAZIN: You mean like for a home office? In terms of like a home office versus like a hobby; is what you're saying?
MR. SAMMET: Right. Well, that it
will not be --

MS. RAZIN: Amount to like a home --

MR. SAMMET: Yeah. The photography
studio that will be part of the addition will not
violate the provisions of the town's Home
Occupation Ordinance.

MS. RAZIN: Yeah. I think that's
fair. Right.

CHAIRMAN FUSARO: So include that as
a condition?

MS. RAZIN: Sure. Yeah. Again, I
think if they stipulated to it, especially feel
free to include that as an expressed condition if
you like, yes.

CHAIRMAN FUSARO: Thank you. Anyone
else? Seeing none, may I have a motion?

MR. MASCIALE: I'll make a motion to
accept the application with the condition that the
covered porch area remains open on two sides.
Also, a condition of the, I think it was the 14.01
reference that the studio will not be used for
commercial purposes.

CHAIRMAN FUSARO: Excellent. We
have a motion by Mr. Masciale. Do we have a
Second?

MR. REISEN: Second.

MS. HROBLAK: Second.

MS. RAZIN: Who was that?

CHAIRMAN FUSARO: I don't know if that was Allyson.

MS. HROBLAK: I think it was Charles and myself.

MR. SAMMET: Sam, you might be our second. I think Sam is our second alternate. So it should be --

CHAIRMAN FUSARO: Allyson.

MR. SAMMET: -- I think Allyson.

CHAIRMAN FUSARO: That's fine.

Thank you. Please call the roll, Mr. Sammet.

MR. SAMMET: Chair Fusaro.

CHAIRMAN FUSARO: Yes.

MR. SAMMET: Ms. Hroblak.

MS. HROBLAK: Yes.

MR. SAMMET: Mr. Masciale.

MR. MASCIALE: Yes.

MR. SAMMET: Ms. Molnar.

MS. MOLNAR: Yes.

MR. SAMMET: Ms. Pavon.

MS. PAVON: Yes.
MR. SAMMET: Mr. Sontz.
MR. SONTZ: Yes.
MR. SAMMET: Mr. Gelinas.
MR. GELINAS: Yes.
MR. SAMMET: And Mr. Reisen.
MR. REISEN: Yes.

MR. BLASI: Excuse me. Frank, could I just ask one question?
CHAIRMAN FUSARO: Yes, please.
MR. BLASI: Because the client is asking for clarification. The affidavit that was signed by them is that she could use the studio for home -- it says, "I am a painter and fine art photographer. I do not have any employees. The 932-square foot extension will be shared and enjoyed by my family, quasi-used for painting and photographing clients. I have reviewed the ordinance Section 14.01. I will comply with the ordinance. The requested 932-square feet of the family room/photo studio is 16% and will be below the maximum 25% habitable floor area."

The main comment is that she is going to have clients there, but she's going to adhere to the ordinance Section 14.01. She just wants to clarify that that's going to be within,
inside the memorialization.

CHAIRMAN FUSARO: Yes. That shouldn't be a problem. I believe what we're trying to express, and perhaps Katie our attorney, Ms. Razin, may be able to word it better than we can. But basically, we don't want it to be used as a commercial photography studio.

MR. MASCIALE: We can reference 14.01 in the motion.

CHAIRMAN FUSARO: Whatever 14.01 says, then that's what --

MS. RAZIN: If we reference it in terms of compliance with the ordinance rather than --

MR. SAMMET: Correct.

MS. RAZIN: -- then that would be okay. Right.

MR. SAMMET: The Home Occupation Ordinance by definition allows for you to work from home. It's just you will not violate the provisions contained within Westfield's Home Occupation Ordinance, which is Article 14 of the Land Use Ordinance.

MR. BLASI: Don, is there any way that you can let the Licinis back in?
CHAIRMAN FUSARO: Absolutely.

MR. SAMMET: Yeah. They're in now.

MR. BLASI: I don't --

MS. RAZIN: If you want to share your screen you might be able to see them. That's probably why you're not able to see them.

MR. BLASI: So the question is -- Natalie, I'm going to repeat just to be clear. The 401(sic) that was signed -- the comment -- the affidavit that was signed, the Section 401.01 not having employees but being able to have clients there as a home office, that is what you'll be allowed to do.

MS. LICINI: Yeah. I just wanted to clarify that since I'm a painter, sometimes I paint children. I just want to make sure I'm permitted. I just don't want to -- like you said no commercial use. So for me, if a client hires me to paint their child or photograph their child I just want to make sure that I'm clear.

CHAIRMAN FUSARO: If that's what the Home Office Ordinance says then we're certainly -- we didn't write the ordinance. Whatever the ordinance says.
MS. LICINI: Because I thought we were fine.

MR. SAMMET: Yeah. You'll be fine.

MS. RAZIN: We're going to put it in compliance with the ordinance and we're not going to add in extra language.

MS. LICINI: Other language. Thank you.

MR. LICINI: Just making sure.

MR. BLASI: Thank you, guys. I apologize.

CHAIRMAN FUSARO: Thank you so much. We're good, Don?

