



## **ZONING BOARD OF ADJUSTMENT REGULAR MEETING MINUTES**

Tuesday, September 6, 2022 - 7:00 PM

Virtual Webex Meeting

To access information on how to use WebEx to join the meeting, please click on the following link: <https://www.southorange.org/800/WebEx-FAQs>

### **ORDER OF BUSINESS**

#### **1. Roll Call**

William MacIntosh  
Anthony Mason - ABSENT  
Clifford Pomerantz  
Mia Charlene White  
Paul Breene, Chair  
Jacob Levine, Vice Chair  
Vacant, Alternate

Patrick Dwyer, Board Attorney  
Greer Patras, Zoning Officer & Board Planner - ABSENT  
Justin Cutroneo, Board Planner  
Eric Keller, Board Consultant Engineer - ABSENT  
David Battaglia, Village Engineer - ABSENT  
Joe Vuich, Assistant Village Engineer  
Ojetti Davis, Board Secretary

#### **2. Meeting Notice Statement**

Chairman Breene read the following statement:

Adequate notice of this meeting had been provided to the press in accordance with the Open Public Meetings Act, N.J.S.A 10:4-6. In addition, notice of this meeting was posted in Village Hall and on the Village's website, and has been filed in the Office of the Village Clerk. Official action may be taken.

#### **3. Approval of Minutes**

- A. Regular meeting held on August 2, 2022.  
Mr. Levine moved to approve the minutes of August 2<sup>nd</sup>, seconded by Mr. Pomerantz. All members were in favor and none opposed.

#### **4. Approval of Resolutions**



A. **Case #1048 - Julie and Philip Schwegman**

Block 2404 Lot 2

360 Cumberland Road

C-Variance Relief - Applicant is proposing the addition of a 2 car garage and exercise room, covered entry steps and conversion of an open porch to a mud room entry.

Mr. Pomerantz moved to adopt the Resolution for Case# 1048, seconded by Mr. Levine.

**Roll Call Vote:**

Pomerantz Yes

White Yes

Levine Yes

Breene Yes

Motion carried.

B. **Case #1050 - Christian Uhl RA**

Block 1702 Lot8

76 Speir Drive

C-Variance Relief -The owner plans to renovate portions of the existing exterior siding, build an addition to the existing garage and demolish a protruding extension of the existing garage to expand the outdoor court area. Other landscape and hardscape improvements are planned in conjunction with this work.

Mr. Levine moved to adopt the Resolution for Case# 1050, seconded by Ms. White.

**Roll Call Vote:**

Pomerantz Yes

White Yes

Levine Yes

Breene Yes

Motion carried.

5. **Application(s) for Completeness**

A. **Case #1051 - MGM Realty, LLC**

Block 2113 Lot 3

468 Irvington Avenue

C-Variance Relief - Applicant is seeking a preliminary and final site plan approval to convert existing commercial units to a two-family house consisting of two (2) bedroom units.



Elizabeth Durkin attorney on behalf of the applicant gave a brief description of the application. Mr. Cutroneo discussed the following items of his completeness report dated 09/01/2022: existing conditions, project proposal, bulk variance and design waivers, submission waivers and outstanding completeness items. The board discussed receiving more information on handicap spaces, parking, roof drains and lot coverage.

Mr. MacIntosh moved to deem the application complete subject to the submission of the items discussed 14 days prior to the hearing, seconded by Ms. White.

**Roll Call Vote:**

|           |     |
|-----------|-----|
| MacIntosh | Yes |
| Pomerantz | Yes |
| White     | Yes |
| Levine    | No  |
| Breene    | Yes |

Motion carried.

**6. Application to be Heard**

**A. Case #1047 - Robin Reikes**

Block 2402 Lot 18

306 Western Drive North

Minor Site Plan and C-Variance Relief - Applicant is proposing to install a retaining wall approximately 3 feet in height in the front yard.

Lee Levitt attorney on behalf of the applicant described the application and introduced two witnesses. The first witness called was Franz Laki sworn and recognized by the board as an expert in engineering. Mr. Laki discussed the existing conditions of the property, removal of a portion of the rear patio, no increase in impervious coverage, patio calculations, retaining wall and requested variances. Robin Reikes owner of the property discussed slope of the property, water run-off and landscaping. In response to board questions, Mr. Laki discussed dimension of the wall, setback line and drainage. Ms. Reikes discussed consulting with a landscaper for her vision, sump pump and utilities. Exhibit A1 – photos of surrounding neighbors was entered. There were no questions from the public.

Mr. Levitt the second witness Alan Hildebrant to testify. Mr. Hildebrant was sworn and recognized by the board as an expert in engineering.



Mr. Hildebrant prepared the structural design. He discussed the design for the retaining wall, drainage and the design manual for the wall material. In response to board questions, Mr. Hildebrant explained the exact design to be used, railings, discharge location, and revising the plans to better coordinate the proposal. There were no questions from the public.

Chairman Breene opened the meeting for public comment: Ms. Aman and Ms. VanDerf both residents and neighbors expressed their support of the application. Ms. VanDerf stated most of the properties in the neighborhood have retaining walls next to the sidewalk.

**Board Discussion:**

The board members were in favor of the application but would like the plans to be revised to include the railings, sump pump and coordination of the details on the plans.

Mr. Levine moved to approve the application with the conditions discussed, seconded by Ms. White.

**Roll Call Vote:**

|           |     |
|-----------|-----|
| MacIntosh | Yes |
| Pomerantz | Yes |
| White     | Yes |
| Levine    | Yes |
| Breene    | Yes |

Motion carried.

**7. Discussion**

There was no additional discussion.

**8. Next Meeting Date**

A. Thursday, October 6, 2022 at 7:00 PM

**9. Adjournment**

There being no further discussions, Chair Breene adjourned the meeting at approximately 9:20 pm.

Submitted by  
Ojetti Davis, Secretary  
Zoning Board of Adjustment



**\*These minutes are a summary and the actual statements can be found on the video located on the Village's website at the following link:**

**<https://southorangetwpnj.civicclerk.com/Web/Player.aspx?id=665&key=-1&mod=-1&mk=-1&nov=0>**