

**MINUTES  
OF THE  
ZONING BOARD OF ADJUSTMENT  
CRANBURY TOWNSHIP  
CRANBURY, NEW JERSEY  
MIDDLESEX COUNTY**

**APPROVED ON FEBRUARY 6, 2008**

**TIME AND PLACE OF MEETING**

The regular meeting of the Cranbury Township Zoning Board of Adjustment was held at the Township Hall (Old School Building) Main Meeting Room, 23-A North Main Street, Cranbury, New Jersey, on January 9, 2008, at 7:30 p.m.

**CALL TO ORDER**

Josette C. Kratz, Secretary, of the Cranbury Township Zoning Board of Adjustment, called the meeting to order and acted as the Chairman until appointment was made.

**STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law adequate notice in accordance with the Open Public Meetings Act was provided of this meeting's date, time, place and agenda was mailed to the news media, posted on the Township's Bulletin Board, mailed to those requesting personal notice, and filed with the municipal clerk.

**MEMBERS IN ATTENDANCE**

Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith

**PROFESSIONALS IN ATTENDANCE**

Steven Goodell, Esquire, Zoning Board Attorney; Richard Guinta, Court Reporter; Josette C. Kratz, Board Secretary

**NOMINATIONS AND ELECTIONS/APPOINTMENTS**

**Chairperson**

The floor was opened for nomination for Chairperson. Ms. Kemp nominated Mr. Smith. Mr. Patterson seconded the nomination.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**Vice Chairperson**

The floor was opened for nominations of Vice Chairperson. Ms. Kemp nominated Mr. Shea. Mr. McCarville seconded the nomination.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**Board Secretary/Administrative Officer (Appointment and Resolution)**

The floor was opened for the nomination of Board Secretary. Mr. Patterson nominated Ms. Kratz. Mr. McCarville seconded the motion.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**Board Attorney (Appointment and Resolution)**

The floor was opened for the nomination of Board Attorney. Ms. Kemp nominated Mr. Goodell. Mr. McCarville seconded the nomination.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**Court Reporter (Appointment and Resolution)**

The floor was opened for the nomination of Court Reporter. Mr. McCarville nominated Virginia Guinta. Ms. Kemp seconded the motion.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**ZBA Representative to the Development Review Committee**

The floor was opened for the nomination of DRC member. Mr. McCarville nominated Mr. Shea. Ms. Kemp seconded the nomination. Motion was unanimously approved.

**2008 Calendar Year Approval and Resolution  
2008 Notice of Meetings and Fees Approval and Resolution**

Resolutions approving the Calendar of Meeting Dates for 2008, Official Notice for Meetings in Cranbury Press upon a motion duly made and seconded was approved.

**RESOLUTIONS**

**ZBA 149-07 Daniel & Megan Pease  
Block 33, Lot 34, Zone V/HR  
4 Scott Avenue  
Bulk Variance to allow for an addition**

REPRESENTATIVES: Frank Brennan, Esquire  
Daniel Pease  
Bill Gittings, Architect

***PROFESSIONALS & OUTSIDE AGENCY REPORTS:***

*Report memo by Richard Preiss of Phillips, Preiss Shapiro Associates, Inc. dated December 24, 2007*

*Report memo from Bobby Marlowe, Historic Preservation Commission, datde January 7, 2008*

Mr. Goodell swore in Mr. Gittings and Mr. Pease.

Mr. Brennen explained that the actual front of the house does not face the street. The front faces the western exposure. The house situated differently then most, when referring to a front elevation on the house he asked to keep in mind that it was the western elevation to the right side of the house, facing from the street.

The street side would be the left of the house as facing from the west. The property backs up to Brainerd Lake, which was actually the right side of the house. It was a small lot with a house of 1,300 SF with two bedrooms, presently. The street side is the narrowest portion of the lot and then the lot widens toward the lake. The addition planned would be 13' x 19', tucked in behind the existing kitchen.

The applicants have two children (and expecting their third) and only two bedrooms. They had thought about adding on in the other area of the house where you would not need as much of a setback variance. HPC did not like that approach because it would affect the street view of the house and make the street façade large. HPC preferred that the addition be tucked away.