MR. SAMMET: Yes, sir.

CHAIRMAN FUSARO: Thank you so much. Your project is approved. Good luck.

MR. LICINI: Thank you all. Thank you very much.

MS. LICINI: Thank you very much.

CHAIRMAN FUSARO: You're welcome.

Thank you. Enjoy.

MR. MASCIALE: Did we take a vote?

CHAIRMAN FUSARO: I thought we did, Mr. Sammet?

MR. REISEN: I think I interrupted
it.

CHAIRMAN FUSARO: All right.

Mr. Sammet, please call the role.

MR. SAMMET: No, it was done.

CHAIRMAN FUSARO: I thought it was done.

MR. SAMMET: Yeah. It was approved unanimously.

MR. MASCIALE: It was. All these questions.

MR. BLASI: Thank you very much.

CHAIRMAN FUSARO: Thank you. Have a good evening. It's 11:00, do we want to get started with this? I don't know if we'll get through it, but let's at least give it a quick start and we'll go as far as we can.

The next application is Michael King, 437 Hillside Avenue. Applicant is seeking approval to construct a two-story addition on the side of the house to add a two-car garage and a connecting breezeway. The proposed addition will have a finished second floor. The existing attached two-car garage will be renovated to be living space. There will be a third-floor addition to add a guest bedroom suite, storage,
and home spa contrary to the following sections of
the Westfield Land Use Ordinance: Section 11.04E6
where minimum side yard setback permitted is
15-feet and proposed is 13-feet-8-inches; Section
11.04E12 where maximum eave height permitted is
22-feet and proposed is 26-foot-2-inches; Section
12.04G1 where maximum all improvements coverage
permitted is 20% and proposed is 41.48%; Section
11.04E13 where maximum zoning side wall length
permitted is 25-feet and proposed is 26-feet;
Section 11.04E8 where number of stories permitted
is 2-and-a-half and proposed is 3.

I know we have Mr. King. I see
Mr. Bailey. I believe Mr. Bailey you've appeared
before us this year; is that correct.

MR. BAILEY: That's correct.
CHAIRMAN FUSARO: Can you please
state your name and address for the record?

MR. BAILEY: Dave Bailey, architect.
The office address is 225 Lenox Avenue, Westfield.

CHAIRMAN FUSARO: Thank you. Please
raise your right hand.

DAVID BAILEY, having been duly
sworn, was examined and testified as follows:

CHAIRMAN FUSARO: We will continue
to recognize you as an expert in the field of architecture. Please proceed.

MR. BAILEY: I guess the Kings will testify later about why they need the addition, but I'll start with the design. I can start first. Let me share my screen. Does the Board see the drawing?

CHAIRMAN FUSARO: Yes.

MR. BAILEY: Starting with the existing plans. These are the existing floor plans on EX-2. On the existing first floor here we have an existing attached two-car garage. We have an existing kitchen here; relatively small kitchen. They have a laundry closet in the kitchen. They have this tiny mudroom and a door to the garage. We have a typical center hall house with a living room and dining room, family room in the back. And then they have on the second floor the master suite here, some kids' rooms. And we have just a storage attic with a relatively low-pitched roof. So what we're proposing to do in the proposed design is to take over the existing garage as living space, open up the kitchen more, and we're going to propose an attached two-car garage addition.
Let me show the elevations existing.

These are the existing elevations. It's a typical 1960s two-story colonial. Front porch across here. That's the existing right elevation.

That's the existing north side and existing south side with the existing attached two-car garage here, and the existing rear of the house here.

And then I'll show some photos. These are the existing photographs on PH-1. This is on the upper left here the existing front elevation.

It's a very large property, almost an acre. A nice circle drive existing here. Again, the front porch. The two-story 1960s colonial house that exists. This is the existing rear and this very deep large backyard here. This is the side facing towards Mountainside, the north side where the addition is not being built. Over here is where the addition will be built. Over on the right-hand corner, this is the existing south side of the existing house and existing two-car garage here and existing mudroom entry.

So on the proposed drawings, we're proposing on the first floor here, this is A-5 proposed first-floor plan. We're proposing where the existing two-car garage was to turn into
living space. So we're taking out the existing laundry room here, the mudroom, opening up the kitchen to be larger and have a nice little area to put a breakfast table, door out to the backyard. And then we're proposing a master mudroom here and a real laundry room here, and then a full bath and a library here with a privacy door here, which also could be used for guests, but it's proposed as a library. So all the existing garage space will become living space. We're proposing this two-story addition on the left here for the two-car garage. So this is the two-car garage with two 9-foot doors. There's an open breezeway that's 8-foot wide that connects the garage to the house. There's a stair in the back here that goes up to the finished second floor. So we proposed the two-car garage that would be just large enough to comfortably fit two cars. It would be 21-foot-8-inches wide clear and 21-foot-3-inches clear deep. So, again, it will comfortably fit two cars, 9-foot doors will fit two cars.

