

TOWN OF WESTFIELD
BOARD OF ADJUSTMENT AGENDA
Monday, September 11, 2023
7:30 pm REGULAR MEETING

I. PLEDGE OF ALLEGIANCE

II. STATEMENT BY THE CHAIRMAN

III. ROLL CALL

Mr. Fusaro (Chair)	Mr. Masciale (Vice-chair)	Mr. Reisen (Alt.1)
Ms. Molnar	Mr. Eilbacher	Ms. Giorgianni (Alt.2)
Mr. Cohen	Ms. Knowles	
Mr. Sontz		
	Ms. Razin (Bd. Atty)	

IV. SWEARING IN OF NEW MEMBERS:

Angela Knowles, Member
Jessica Giorgianni, Alternate #2

V. APPROVAL OF MINUTES: None

VI. ADOPTION OF RESOLUTIONS:

ZBA 23-05 – Josh Ungerlieder, 145 Madison Avenue, Block: 201, Lot: 10
ZBA 23-28 – Nanette Loftus, 202 Harrison Avenue, Block: 2301, Lot: 15
ZBA 23-13 – Kyle & Natalie Luciano, 727 Fairacres Avenue, Block: 3501, Lot: 35
ZBA 23-23 – Susan Tenant, 419 Linden Avenue, Block: 2208, Lot: 3
ZBA 22-041 – Brian Fineburg, 164 Landsdowne Avenue, Block: 5004, Lot: 63

VII. RESOLUTION No. 9112023: Closed Session of the Board of Adjustment

VIII. APPEALS CARRIED:

(Carried to 10/11/2023)

ZBA 22-050 – Brian and Jordana Heuvelmann, 434 Summit Avenue, Block: 3003, Lot: 16

(Carried to 11/13/2023)

ZBA 22-033 – Nicola Bain & David Ellam, 758 Castleman Drive, Block: 3411, Lot: 44

(Pending decision to withdraw)

ZBA 22-035 – Marinus Perdon, 415 Wells Street, Block: 3402, Lot: 10

IX. NEW APPEALS:

ZBA 23-26 – Andrew Vanderback, 212 Myrtle Avenue, Block: 4007, Lot: 6

Applicant is seeking to construct a shed dormer addition at the attic level to create a master bedroom suite with a full bath, closet, and sleeping room. Additionally, the existing finished attic will be renovated to expand into the addition contrary to the following sections of the Westfield Land Use Ordinance: Section: 11.13E8 where the maximum building height permitted is 32' and proposed is 32.58' (existing); Section: 11.13E8 where the maximum number of stories permitted is 2 ½ and proposed is 4 (existing); and, Section: 11.13E12 where the maximum eave height permitted is 22', existing is 21'5", and proposed is 29'7" (existing.)

120-Day decision is September 12, 2023

ZBA 23-029 – Paul Zhivago & Eileen Zhivago, 110 Barchester Way, Block: 308, Lot: 7

Applicants are seeking to construct a new single-family dwelling contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 12.11A where the design of a building must be compatible with the location and character of the surrounding neighborhood, and the proposed building design is not compatible with the character of the surrounding neighborhood.

120-Day decision is October 6, 2023

ZBA 23-19 – Joseph Fusaro, 601 Leigh Drive, Block: 5207, Lot: 1

Applicants are seeking to install an above-ground swimming pool on their corner lot property within the side yard contrary to the following section(s) of the Westfield Land Use Ordinance(s): Section 12.04F1 where the coverage by buildings and above-grade structures permitted is 20% / 1,768 SF, existing is 21.74% / 1,922 SF, and proposed is 23.35% / 2,064 SF; and, Section 13.02D3 where the swimming pool location permitted is only in a rear yard on corner lots, the swimming pool shall be setback from the side street line a distance at least equal to the street side yard setback requirement for a principal building or to the established front yard setback of the lot adjacent to the rear lot line of the lot on which the swimming pool is located; whichever is greater. Required is a 38' setback from Rahway Avenue and proposed is 21'. **120-Day decision is October 6, 2023**

ZBA 23-03 – Ramaswamy Iyer, 1560 Rahway Avenue, Block: 5402, Lot: 30

Applicant is seeking to construct an addition/alteration to modernize the existing home contrary to the following sections of the Westfield Land Use Ordinance: Section: 11.04E5 where the established front yard setback required is 70.8' average and proposed is 64.56', Section: 11.04E13 where the maximum building mass at side yard permitted is 25' and proposed is 45' on the first floor and 27.5' on the second floor; and, Section: 13.02C1 where decks shall be permitted only in the rear yard and proposed location is in the front yard. **120-Day decision is October 20, 2023**

X. APPEALS CONTINUED: From July 10, 2023

ZBA 21-056 – Christopher Osborne, 15 Sunnywood Drive, Block: 201, Lot: 70

Applicant is seeking to install a paver patio with pergola, raised wall, koi pond and shed in the rear front yard of a through lot contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 13.01B where the minimum setback required for an accessory structure from principle structure permitted is 10' and proposed is 5'; Section 13.01G.1a where the accessory structure setback permitted is 5' and proposed is 1.9'; Section 11.05E10 where the maximum coverage by building and above-grade structures permitted is 20% / 2,012.2 SF and proposed is 28.2% / 2,834.2 SF; Section 12.08H where the 1' tall retaining wall requires a setback of 1' and proposed is 6'; and, Section 13.01E where accessory structures in the front yard are not permitted within 40' of the property line along Fanwood Avenue and proposed is a patio, pergola, and putting green. **120-Day decision is September 1, 2023**

Next BOA hearing: Wednesday, October 11, 2023