

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
MEETING
January 19, 2012**

The West Orange Zoning Board of Adjustment held a regular meeting on January 19, 2012 at 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Vice Chairwoman Gabry called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and posted on the Township Bulletin Board on November 29, 2011 in accordance with the "Open Public Meetings Act."

Vice Chairwoman Gabry asked everyone to stand for the Pledge of Allegiance

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

PRESENT: Bruce Buechler, Gregory Bullock, Deborah Gabry,
Bart Quentzel, Eric Sacks, Mark Sussman, William Steinhart,
Alice Weiss

ABSENT: Phil Neuer (excused absence)

ALSO PRESENT: Susan Borg, A.I.C.P., P.P., A.I.A.
Harvey Grossman, Public Advocate
Board Attorney: Alice Beirne, Esq.
Board Secretary, Rose DeSena

ANNOUNCEMENTS

Future Meetings: February 16, 2012 (Regular Meeting) - 8:00 PM
March 15, 2012 (Regular Meeting) – 8:00 PM
April 19, 2012 (Regular Meeting) – 8:00 PM
May 17, 2012 (Regular Meeting) – 8:00 PM

MINUTES

Adopt Minutes: December 8, 2011

Mr. Buechler made a motion to adopt; Mr. Bullock seconded

All were in favor

SWEARING IN

Township Professional, Planning Director Susan Borg was sworn under oath.

APPLICATION(S)

1. ZB-11-15/GigaBeam

CARRIED FROM 11/17/11

Block: 84.01; Lot: 22; Zone: B-2

“D” variance for use to place two (2) six foot dish antennas on an existing tower and necessary equipment to be cabinet mounted on H-frame at ground level

DISCUSSION

Vice Chairwoman Gabry asked if anyone was present from Giga Beam and noted, for the record, that no one was present.

Mr. Buechler stated that a letter was sent to Susan Borg from the applicant’s attorney, James Pryor, notifying the Board that Giga Beam had filed for bankruptcy. He stated that Giga Beam filed for Chapter 11 in 2009 and Chapter 7 in 2011.

Mr. Buechler made a recommendation that the Board deny the application without prejudice and stated that the applicant could always come back in the future and re-apply.

Vice Chairwoman Gabry asked if anyone on the Board had any comments; seeing none she asked for a motion to deny without prejudice.

Mr. Buechler made the motion and Mr. Steinhart seconded.

The vote was as follows:

Bullock:	Yes	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Chairman Neuer:	-	Weiss:	Yes
Quentzel:	Yes	Buechler:	Yes
Sacks:	-		

2. ZB-11-22/Ali

Block: 120.02; Lot: 33 & 34; Zone: R-T

94 Watchung Avenue

Seeking “C” variance to rebuild a garage

DISCUSSION

Mr. Shyam Ali, approached the podium and stated that his contractor, who was vinyl siding his house, informed him that the garage was swaying and was structurally un-sound. He stated that he immediately had it taken down, for safety reasons, and had it re-built.

Mr. Ali then stated that he called the Building Department and explained what happened and was told that he must appear before the Zoning Board.

Mr. Buechler asked if the new garage was the same height as the old garage and if it was built exactly where the old garage was and Mr. Ali replied yes.

Mr. Buechler asked if the garage was a foot or so from his property line when he bought the home and Mr. Ali stated that it was.

Vice Chairwoman Gabry asked if there were any more questions from the Board or if they had any comments.

Mr. Sussman asked Mr. Ali if the garage was built on the same foundation as the old garage; Mr. Ali replied yes.

Mr. Sussman stated that this was a very straight forward application and he had no problem with it and made a motion to approve.

Mr. Steinhart seconded.

The vote was as follows:

Bullock:	Yes	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Chairman Neuer:	-	Weiss:	Yes
Quentzel:	Yes	Buechler:	Yes
Sacks:	-		

3. ZB-11-21/Blenden

Block: 174; Lot: 25; Zone: R-5

26 Lakeview Avenue

Seeking "C" variance for impervious lot coverage for an addition and replacing existing deck with a smaller deck

EXHIBITS

A-1 Photos

A-2 Architectural Plans

DISCUSSION

Mr. Buechler stated that he knew the applicant socially and asked the applicant, public and Board if anyone felt that he should recuse himself. The applicant's attorney said no as did the Board's attorney.

Mr. Robert Williams, attorney for the applicant, approached the podium. He stated that his client was here to testify, along with his architect, as to what they are proposing to do.

Mr. Richard Blenden approached the podium and was sworn under oath. Mr. Blenden stated that he wants to make his kitchen larger and that his architect will explain exactly what they will be doing.

Vice Chairwoman Gabry asked the Board if they had any questions for Mr. Blenden. There were none.

Mr. Frank Matthews approached the podium and was sworn under oath. He stated that he was a licensed architect in the State of New Jersey and has appeared many times before Boards to testify. Vice Chairwoman Gabry accepted his qualifications as an expert in architecture.

Mr. Matthews presented photos and architectural plans and Vice Chairwoman Gabry asked to have them entered as Exhibit A-1 and A-2. Mr. Matthews described the new design of the kitchen and stated that the new addition will be on the same foot print of the existing deck and located behind the existing kitchen. He also noted on the plans where a part of the deck will remain with a storage area below it. Mr. Quentzel asked if any mechanicals will be stored in that area. Mr. Matthews stated that there will only be pool supplies; no mechanicals.

Mr. Buechler asked where the new patio addition would be and Mr. Matthews pointed it out on the plans. He also stated that there will be no side yard infringement with this addition.

Mr. Matthews went on to explain that they will be using the same materials as the existing house.

Mr. Bullock asked if the existing back door, shown in the photos, comes off of the kitchen or family room. Mr. Matthews stated that it will come off of the kitchen.

Vice Chairwoman Gabry asked if there were any questions or comments.

Ms. Weiss stated that she feels it's suitable and made a motion to approve. Mr. Quentzel seconded.

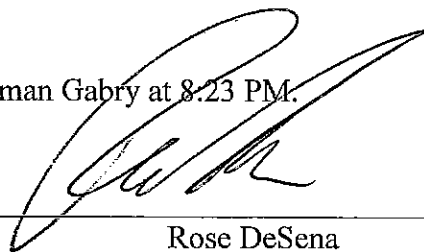
Vote was as follows:

Bullock:	Yes	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Chairman Neuer:	-	Weiss:	Yes
Quentzel:	Yes	Buechler:	Yes
Sacks:	-		

ADJOURNMENT

The meeting was adjourned by Vice Chairwoman Gabry at 8:23 PM.

January 19, 2012


Rose DeSena
Zoning Board Secretary

2/17/12