Going up to the proposed second floor. The second floor of the proposed garage addition will be like a half story. Dormers,
sloping roof, sloping ceilings, open stair up to
the finished second floor. This shows the
required side yard setback. So one of the
variances is for 16-inches into a required 15-foot
side yard setback. So on the second floor, you're
running through part of sloping ceilings and attic
spaces. And on the first floor, it's cutting
along the edge of the proposed two-car garage,
we're 16 inches into the setback there. This is
an open breezeway, which if you look at the site
plan, this is open and not enclosed. Again, with
this large property, it's almost an acre, by
having this an open breezeway, you can take a
shortcut through here to get from the front yard
to the backyard, and to get into the house from
the backyard, front yard. If this were enclosed,
you'd have to walk all the way around the garage
to get to the backyard. It's not as convenient.
So to have this look decent as an open breezeway
on the proposed elevations, the reason it's 8-foot
wide.

So again, this is the 8-foot wide
open breezeway. So 8-foot is a good proportion to
have this as open space that, again, you can walk
through as a shortcut. There's a roof here, so
it's attached, and this is an attached addition. But if this were less than 8-foot and open, it would seem like an alley. And the reason we proposed it's open again is to have this nice shortcut. An open breezeway cutting through which, you know, given this style of house -- the center hall colonial with the attached carriage house look -- an open breezeway goes with the style house and there're other open breezeways in this neighborhood. So the proposed two-story addition, again, the second floor is treated more like a half story with a shed dormer front. You've got metal roofs, so it's like a carriage house. Again, it's only 16-inches into the required 15-foot side yard setback and the side elevation. So this is the side of that garage addition. So, again, it's got these two shed dormers front and back, a gable roof with a nice pitch that goes to the style house. We've got some windows facing the neighbor. The rear -- this is the rear of the attached two-car garage addition. Again, it's got windows to the second floor. This is an open breezeway, it's 8-foot wide. So that is the testimony on the garage part.
The third floor, if you remember,
from the existing photographs of the front of the house, the 60s-type colonial with a relatively low-pitched roof. It didn't have a good scale or style or curb appeal. Particularly in a neighborhood like this with large homes. So we're proposing a 10-to-12 pitched roof on the existing part of the house. Of these two wings, taking the roof off building a steeper pitched roof. On the front, facing towards the street, we're proposing three 6-foot wide shed dormers with a metal roof. So you like a two-and-a-half-story center hall colonial look from the street. And on the next elevation, on the rear elevation, we've got the shed dormer across the back to get the headroom and living space on the third floor. This is -- one of the variances required is the eave height. So this is more than the maximum 22-foot eave height. It's going to be about 26-foot-2-inches from the grade. So the way the code is written, you can't be more than 22-feet from the grade to the bottom of the soffit to the eave. We're 26-foot-2, but this shed dormer across the back is the only dormer that needs that variance for eave height.
The ones in the front conform and certainly, the ones on the second floor conform. The back of this house faces into a very deep large backyard. There’re no neighbors behind you that can even see the back of the house. So no neighbor behind is really going to see any of these additions because you've got almost an acre, you've got a lot of screenage(sic), you've got swimming pools, tennis court. Where you would see additions from the street -- and again, this is set way back from the street off of Hillside -- you see what looks more like a half-story look on the front with just three shed dormers. The bigger part, again, is on the back facing a very large property almost an acre.

The side elevations. So the side of that third floor -- this is the side of the shed dormers facing the street, the wide ones, and this is that shed dormer across the back of the house on the third floor. This is the north side of the house. Again, this is the side view of the shed dormers facing the street. This is the big shed dormer across the back. Going to the -- so this is the proposed second floor. So I went over the proposed first floor. So on the second floor, the
only change to the existing second floor is
opening up a staircase to the new third floor.
There're no real changes to the existing rooms on
the existing second floor. That's that separate
room over the garage on the second floor.

And then going up to the third
floor. A-7 is the proposed third floor. Again,
we have the three 6-foot wide shed dormers facing
towards the front towards the street. We've got
the shed dormer across the back here. And the
Kings I'm sure will testify they asked me to put a
Scotch Plains Avenue on the third floor with a
guest room, some storage room, some closet space.
You know, the spa with a sauna and a nice bath
with the jacuzzi. Raising the roof over this part
of the existing house with just the unfinished
attic. So this will be the finished part here.

Going to the site plan. On the site
plan; this is the existing site plan. So on SP-1,
going to 1 on SP-1, the existing site plan. So
currently, there's this circular drive and there's
this big driveway, and then you've got to do the
K-turn into the side facing the two-car garage
here. This is a proposed site plan. So we're
actually cutting away part of the existing
driveway at the proposed garage addition breezeway. So we cut back on some of the paving for the driveway and put in its place the proposed addition. So we're actually decreasing slightly the improvement coverage because we cut off this area leaving here that's within that side yard setback. So we've cut away some paving here and then the proposed addition sits on existing impervious improvement coverage. So we've actually decreased the existing improvement coverage 167-square feet less than existing improvement coverage. So the existing improvement coverage is existing nonconforming. It's over the maximum. The maximum allowed is 20%. Existing is 41.89, we're proposing 41.49. So again, we've actually reduced the existing nonconformance of the improvement coverage by 167-square feet by putting the addition over existing paving, having the front-facing garage so you don't need as big a driveway. They cut off that paving here on the side and landscaping there.

