

**BOROUGH OF NEW PROVIDENCE
BOARD OF ADJUSTMENT
MEETING MINUTES – MONDAY, MARCH 5, 2018 – 8:00 p.m.**

Present: Ms. Ananthakrishnan, Mr. DeSarno, Mr. Grob, Mr. Karr, Mr. Morgan, Mr. Nadelberg, Mr. Ping, Mr. Sorochen, Mr. Phil Morin, Board Attorney, and Margaret Koontz, Secretary.

Absent: Mr. Ammitzboll

Also Present: Elena Gable, Borough Planner, and Keith Lynch, Director of Planning and Development; and, Michael O’Krepky, Borough Engineer.

A. CALL TO ORDER

Chairman Nadelberg called the meeting to order at 8:01 p.m. This meeting was held in the Council Conference Room. The meeting was not recorded.

B. RESOLUTIONS

Edward Nasto Application #2018-01
15 Verona Road, Block 277, Lot 6, R-2 Zone, New Providence, NJ 07974
Chapter 310, Article IV, Section 310-11E for permission to construct an addition. The property does not have a garage and a one-car garage is required. The existing front-yard setback is 39.9 feet. The existing side yard is 9 feet.

Mr. Grob moved this and Mr. Morgan seconded same. Members voting in favor: Mr. DeSarno, Mr. Grob, Mr. Karr, Mr. Morgan, Mr. Ping and Mr. Nadelberg.

MAJ Realty Inc. Application #2017-27
20 Marion Avenue, Block 237, Lot 6.01, R-3 Zone, New Providence, NJ 07974
Chapter 310, Article IV, Section 310-10, Schedule II and Article V, Section 310-20(2) for permission to construct a new two-family home. The proposed lot area is 8,967 square feet whereas 10,000 square feet is the minimum required. The proposed rear-yard setback to the house is 30.17 feet and 25 feet to the deck whereas 40 feet is the minimum required. The proposed front-yard setback is 20 feet whereas 30 feet is the minimum required. The proposed side-yard setback on the right is 15.78 feet whereas 18 feet is the minimum required. The proposed driveway curb cut is 22 feet whereas 16 feet is the maximum allowed.

Members eligible to vote in favor to deny: Mr. Ammitzboll, Mr. Grob, Mr. Karr, Mr. Ping, Ms. Ananthakrishnan and Mr. Nadelberg.

This resolution will be memorialized at the March 19, 2018, meeting.

C. PUBLIC HEARINGS SCHEDULED FOR MARCH 5, 2018

Anthony V. Tramonta Application #2017-39
130 Livingston Avenue, Block 141, Lot 1, R-2 Zone, New Providence, NJ 07974

Chapter 310, Article V, Section 310-20 (2) for permission to keep a driveway. The property contains two driveway curb cuts whereas only one curb cut is permitted.

Anthony Tramonta was sworn in and testified that he came before the Board in 2015 for an addition because he and his wife needed more space for their growing family and they love New Providence didn't want to move. The addition included a two-car garage that fronts Livingston Avenue. Mr. Tramontana didn't remove the original driveway on Third Street following completion of the construction as required as a condition of approval of the addition. Since the addition was finished, Mr. Tramontana has realized many concerns with backing out onto Livingston Avenue including a large tree at the end of the driveway that creates a blind spot; at least nine ingress/egress points on Livingston Avenue from which vehicles may present; motorists traveling at excessive speeds on the street; landscape trucks parked on the street that impede visibility; and, emergency services traffic as well as skateboarders and bicyclists. His wife is afraid to back out onto Livingston Avenue. It's also difficult for his father to park in the driveway on Livingston Avenue and enter the house through the garage because of the stairs. His mother's vision is not that great to back out onto Livingston Avenue at night. Because of these safety concerns for his wife and family, he would like to keep the driveway on Third Street.

Mr. Tramonta responded to questions from the Board. The attached garage on Livingston Avenue is new but he can't turn around in the driveway and drive out onto Livingston Avenue. It is a double driveway that narrows to a single curb cut. Mr. Tramontana stated that in hindsight he would have proposed a different configuration for the addition and would have put the garage on the other side of the house facing Third Street. Mr. DeSarno asked if he would be willing to reduce the width of the driveway on Third Street, which is two cars wide, to the width of one car. Mr. Tramonta responded that he would if he had to but he would prefer not to do this. Mr. Tramontana keeps his car in the garage but his wife won't back out onto Livingston Avenue and she parks in the Third Street driveway. Mr. Tramontana re-iterated that it is a dangerous street: No one drives the speed limit of 25 miles per hour. The Board recommended contacting the Police Department about the speeding.

