



ZONING BOARD OF ADJUSTMENT REGULAR BOARD MEETING MINUTES

Tuesday, January 2, 2024 - 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

Chair Breene called the meeting to order at approximately 7:00 pm:

1. Roll Call

Devyani Guha
William MacIntosh
Anthony Mason - Absent
Clifford Pomerantz
Mia Charlene White - Absent
Alison Oxman, Alternate
Vacant, Alternate
Paul Breene, Chair
Jacob Levine, Vice Chair

Patrick Dwyer, Board Attorney
Greer Patras, Zoning Officer & Board Planner
Eric Keller, Board Consultant Engineer
David Battaglia, Village Engineer
Ojetti Davis, Board Secretary

2. Meeting Notice Statement

Chair 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. New Members Appointment

A. Devyani Guha - Regular Members
Alison Oxman - Alternate Member

Mr. Dwyer administered the Oath of Office to new members Ms.



Guha and Ms. Oxman.

4. Reorganization

- A. Election of Officers – Chairman and Vice Chairman:
Mr. MacIntosh moved to nominate Mr. Breene as Chair to the Board, seconded by Mr. Pomerantz. All members were in favor and none opposed.

Mr. MacIntosh moved to nominate Mr. Levine as Vice Chair to the Board, seconded by Mr. Pomerantz. All members were in favor and none opposed.

- B. Appointments of Professionals – Planner, Attorney, Conflict Attorney, Consultant Engineer and Board Secretary:

Chair Breene tabled the appointment of the Board Planner to the February meeting.

Chair Breene moved to appoint Nusbaum Stein as the Board's Attorney, seconded by Mr. Pomerantz. All members were in favor and none opposed.

Chair Pomerantz moved to appoint Brady & Correale LLP as the Board's Conflict Attorney, seconded by Mr. Levine. All members were in favor and none opposed.

Mr. Pomerantz moved to appoint Bowman Consultant Group as the Board's Engineer, seconded by Mr. MacIntosh. All members were in favor and none opposed.

Mr. MacIntosh moved to appoint Ojetti Davis as the Board's Secretary, seconded by Mr. Pomerantz. All members were in favor and none opposed.

- C. Swearing In of Planner and Consultant Engineer:
Carried to the February agenda.

5. Approval of Minutes

- A. Regular meeting held on November 8, 2023:
Mr. Pomerantz moved to approve the minutes of the November 8th meeting, seconded by Mr. Breene. All members were in favor and



none opposed.

6. Application(s) for Completeness

A. Case #1058 - 231 Ward Place, LLC

Block 2106 Lot 22

231 Ward Place

C-Variance - Applicant is proposing to construct a new single family.

Elizabeth Durkin attorney on behalf of the applicant gave a brief overview of the application. Ms. Patras discussed her completeness report dated January 2, 2024, and discussed the outstanding completeness items and submission waivers. She recommended the applicant to attend a Technical Review meeting to work through the technical items with the board professionals prior to the hearing and revised plans should be submitted 14 days prior to the hearing.

Mr. Pomerantz moved to deem the application complete subject to the items discussed and the submission of the revised plans 14 days prior to the hearing, seconded by Mr. MacIntosh.

Roll Call Vote:

Guha Yes

MacIntosh Yes

Pomerantz Yes

Oxman Yes

Levine Yes

Breene Yes

Motion carried.

7. Application(s) to be Heard

A. Case #1056 - Melanie & Craig Marshall (Carried date TBD)

Block 302 Lot 74

345 Ravine Drive

C-Variance Relief - Applicant is seeking to construct a two bedroom addition at the rear of the property, a new rear-facing wood deck, plunge pool area and rebuilding and construction of the retaining walls at the rear of the property to restabilize the site

At the request of the applicant, this case was carried and hearing date to be determined.

B. Case #1057 - Alexandra & Michael Cribbs



Block 807 Lot 25

157 Milton Place

C-Variance - Applicant is proposing to construct a 4-foot picket fence along their property line.

Frank Guagliardi attorney of the firm Levy & Guagliardi on behalf of the applicant briefly discussed the application and the variances requested. Mr. Guagliardi introduced 1 witness. Anthony Gallerano sworn and recognized by the board as an expert in engineering. Mr. Gallerano entered exhibit A1 Survey and A2 google photos showing the existing trees and view from the corner of Milton Place & Varsity Road. He discussed maintaining the existing trees, the existing fence and the variances requested. Mr. Gallerano felt the application could be granted under the C2 criteria. In response to the board questions, Mr. Guagliardi discussed the type of proposed fence, the width of the existing fence and additional buffering.

Ms. Cribbs owner of the property explained the purpose for the fence is to have added security for the safety of the kids and dogs. In response to board questions, Ms. Cribbs discussed the neighbors view once fence is installed.

There were no questions or comments from the public.

Board Discussion:

Some concerns of the board members were pertaining to the height of the proposed fence, buffering, proposed location in the front yard. After some discussion, the following votes were taken:

First vote: Mr. Pomerantz moved to approve the application with the 2 variances requested for height and location and the maintenance of the hedges and evergreens along Varsity Road, second by Chair Breene.

Roll Call Vote:

Guha	No
MacIntosh	No
Pomerantz	Yes
Oxman	Yes
Levine	NO
Breene	Yes

Motion does not carry.



Second vote: Mr. Pomerantz moved to approve the application with the variance for the location of the fence only, 42-inch high fence with evergreen buffering to be maintained or replace with something that is comparable, seconded by Mr. MacIntosh.

Roll Call Vote:

Guha	Yes
MacIntosh	Yes
Pomerantz	Yes
Oxman	Yes
Levine	No
Breene	Yes

Motion carried.

8. Discussion

9. Next Regular Meeting Date

A. Tuesday, February 6, 2024, at 7:00 PM

10. Adjournment

There being no further discussions, Mr. Breene adjourned the meeting at approximately 8:50 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://southorangerwpnj.portal.civicclerk.com/event/2621/media>