So again, we're only 16-inches into the 15-foot side yard setback. And again with the 8-foot open breezeway that's why the garage crosses over that. And the front grass -- being
that all the neighbors have large properties,
there's a lot of landscaping and buffering between
houses. So the next-door neighbor here on the
left where the proposed addition is going, they're
pretty far away up there higher on the hill.
There're a lot of trees and shrubs. You can see
this rear photo here looking towards where the
addition is going to be or that car is sitting,
that's where that proposed addition is going to
be, again, there's a lot of landscaping there, a
lot of buffering between homes. The rear yard is
very far back on the site plan. So here is where
the proposed additions are. Here's where that
proposed third-floor addition here, this blue
area. And you're very far away to the property
line, and the house behind them is further back
than that.

To get a sense how this house will
still fit into the scale of the neighbors, I had
worked on the house to the right adjacent here.
So along here, this house here, I included in here
one of the elevations. So this is 443 Hillside
Avenue. So I designed this, this 8,000-square
foot house. It's three stories, it's almost
35-feet high. It's got a walk-out basement. And
here for scale, the proposed King house with the third floor and attached garage and breezeway. So you can see, the next adjacent neighbor has a larger house bulk-wise than the Kings. And Jim Watson might testify about other neighbors in the neighborhood, but we're definitely by more in keeping with the scale of the neighbors by having a descent pitched roof proposed and having the dormers. That's the overall roof plan. Shed dormer across the back, the smaller shed dormers across the front, and the carriage house addition there.

So some of the other variances -- moving back to the rest of the variances. There's the sidewall massing variance. We're proposing 26-feet where 25-foot is the maximum. So that's here. So this is 26-feet long, it's a foot longer than the maximum 25-feet. We need a minimum depth for the cars. These are the starts to the second floor, and then that side elevation. Even though the first floor is over 25-feet long, the second floor, because of those dormers and the gable-shaped roof, steps in. So the second floor is more than conforming with that sidewall massing because on the plans, you can see you've got the
dormer towards the front. Step back a few feet
from the left side of the garage and then a shed
dormer across the back which is, again, stepped in
more than 2-feet from the sidewall of the garage.
So we're more than conforming with sidewall
massing on the second floor. It's just the first
floor that we're a foot longer than the 25-feet.
And again, there's a lot of screening and
landscaping along here for the neighbors' view and
then, there're windows so there is some glass that
the neighbors are looking at.

I think I've addressed all the
variances. Have you got any questions?

MR. MASCIALE: Question on the third
story. The only reason it's going from
two-and-a-half to three stories is for the amount
of space that's being added on the third floor?

MR. BAILEY: Yes. The area that's
7-foot or higher is more than a third of the area
of the second floor.

MR. MASCIALE: How much over is it?

MR. BAILEY: The green shaded area
that's 7-foot or higher above the attic floor,
it's going to be 1,172-square feet which is 64.85%
of the second floor. So a third of the second
floor would be 602-square feet. So we wouldn't be allowed without a variance for the 602-square feet because that would be a third of the second floor. We're proposing 1,172-square feet which is 64.86% of the second floor. Again, the massing of this house fits in with the neighborhood. And the Kings can address the purpose of those rooms. But, yes, that is one of the variances we're asking for and that is the story definition; the green shaded area.

The blue shaded area is the FAR living space. So we're discounting the one-third of the second floor. We've added 602-square feet that adds into the FAR calculation, but we don't have an issue with variance for FAR. Go to the survey. The proposed FAR is 12.81% we're allowed 20%. So we're way under on living space. The improvement coverage is existing nonconforming and we've actually reduced 167-square feet. On FAR, we're more than conforming. Building coverage, we're conforming. Maximum building coverage is 10% were proposed 9.58%. You know as far as the building coverage and FAR, we're conforming. The story is because the area that's 7-foot or higher is more than the area of the second floor. Again,
given this neighborhood and the size of the
property, I think it fits in. And then I have a
diagram, a pretty clear scale diagram here.
They're both drawn to the same scale. This the
literally to the right adjacent property, 443
Hillside, and it's a much bigger house with a
pretty large flat roof area. And it also has an
open breezeway attached to an even larger carriage
house. It used to be the artist Harry Devlin's
studio that my clients renovated and fixed up. So
this is an 8,000-square foot house just to the
right, adjacent.

MS. MOLNAR: That's in Mountainside?
MR. BAILEY: Yes. The adjacent
property is in Mountainside.

MR. SONTZ: Mr. Bailey, why can't
you make the breezeway 16-inches smaller and not
have the side yard setback variance?

MR. BAILEY: The 16-inches might not
be so much to make it a cave but it's is a nice
round number. And again, going back to the
elevations, they want the classic breezeway
carriage house look. So being non-enclosed, being
open, at some point, it's going to feel too tight.
So I don't know exactly what inch that will be
where it's going to feel too tight between two buildings. But the 8-foot, I think is a good proportion to be an open breezeway to walk through. But if it's a condition of approval that we take off one of the variances, the Kings might testify they might be fine with that. But during the design phase when I was discussing this with the Kings, they thought 8-foot was a good opening dimension to have as an open breezeway because they don't want to enclose it. They'd like to keep it open as a shortcut for pedestrians to walk to the front yard and back yard and to get into the mudroom.