Mr. Karr visited the site and measured the driveway on Third Street at 25'. This driveway can support six cars and while the applicant may not park that many vehicles there, a future homeowner might. When the Board approved the variances for the addition, the applicant agreed to remove the driveway on Third Street and he would like the applicant to honor the condition of approval and remove the driveway. Mr. Karr suggested a variance to widen the driveway on Livingston Avenue so the applicant can make a K turn and drive out onto Livingston Avenue. Mr. Tramontana hasn't had anyone look at changing the driveway for a turnaround but there is a slope on the side so there isn't much that can be done. He added that the house across the street has two driveways so two driveways are not unprecedented in the neighborhood. Mr. Nadelberg had the same concern as Mr. Karr about allowing the driveway to remain as Mr. Tramontana agreed to remove the driveway at the hearing for the addition, and the Board may not have approved the application if the Third Street driveway were going to stay. He also noted that Livingston Avenue is a straight street and the tree was at the driveway when the addition was proposed.

Mr. Tramontana answered additional questions from the Board. He will be getting rid of the Mercedes parked in the driveway. His car is parked in the garage and his wife's car

is parked on Third Street. They could park on the street on Third Street but the neighbor gets upset. Mr. Lynch noted that if the variance is granted to keep the driveway, it would set a precedent and the neighbor to the right could come in with a similar request for a second driveway. Mr. Tramontana stated that he could remove the tree but believes this would be a terrible remedy and asked if the Board would consider approving the variance with the condition that the driveway be removed when the house is sold. Mr. Lynch noted that the applicant could put a bump-out in the driveway by the house. Mr. Tramontana said he could draft a plan for a bump-out but he doesn't believe this would look nice. Mr. Nadelberg suggested installing grass pavers for the bump-out to minimize the impact. Mr. Grob asked additional questions about creating an area for a K turn. Mr. Tramontana responded that the side-yard setback is only 12.8' and the elevation drops off. He doesn't think it's practical for the Board to ask them to make a K turn in their driveway because they plan to live there for the next 50 years. Ms. Ananthakrishnan noted that visitors can park on Livingston Avenue or Third Street to avoid pulling out of the driveway.

The Board had no further questions for the witness. The hearing was opened to questions from the public.

Shawn Seip, 117 Livingston Avenue, lives diagonally across the street and has the same points of ingress and egress to consider when backing out onto Livingston Avenue and asked the applicant if he considered backing into the driveway so he could pull out on to Livingston Avenue. She also noted that the tree was there when he built the addition and asked if he hadn't considered that when proposing the addition. She also asked if a commercial vehicle can be parked on the property. Mr. Tramontana responded that his wife would never back into the driveway and when they proposed the addition, they had no experience pulling in and out from Livingston Avenue. Mr. Lynch stated that one commercial vehicle with single rear wheels is allowed to be parked in a driveway in a residential area.

No further witnesses appeared to testify and the hearing was opened to comments from the public.

Shawn Seip, 117 Livingston Avenue, was sworn in and stated that Livingston Avenue is wide enough to back out even when cars are in the road. She's never had an issue with bicycles or skateboards and hasn't heard of any complaints about speeding. She has almost the same number of points of ingress/egress as the applicant to consider when backing out of her driveway. The large tree is 6' back on the property line. The landscape trucks park on Livingston Avenue all the time and she deals with this. She's concerned that two driveways could result in the parking of commercial vehicles and that it could also result in overcrowding in the driveway which has happened elsewhere in the neighborhood. The homeowner could use the spaces in the driveway to flip cars. In addition, if the driveway is allowed, others may want one. Parking for six cars in the Sixth Street driveway, five in the Livingston Avenue driveway and two in the garage will attract a certain type of buyer or someone with an RV or boat.

Mr. Tramontana responded that he is not flipping cars.

There were no further comments from the public and the hearing was closed.

Discussion: Mr. Karr was opposed to granting the variance for the driveway as stated

during the hearing. Mr. Ping agreed. The tree is off of the road plus there is a shoulder on Livingston Avenue. Mr. Grob was initially inclined to permit reduction of the size of the driveway on Third Street but is now inclined to require the applicant to remove it and for the applicant to figure out a way to do a K turn in the Livingston Avenue driveway. Mr. DeSarno was hoping for a compromise but this doesn't appear to be possible.