MR. SONTZ: What is the basis --

(Crosstalk.)

CHAIRMAN FUSARO: Go ahead, Matt.

MR. SONTZ: What is the basis for your belief that the driveway is existing nonconforming? When was the driveway put in?

MR. BAILEY: I'm just going by the existing survey. I don't know when anything was built. But you know given what I'm given, which is existing survey, which Jim Watson drew, so he can testify about that also. But you know this is -- these all-existing conditions, I don't know
when things were put in. This is a 1960s house that had an existing attached two-car garage facing the side, so I could assume there would have been a driveway with this. It looks original, it's like a 1960s style house. And I know from working on some additions and work in the past, that tennis court has been there a long time. Mr. King can testify better about that. But this is the existing site plan and these are the existing numbers that show existing nonconformance. Mr. King might testify markedly on how old things are, but nothing looks brand new back there.

CHAIRMAN FUSARO: Thank you, Mr. Bailey. Some other board members had a question for Mr. Bailey.

MS. MOLNAR: I had two questions. One is probably for Don. Is living space in the attic permitted by the Land Use Ordinance?

MR. SAMMET: Yes. We see that very often. You'll see what was once attic storage space converted to living space. Very often bedrooms and even baths.

MS. MOLNAR: Mr. -- the architect, is it possible to design a usable third floor that
is in compliance with the ordinance?

MR. BAILEY: That is a question for the Kings on how small they'd like to have the third floor. I designed the third floor that they requested. And they were coached on what would need a variance. So as far as what could be smaller, that's more a question for the Kings.

MS. MOLNAR: Also, the pictures. The first floor in the rear of the property, it looks like it's an addition. It's bumped out. The original home didn't have that bump-out. Yeah, that looks like an addition. The house was enlarged.

MR. BAILEY: I don't know how long ago. But the kitchen here, it's looks like it's at least 20 or 30 years old.

MS. MOLNAR: Yeah. My question is: Can that bump out support a second and third story from a practical point of view?

MR. BAILEY: I'm not building over it.

MS. MOLNAR: Oh, you're not building over that; not at all. Okay. Okay. Thank you for clarifying that. Okay. Thank you.

MR. BAILEY: See here's the -- so
here's the existing floor plan. So that part
you're looking at, the one-story, that's this
kitchen/family room area, and then this is the
existing second floor. So the proposed third
floor is being built over the existing second
floor. We're not building back here. So if I go
to the proposed plans you can see that too. You
see there's that one-story area?

MS. MOLNAR: Oh, yes. Thank you.

MR. BAILEY: And then the basement
plan. So I would assume that the original 60s
house probably had this full basement and probably
an attached two-car garage. Someone in the past
may have built these additions or built over crawl
spaces. Maybe the Kings can testify how old they
are. They're definitely not new. They look
pretty dated inside, especially the kitchen.

MS. MOLNAR: Okay. Thank you.

CHAIRMAN FUSARO: Mr. Bailey, thank
you. I see that the entire third floor has a
ceiling height of 8-feet. Not on the improved
area of the bedroom, sauna, bathroom, etcetera.
However, also the unfinished attic and unfinished
attic in the -- I'm sorry -- the finished attic
above the garage is also an 8-foot ceiling. Is
there any way to bring this down? I'm having a very difficult time, you know, trying to approve this application with one, two, three, four, five variances where the permitted coverage is over 100% of what's allowed. 20% versus 41.48, I mean, granted, you're reducing it a minimal amount, but it's still a tremendous amount over what is allowed. In addition -- bear with me here one second -- as Mr. Sontz pointed out, the breezeway at 8-feet, certainly by reducing it to 6-feet or 6-foot-6 would certainly help by eliminating one of those variances right off the bat. Again, we will bring the clients in-in a minute or so and then get some testimony from them. And I apologize, I probably should have had them start off so we could have heard their reasoning behind this relatively large ask.

I'm concerned about the eave height. You had mentioned in your testimony that you kept referencing the dormer across the back at the eave height of 26-feet. However, I'd like to confirm that those three dormers in the front are also at that 26-foot height. That eave height; is that correct?

MR. BAILEY: It's that height, but
I'm sure Don Sammet will me or tell you also, but he's told me in the past when they're small like and when they're less than 50% of the below them he wavers that from counting the eave height. So little dormers like this he doesn't normally count towards eave height. The one across the back is not exempt from eave height, so that is needing a variance. The space in the backyard and it's a very deep yard and there're no near neighbors behind to even see it. But it's my understanding, those little dormers are waived from that eave height.

MR. SAMMET: Yeah. The town has had a long-standing rule of thumb well before I was on staff about how it treats dormers when it comes to what is measured for eave height.

CHAIRMAN FUSARO: So those dormers are exempt even though they're at the same height as --

MR. SAMMET: Right.

CHAIRMAN FUSARO: -- the rear?

MR. SAMMET: Yeah.

CHAIRMAN FUSARO: Okay. Great.

MR. BAILEY: Your question about this attic here over this part. Going to a side
elevation. So I matched when I took the existing roof off these two areas, I did the 10-12 pitch, which is a good pitch for a colonial-style house. So this ridge is quite a bit lower than the one where the third floor is. So going back to that third-floor plan, 8-foot is to the bottom of the ridge. So the 8-foot is to the high point, which is the ridge. And the story definition from the attic floor to the top of the structure, top of the rafter, is this think blue area here. So this is not really usable for living space because the part that you can stand up in is pretty minimal. That's just looking down on the second-floor room of the carriage house. So this is not on the third floor, this attic space here. This is not the same level as here. Going back to the elevations, this is way lower than that. And this is only 8-foot, you know, the high point, and it's a steep pitch to reroof the house. So the steep pitch is to look more like a traditional classical center home than a 60s type house. But this is not living space. It's only 8-foot high at the high point from the attic floor.

CHAIRMAN FUSARO: Something doesn't make sense.
MR. BAILEY: We conform to the maximum heights. So, yes, there are 8-foot ceilings in the proposal, but we're okay with maximum height and conform with that.

CHAIRMAN FUSARO: Okay. While you're on that elevation, okay. To the left, the area -- I'm talking about the garage building now -- you have your first floor, which is the garage; you have your second floor, which is finished attic space with a stair leading up to that, and then you have a third floor.

MR. BAILEY: No. The way that plan was cut, this is -- there is no attic really above this because you go back to side elevation.

CHAIRMAN FUSARO: Because I'm looking at your third-floor plan on A-7.

MR. BAILEY: Well, it's kind of misleading because here on the side elevation -- so here's that ceiling of that second floor of the carriage house, so you know, it's only like a 3-foot attic. So, yes, it's an attic, maybe 3-foot maximum. Not like this one here which was 8-foot underneath the ridge beam. This unfinished area here was 8-foot to the high point. And this is over the main part of the house where you have
an 8-foot ceiling here in the finished part and
then a little bit of like a 3- or 4-foot attic
above that, but not an attic you would walk up in.
And the same here, this whatever attic there is
over this flat ceiling of the second floor of the
carriage house is nothing you can walk into.

CHAIRMAN FUSARO: The reason I
brought it up is A-5 shows a two-car garage,
proposed first-floor plan; A-6 proposed
second-floor plan shows finished attic, ceiling
8-feet, and page A-7 says proposed third-floor
plan and it also says above the garage, finished
attic.

MR. BAILEY: I kind of cut through
the ridge there, but it's another attic. You're
looking down into the finished attic. So it's
like, you know, you cut away part of the ridge
because just where the plan section was taken,
it's looking down into that room on the second
floor. So, yeah, it probably should have just
been a solid roof.

CHAIRMAN FUSARO: Thank you. No
problem. That's fine. Thank you so much.

MR. BAILEY: It's not a walk-up
attic over here. It's really just a two-story
addition. In fact, the height of that is only 21-foot-10. So you're not going to get three stories on 21-foot-10.

CHAIRMAN FUSARO: Correct. Great.

Thank you. Unless anyone else has any questions for Mr. Bailey at this point I'd like to bring in the applicants so we can hear some of their justification.

MR. SONTZ: Mr. Chairman, if I may, we kind of broke our own rule of not starting an application after 11:00, and then you mentioned, we'll, we'll get a quick start. It's already past 11:30, I don't think we should start any more witnesses today. I think we should adjourn.

CHAIRMAN FUSARO: Okay. Chris, what do you think?

MR. MASCIALE: Did you ask the public about Mr. Bailey? And then maybe we should pack it in.

CHAIRMAN FUSARO: Okay. Mr. Bailey, let's see if there's any -- and thanks, Matt, for bringing that to my attention. I just wanted to try to hear from the applicants. We'll certainly hear from them as we continue. Is there anyone from the audience -- and if you are out there, I
appreciate you staying with us at this late hour
-- is there anyone from the audience that has any
questions for the architect, Mr. Bailey, please
raise your hand at this point virtually and Mr.
Sammet will allow you in.

MR. SAMMET: Anyone with questions
of Mr. Bailey? There's no one, Mr. Chairman.

CHAIRMAN FUSARO: Thank you,

Mr. Sammet.

MR. MASCIALE: Why don't you swear
the applicants in and just get a quick statement
Frank, and then we can adjourn?

CHAIRMAN FUSARO: Yeah. If you
don't mind, Matt, I'd just like to hear maybe five
minutes of what they have to say, and then we'll
cap it at that. Are the applicants available? If
you can stop sharing your screen, Mr. Bailey,
perhaps we'll be able to see them there. There we
go. Thank you so much. Mr. Kind, can you unmute
yourself?

MS. MOLNAR: He went to sleep.

MS. RAZIN: He also needs to come
onto the screen. Mr. King, you also need to be
visible when we swear you in.

MR. KING: Okay. How's this?
MS. RAZIN: Thank you.