Mr. Ping moved to deny the application. Mr. Karr seconded the motion to deny. A resolution will be passed at the next meeting. Members voting in favor: Mr. DeSarno, Mr. Grob, Mr. Karr, Mr. Morgan, Mr. Ping and Mr. Nadelberg. Ms. Ananthakrishnan abstained. Those opposed: None.

123 South Street Realty, LLC
123 & 125 South Street, Block 171, Lots 28 & 30, OR Zone, New Providence, NJ 07974
Application #2017-33
Preliminary and final site plan approval and variance relief for floor area ratio, number of stories, size of buffer areas and setback to parking area for four single-family townhomes.

Mr. Ping was absent from the hearing on December 4, 2017, but listened to the recording and was eligible to vote. The hearing on February 5, 2018, was carried. No testimony was given on February 5th.

James Webber, Dempsey, Dempsey & Sheehan, attorney for the applicant described the lot and existing conditions and summarized the application to raze the two existing two-family dwellings and construct four townhomes. A rendering of the Landscape & Lighting Plan, Sheet 6 of 9, revised January 15, 2018, was marked as Exhibit A-13. The Landscape & Lighting plan was colorized to show the existing dwellings (blue), existing concrete walk (yellow) and proposed townhomes (gray) was marked as Exhibit A-13. A rendering of the Landscape & Lighting Plan, Sheet 6 of 9, revised January 15, 2018, was marked as Exhibit A-8. Referring to the exhibit, Mr. Webber described the revisions to the plans made as a result of the Board's and neighbor's comments at the hearing on December 4, 2017. The structure has been moved forward 5' toward South Street but it still conforms to the setback requirement. This increases the area at the rear of the property from 2' to 7' for the storage of snow and also provides more room for landscaping between the site and the property to the west. The height of the townhomes has been reduced to 32.8'. The application now requires a 'c' variance rather than a 'd' variance for the height of the townhomes.

An aerial view of the site and surrounding structures showing the building heights of Our Lady of Peace Church, the proposed townhomes, Beyond Delicious (formerly the Corner Café and frequently referred to as such during the hearing) at 133 South Street (Lot 29), the residential dwelling on Westview Avenue (Lot 31) and the office building at 139 South Street (Lot 38) was marked as Exhibit A-10. Only one of the buildings shown on the exhibit, Beyond Delicious (Lot 29), at 26.7' conforms to the height ordinance.

A photo simulation of the townhomes from the perspective of South Street was marked as Exhibit A-11. The photograph of the existing conditions used as the basis for the photo simulation (Exhibit A-11) was marked as Exhibit A-9. A color rendering of the Proposed South Gable Townhomes was marked as Exhibit A-12.

Mr. Webber summarized the changes. The mean height has been reduced to 32.8'. The height to the ridge, previously 41', is now 36' – 2¼". The 'd' variance for the height has been eliminated. A 'd' variance, however, is still required for Floor Area Ratio (FAR). The townhomes have been moved forward to provide more space at the rear of the lot and additional architectural details have been added to the structures.

Mr. Webber responded to questions from the Board. The townhomes require a garage but it isn't possible to dig below for the garages. He does not know of any other three-story townhomes in town. The townhomes at Riverbend on Marion Avenue have a finished attic. Mr. Webber commented that 10% of the FAR is for the 160 SF garages. The applicant still agrees with the items discussed at the hearing on December 4, 2017, regarding the number of light poles, underground utilities, landscaping around the compressors, tree protection and preservation of the tree in front.

Andrew Zecca, developer of the property previously sworn in on December 4, 2017, re-appeared before the Board. The following exhibits were marked:

- Exhibit A-14 - Photograph of two-family home constructed by Mr. Zecca
- Exhibit A-15 - Photograph of two-family home constructed by Mr. Zecca
- Exhibit A-16 - Photograph of single-family home constructed by Mr. Zecca
- Exhibit A-17 - Photograph of single-family home constructed by Mr. Zecca

All of the houses shown in Exhibits A-14 to 17 are located in Summit, NJ. The gables on the proposed townhomes will be differentiated by the siding below to break up the façade. The siding will be Hardie Plank. A series of seven photographs of the existing structures on Lots 28 and 30 was marked at Exhibit A-18.

The Board had no further questions for Mr. Webber. The hearing was opened to questions from the public.

There were no questions from the public.