CHAIRMAN FUSARO: There you go. We can see you and hear you, Mr. King. Thank you. Can you please state your name and address for the record?

MR. KING: Mike King, 437 Hillside Avenue, Westfield.

CHAIRMAN FUSARO: Thank you. Please raise your right hand.

MICHAEL KING, having been duly sworn, was examined and testified as follows:

CHAIRMAN FUSARO: Thank you, Mr. King. It's a late hour, thank you for hanging in there with us. If you could please just give us a brief overview of your project, your input as to what you've heard so far, and then we will continue the application at our next meeting since we are approaching 11:40 in the evening.

MR. KING: Sure. Well, thank you. I can't believe you all are still here. Thank you. Well, I guess I'll try to keep it very brief. This started with something very practical. We never had a laundry room. My wife -- we've been here 20 years; my wife has always wanted to have a laundry room. We've got a washer
and dryer in a closet in the kitchen. And then we thought, well, maybe we can convert the garage, and we went down that path. And I don't really have a place to work here. I'd like a study, and I could use one. So we thought, well, we can put that in what's now a garage. So then we started thinking along the lines of, well, if we do this, how are we going to do this in a way that it fits in our neighborhood. I guess Mr. Watson will tell you that our house is the smallest house around here. Our square footage is about 4,000-square feet. Across the street and right next to us on one side is more than 50% larger than that, and then on the other side, it's twice as large as ours. At the same time, we have among the largest properties on our street. In any case, we wanted to do it in a way that it would enhance the curb appeal of our house and make it better.

As I said, we've lived here about 20 years. We've never done anything substantial to the house. But we came to this point and thought we want to live here for a good number more years and maybe we should do it now. And so, that is how the detached garage idea was hatched. And, you know, again, it was to give us the space that
we wanted to get the garage out of our house because, right now, the garage is right next to our kitchen and dining room. I mean it's in the house and our bedroom is sitting on top of it, and we didn't think that was ideal. And David showed us a way to do it where it would fit in our neighborhood, the way, the look of the other houses in our neighborhood, and give our house a scale from the street that's more comparable to what you would see if you walked down our street.

And then, again, these started out as very practical considerations. The attic -- we have an attic. We can get to it, but we have to go up and down a ladder. And if you do get up there with a box then, well, you better be careful because you're probably going to bump your head. And we're not young anymore and it's not easy to go up and down that ladder. So we thought, well, what would we do up there, and if we do it, how would we do it in a way that made our house better within the context of our neighbors and within you know something that would give us what we wanted but also fit in better in our neighborhood. And so, David helped us with that. And David said we (technical interference) you know, he said we've
got a spa, and that's kind of flattering to me,  
but it's not -- I mean we do want to have a sauna  
up there. And again, it gets back to a very  
practical thing. I know this is on the public  
record but I've got really high blood pressure and  
getting in that sauna every day, which now I have  
to go somewhere to do that -- but it keeps me from  
having to take as much medicine as I would have  
to. And so, we want to have it and have a bedroom  
up there.

You might have figured out that I  
didn't grow up around here. We don't have family  
up here, but we have big families and they come to  
visit us, and we want to have you know space to  
put them up when they come to visit us, which they  
do. And so when we started looking at how do we  
deal with the attic and having stairs to go up to  
the attic and be able to use it in a way we would  
like to use it. David helped us with that.  
Again, not just so could get what we wanted out of  
it but to make it fit in with the houses around  
us. And the houses around us; they have steep  
roofs. Our roof is low. It is noticeably -- the  
pitch of our roof is noticeably lower than the  
other roofs and we know that. And we know that
other people have finished space up there, but we really -- practically we can't do much up there without having a higher-pitched roof is what it comes down to. And if you're going to have stairs to go up there and finish the space, well, you want to have light come in there. And so that's where the dormers come in. I guess that's about all I would say.

The only other thing I would say is that David, I didn't know we were reducing our impervious space. I'm glad to hear that. But I knew that we weren't going to make it larger. You know we've got a tennis court back there and I guess you all would consider that impervious. But the reality is that it's the opposite of impervious. It's a clay court and it, in fact, it's like all-natural material and it's layer after layer of progressively larger stones going down about 3-feet. And it's basically a drainage system that you can play a sport on top of it. And that's just the reality.

And we -- the other thing that was important to us was the environment around our house. If you came here you'd see in the spring it's like a combination of a bird sanctuary and an
arboretum. I mean we have probably 100 different species of plants, many dozens of trees; hardwoods, fruit trees, evergreen. And we spend quite a lot of time keeping it like that. Even the tennis court fence, we've turned into a garden of flowering vines. It's got hydrangeas, wisterias, honeysuckle, two varieties of grapevines that produce growing on it. And so it's important to keep our property looking very natural. And we want to do something that makes it the way we want it to be for us to live in the rest of the time we live here, but also in a way that the neighbors would appreciate. And we've talked to our neighbor, our next-door neighbors, and I can promise you that they'll be delighted that we would do something to our house. We've waited 20 years and we'll be the last ones around here to do anything to this house if you all -- and I want to do things to our house if you let us. Our neighbors, they've already done their improvements and we'd like to step up if we have the chance. That's all.

CHAIRMAN FUSARO: Thank you, Mr. King. I've got to tell you; we hear a lot of stories and a lot of testimony here, but I've
never heard anyone say that we started out with
adding and we wanted a laundry room in our house
and now we have five variances to build that
laundry room. That's a new one.

(Laughter.)

MR. KING: Well, I hope I have your
sympathy. It's like pulling a thread on a
sweater, and I just kept pulling it and pretty
soon, there's won't be a sweater.

CHAIRMAN FUSARO: I've got to tell
you, it would be a lot cheaper to buy a washing
machine/dryer and put it in a closet.

MR. KING: I'll just go to the
Laundromat.

CHAIRMAN FUSARO: Thank you very
much for your time. We'll continue the
application. You will be first up I believe at
our meeting in April. I believe it's April 11,
and it will be in person.

MR. KING: By the way, if you could
push me until May just because I'll be in
California on April 11.

CHAIRMAN FUSARO: That would be
fine.

MR. KING: I'm not in any kind of --
it's not anything urgent for me. Would that be okay if I attended in May?

MR. SAMMET: Yeah.

MS. RAZIN: Absolutely. Our May meeting is --

MR. SAMMET: I'm looking it up now.

CHAIRMAN FUSARO: The 9th. May the 9th.

MS. RAZIN: Mr. King, your application will be carried without notice to May 9, as of now.

MR. KING: Okay. May 9 at 7:30, I'll be there.

CHAIRMAN FUSARO: In person.

MS. RAZIN: In person.

MR. KING: Yes, I'll be there in-person.

CHAIRMAN FUSARO: Thank you so much. Mr. Watson, thank you. We'll see you next time.

MS. HROBLAK: Before we adjourn, I have a question.

CHAIRMAN FUSARO: Yes, Allyson. Go ahead.

MS. HROBLAK: The applicant had mentioned the clay courts have some sort of
CHAIRMAN FUSARO: Drainage system, yes.

MS. HROBLAK: Yes. And I'm wondering if anybody can collect that information. It may be on some old design plans.

CHAIRMAN FUSARO: Yeah. Perhaps Mr. Watson can elaborate.

MS. HROBLAK: Perhaps even available by doing a shallow hand-done test pit to see what the profile below the clay court.

MR. KING: Certainly. I think I have something on it from when it was built. It's been there let's say -- it's been there at least 20 years.

MS. HROBLAK: If you have design plans from that, that would be perfect.

MR. KING: I'm sorry -- 20 -- I've been here 20. It's been there at least 40 years, and I think maybe 50 or 60. The people who owned this house, and Bill Smith who lives a couple doors down, they had tennis courts put in at the same time, and I think that was 40 or 50 years ago. And I think I might have some paperwork on it to show you.
MS. HROBLAK: That would be great if you could get that to us.

CHAIRMAN FUSARO: If you could bring that, that would be great.

MR. KING: Certainly.

CHAIRMAN FUSARO: Thank you so much.

Have a great evening.

MR. MASCIALE: I'll make a motion to adjourn.

MR. REISEN: I second it.

CHAIRMAN FUSARO: Everyone in favor, aye.

BOARD MEMBERS: Aye.

MR. SAMMET: Can you hold on a second, Frank?

CHAIRMAN FUSARO: Yes, Don.

MR. SAMMET: Mr. Laczynski has already written to the mayor expressing his displeasure. So the mayor wrote to you and I, Frank.

CHAIRMAN FUSARO: Okay. No problem. Last time I checked, the council meetings ended way before. But I will address it tomorrow. I'll give you a call in the morning. Is that okay?

(Crosstalk.)
MR. SAMMET: I'm sorry, Frank.

CHAIRMAN FUSARO: I'll give you a call in the morning, and then if need be, we'll get on a conference call with Shelley.

MR. SAMMET: Yeah, if you want.

MS. MOLNAR: We can't do hybrid though; right?

MR. SAMMET: Yeah. The gentleman is upset that we don't have that option, number one. And number two, that the meeting is the week of spring break. He's very upset.

MS. HROBLAK: Does he have to be at the meeting?

MR. SAMMET: Yes.

MR. MASCIALE: Does he know we had a meeting on Valentine's Day?

CHAIRMAN FUSARO: Yeah, exactly. My wife expressed displeasure with that. It was my anniversary in my head.

MR. MASCIALE: The only meetings --

MR. SAMMET: Hold on. Hold on.

Hold on.

MR. MASCIALE: We're still recording.

MR. SAMMET: Yeah. We're still
live.

MS. RAZIN: Right. I was going to say --

MR. SAMMET: We're still live.

Yeah.

MS. RAZIN: Do you want to discuss it offline? I don't know.

MR. SAMMET: Right. We'll discuss it offline.

MS. RAZIN: If you need me for any part of it, you let me know.

MS. HROBLAK: It's 11:51 now.

CHAIRMAN FUSARO: Thank you so much, everyone. Have a great evening. Safe travel home for everyone who is at their office.

(The meeting was adjourned at 11:51 p.m.)