William Hollows, Murphy & Hollows Associates LLC, previously sworn in on December 4, 2017, was recalled and described the changes on the revised site plan dated January 15, 2018. The zoning table on Sheet 1 of 9, has been revised for the height of the building. The building as shown on Sheet 3 of 6 has been moved closer to South Street to increase the area at the rear of the lot to 7.6'. The air conditioning condensers have been added to the plan. The distance from the western most parking space to the rear property line has been increased to 11.8'. A new stockade fence is proposed along the western perimeter. The fence along the southern perimeter will be repaired and a new stockade fence will be installed in the area that juts out on the southern perimeter. The Board asked about board-on-board fencing rather than stockade. The applicant chose stockade because that's what is on the site now. Some of the storm drains, Sheet 4 of 9, had to be moved when the building was moved forward. There is no percolation on the site so dry wells do not work. Water collected from the roof leaders will be directed to a pipe that runs around the building and under the driveway down to the street. The rest of the water on the site will go into the groundwater. The profiles on Sheet 5 of 9 have been changed slightly. The landscaping shown on Sheet 6 of 9 (also Exhibit A-8) is similar to that previously presented but additional shade trees are proposed. The applicant has received permission from Our Lady of Peace Church to plant evergreens along the driveway in two groups of three. Two lantern lights on 12' poles are located

along the driveway and will be lighted from dusk until dawn. Light spillage from the light on the western end of the property will be controlled with a house-side cutoff. In addition, the stockade fence will reduce light spillage. Mr. Grob suggested more upright plants on the western end of the property as the 6' fence will not shield light on a 12' pole. The applicant received County approval for the curbing, sidewalk and driveway apron.

Mr. Hollows reviewed the Borough Engineer's comment letter dated February 1, 2018. Some of the comments have been addressed. Mr. Hollows agreed to the comments and will replace the proposed yews with taller evergreens to address the light spillage in #13 of the comment letter. Mr. Hollows then reviewed the Borough Engineer's comment letter dated February 26, 2018. Again, many of the items in the letter have been addressed. Mr. Hollows agreed with the other comments with the exception of paragraph 14 regarding the depressed curb detail for the driveway. South Street is a county road and the County has approved the curbing, sidewalk and driveway apron as previously testified. Tree protection will be added to the plan for the oak tree on South Street. There is no generator proposed. The utility may want a transformer, but the applicant will not know this until construction begins and is willing to screen it if it's required. The AC compressors will be screened with landscaping. A fire suppression sprinkler system as requested in paragraph 21 is not required by code. Mr. Lynch noted that Foley Square and Riverbend are sprinklered. Mr. Grob encouraged the applicant to consider a fire suppression sprinkler system as it's a difficult site.

Mr. Hollows was the civil engineer for Foley Square where some of the units are two stories on one side and three stories on the back where the garages are located underneath. Mr. Lynch stated that these are clearly basements as half of the space is underground so the units are 2.5 stories not three stories as proposed for the townhomes. The following exhibits were marked:

- Exhibit A-19 - Photograph of the rear of the units in Foley Square facing South Street closest to the railroad tracks as viewed from Westerly Avenue
- Exhibit A-20 - Photograph of the rear/side of Building C at Foley Square which faces the railroad station for which a height variance was require, and
- Exhibit A-21 - Photograph of the units at Foley Square on Westerly Avenue showing the retaining wall where the grade was manipulated to achieve two stories in front.

The applicant can't do anything with grading on the site as was done at Foley Square.

The applicant requested a short recess to discuss the fire suppression sprinkler system. Following the break, the applicant agreed to a sprinkler system as a condition of approval.

The Board had multiple questions for Mr. Hollows. As a result of moving the townhomes forward on the lot, they will now be a little farther back from the current structure as shown on Exhibit A-13, approximately 18'. The townhomes are on the north side so the height shouldn't affect the sunlight on the adjacent lots. The Board asked about the height of the townhomes in relationship the adjacent properties. Referring to Exhibit A-9, Mr. Hollows responded that the townhomes are probably 8' to 10' taller than the Beyond Delicious on Lot 29. The Board discussed the heights of the surrounding buildings on Exhibit A-10 in terms of volume. Mr. Webber stated that the height of the office building

on Lot 38 is probably 42' if the mechanicals are eliminated in the building height calculation.

The following exhibits were marked:

- Exhibit A-22 Photograph of the existing conditions showing the dwelling on Westview Avenue (Lot 31) and building at the corner of South Street and Westview Avenue (Lot 29) taken from Westview Avenue, and
- Exhibit A-23 Photograph of the existing conditions showing the dwelling on Westview Avenue (Lot 31) taken from Westview Avenue.

The Board had no further questions for Mr. Hollows. The hearing was opened to questions from the public.

There were no questions from the public.

Paul Grygiel, Phillips Preiss Grygiel LLC, a licensed professional planner previously sworn in on December 4, 2017, reviewed the variances requested for FAR, building height and buffers. The previous plans were compliant with the exception of the variances noted, but the revised plans make the application more compliant. A 'c' variance is now required for the height. Mr. Grygiel does not believe the proposed townhomes increase the intensity on the site as the number of units on the site will remain the same with the four townhomes replacing two two-family dwellings. The townhomes have garages to keep vehicles off the street but the garage increase the FAR. The current structures have non-conforming setbacks whereas the townhomes comply. The proposed townhomes, which will have sprinklers, are safer than the existing homes. Residents of the townhomes will be able to drive out onto South Street rather than backing out as was required for the existing dwellings. The proposed driveway is better located farther away from the intersection than the existing driveway.

Mr. Grygiel addressed the massing of the proposed townhomes. The townhomes satisfy the rear-, side- and front-yard setback requirements. There are no other zoning violations besides the building height, FAR and number of stories. He believes the site can accommodate the townhomes because there is adequate buffering and vegetation. Mr. Grob asked if his opinion would change if three rather than four units were proposed. Mr. Grygiel responded that there could be three larger, wider units but he isn't sure this would reduce the intensity or building height. It's a difficult site.

Mr. Grygiel responded to questions from the Board. The existing FAR is .29 where .35 is permitted and .54 is proposed. The average size of the units is 1,900 SF. Mr. Grygiel stated that a variance rather than a waiver is required for the 30' buffer for the parking area which abuts the R-2 Zone. The landscaping proposed serves as a buffer. If the 30' buffer were applied, not much could be done on the site. If the parking area is considered an accessory structure, a 12' setback from the building is required but Mr. Grygiel believes that parking 6' from a multi-family structure is common.

Mr. Grygiel summarized. The four townhomes are more consistent with the land use ordinance and improve the OR Zone. They are safer and up to code and are more aesthetic than the existing structures that have multiple non-conformances. The townhomes will have garages which the existing structures lack. Lot 30 doesn't abut the

street and is accessed via an easement in effect making it a flag lot. Mr. Grygiel provided the positive criteria. The proposed townhomes meet the setbacks, provide garages and have a driveway up to standards in a better safer arrangement.

Mr. Grygiel responded to additional questions from the Board. There are 11 parking stalls on the site, three of which are street spaces. Residents will have to park in their garages and in the space in front of the garage. If they have company, there is street parking on South Street. The applicant didn't consider developing the site for an office. It could be done, but office space is a tough sell now. It's possible but not guaranteed that the applicant would meet the FAR requirement if the townhomes were 2.5 stories. Garbage will be stored in the garages. If the units are condominiums, the condominium association will be able to enforce the rules regarding garbage. The applicant hasn't decided if they will be rentals or condominiums. If they are rentals, they will be maintained by the landlord.

The Board had no further questions for Mr. Hollows. The hearing was opened to questions from the public.

June Nielsen, 363 Union Avenue, Middlesex, NJ, stated that the property is not flat and grades down 5' to 7' and asked if the applicant will build a retaining wall. Mr. Grygiel responded that there is grass there and the grade will be maintained. The tree by the existing blue house (Lot 30) will be removed. Mr. Hollows showed her where the lights will be located. Ms. Nielsen asked about turnover if the units are rentals. The applicant hasn't decided if they will be rentals.

Ms. Gable, Borough Planner, asked who will be responsible for maintaining the landscaping on the church property. Mr. Webber said once planted, the evergreens will belong to the church and it will be the church's responsibility to maintain them, but it would be appropriate for the Board to retain jurisdiction over the landscaping for a period of time.

Joe Budis, 20 Westview Avenue, asked if the evergreens would be removed if the church expanded and moved the driveway. Mr. Webber responded that the church would have to go before the Planning Board with a site plan to this and if approved, the evergreens would be removed. The plans show a shed on the front lot rather than a garage. Mr. Hollows stated that the structure is 18' by 10' and could possibly be used as a garage but there is no driveway access.

No further witnesses appeared to testify and the hearing was opened to comments from the public.

Joe Budis, 20 Westview Avenue, was sworn in and thinks the requested FAR is extreme for the lot. The 2' overage on the permitted height complicates the application even more. The property line between Beyond Delicious and the front unit is less than 18'. The townhomes at Foley Square and Marion Avenue are on much bigger lots. The townhomes are too high and the lot is too small and narrow. The variances requested are extreme.

Mr. Webber summarized the application. The townhomes are a better planning alternative to what's there now. There are issues with the lot and the configuration but

the applicant has tried to mitigate these. The application meets the purposes of zoning and achieves an attractive result.

The hearing was closed.

Discussion: Mr. Grob believes the applicant made great strides over what was originally presented and listened to the Board's concerns. He's pleased that the applicant will install a sprinkler system. The property is a gateway to downtown and in a transition area with a mix of commercial and residential structures. The size of the building is in keeping with the surrounding buildings. Mr. Ping appreciates the changes made the height and moving the building forward for snow and additional landscaping. The exhibit showing the aerial photo and surrounding building heights (Exhibit A-10) was compelling. The proposed townhomes are a significant improvement. Mr. Karr was concerned about allowing three-story townhomes and believes three stories should be under the purview of the Planning Board. If granted, anyone will now be able to come and ask for three-story townhomes. Mr. Grob believes that three-stories in this context are not too much. Mr. DeSarno agreed that the location plays a large role. He was impressed with the applicant's willingness to accommodate the Board's comments and thinks the revised plans are a significant improvement. Mr. Morgan stated the townhomes are aesthetically pleasing and are an improvement over what's there now. He struggled with the mass versus the improvement but was leaning toward the improvement.

Mr. Grob moved to approve the application with the following conditions: 1) The trees will be protected during construction, 2) taller evergreens will be planted on the western perimeter, 3) the townhomes will have a fire suppression sprinkler system, 4) the building materials as testified to will be used in construction, 5) the lighting per the testimony will be installed, 6) the utilities will be underground and 7) the Board will retain jurisdiction over the landscaping to be installed on the church property for three years during which time the applicant will be responsible for any replacements. Mr. Ping seconded the motion. A resolution will be passed at the next meeting. Members voting in favor: Mr. DeSarno, Mr. Grob, Mr. Morgan, Mr. Ping, Ms. Ananthakrishnan and Mr. Nadelberg. Those opposed: Mr. Karr.

D REVIEW OF PUBLIC HEARINGS SCHEDULED FOR MARCH 19, 2018

John and Lisa Mundy Application #2018-02
60 Holmes Oval North, Block 40, Lot 4, R-2 Zone, New Providence, NJ 07974
Chapter 310, Article IV, Section 310-10, Schedules II and III for permission to construct an addition. The proposed front-yard setback to the addition is 33.9 feet whereas 40 feet is the minimum required. The proposed side-yard setback to the addition is 9.73 feet with a combined total of 13.53 feet whereas 15 feet with a combined total of 18 feet is the minimum required. The proposed building coverage is 1,740 square feet whereas 1,500 square feet is the maximum permitted. The proposed lot coverage is 41.48% whereas 40% is the maximum permitted. The existing side yard to the side porch is 3.8 feet. The existing front yard is 37 feet. The existing side yard to the driveway is 1 foot.

Michael and Allyson Santacross Application #2018-03
150 The Fellsway, Block 274, Lot 11, R-2 Zone, New Providence, NJ 07974

Chapter 310, Article IV, Section 310-10, Schedule II for permission to construct a garage addition. The proposed front-yard setback to the garage addition is 34 feet whereas 40 feet is the minimum required. The existing driveway is 3 feet from the property line.

Christopher and Tamara Hazlett

Application #2018-04

39 The Fellsway, Block 271, Lot 39, R-2 Zone, New Providence, NJ 07974

Chapter 310, Article IV, Section 310-10, Schedule II for permission to construct an addition. The proposed side-yard setback on the right side to the second-floor addition is 8.33 feet whereas 16.5 feet is the minimum required. The existing side yard is 7.5 feet. The existing patio and walkway are on the side property line.

E. COMMUNICATION ITEMS

No communications items.

F. MISCELLANEOUS BUSINESS

No miscellaneous business.

G. MINUTES FROM 2/26/2018

The minutes from February 26, 2018, were approved as submitted.

H. ADJOURNMENT

The meeting was adjourned at 11:10 p.m.