EXHIBIT A-1 Board of six photographs of the property and house.

Mr. Pease said that they proposed a 500 SF addition behind the lean-to portion of the building facing east. The neighbor had discussed some concerns with them.

They do not currently have a dining room and only a partial crawlspace/basement. This would allow them to have a dining room/playroom. It would be located behind the kitchen and allow for a more useable floor plan, with an additional bedroom. One of their boys sleeps in their parent's bedroom. This would spread them out more and give an extra bathroom.

Ms. Rosen, the affected neighbor, wrote a letter to the board with concerns. Both Mr. and Mrs. Pease have spoken with her several times this week.

EXHIBIT A-2 Letter from Mr. Curry, Ms. Rosen's attorney.

Mr. Brennan said that the letter indicated that they were satisfied with the application and have no further objections.

Mr. Gittings said the existing house had a kitchen and what were once an old garage, entry, mudroom, laundry room, and one large room for a living room. Under the stairs was a bathroom with a tub, the size of a powder room. Upstairs there is an unusable center space and master bedroom toward the back with one central bathroom.

The goal was to make a second floor that was livable for the family with a master bedroom and two additional bedrooms. This would make three bedrooms with two bathrooms.

The fireplace would be three feet from the property line, the house addition will be five feet from the property line, and the existing kitchen is nine feet from the property line.

EXHIBIT A-3	Submitted plans
EXHIBIT A-4	Minutes of the Historic Preservation Commission, dated November 20, 2007
EXHIBIT A-5	Letter from William G. Gittings, Gittings Associates, Architects, addressed to Patricia Rosen, no date on letter,
EXHIBIT A-6	Color photograph

The front elevations, or the west elevation, would be left untouched with the exception of a window replacement.

Mr. Brennan asked if the roofline of the addition was higher than the existing roofline. Mr. Gittings said that it would match.

Mr. Brennan asked if, other than the setback variance which they had addressed that would be needed on the Rosen side of the property, if there would be any other new variances. Mr. Gittings answered that there would not be.

Mr. Gittings said that the portion of the Pease's house that was closest to the Rosen's property was the garage. The lakeside of the house lined up pretty much with their main house. The addition would be set back slightly from the existing house line. The new addition would go back, away from the lake, and on the Rosen's house where there were sliding doors that extend beyond the façade of the Pease's house.

The house was classified in the Historic District as "C" meaning contributing.

What used to be a garage was now a kitchen and their garage was 16.7' in distance between the two structures. The 9' setback is approximately 7.75'. The Rosen's garage is about 7' from the property line.

Mr. Brennan said that Ms. Rosen's concern was that if the setback variance was granted to the Pease's that would somehow impact her rights in the future perhaps to apply for a variance. He said that her attorney advised her on that and he thought that was no longer a concern and are they satisfied.

Mr. Gittings said that she wanted to make sure the oak tree was protected. He said that the tree was about 20' from the proposed addition. He did advise for the wellness of the tree and the

safety of the house that the limbs that should be trimmed back. The same with the sour cherry tree, which hangs mostly over the Pease's property. Since they are not constructing a basement and are 6' away, he proposed that they stake it off with construction fence to protect the tree.

Her last question was, since she was renting out the house, did she have legal liability concerning her tenants, for the construction and the construction noise. He said that they would follow-up with any noise ordinances.

There were no public in attendance for comments.

They are trying to restore the house to a useful status, respecting the historic fabric of the neighborhood.

They would still have the picket fence.

Ms. Kemp motioned for the approval of the application. Mr. Johnson seconded the motion.

VOTE ROLL CALL

AYES: Mr. Johnson, Ms. Kemp, Mr. Lehr, Mr. McCarville, Mr. Patterson, Mr. Smith  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Gerberich, Mr. Hebert, Mr. Shea

MOTION CARRIED

**ADJOURNMENT OF MEETING**

There being no further business, on a motion duly made, seconded, and carried, the meeting was thereupon adjourned.

**CERTIFICATE OF SECRETARY**

I, undersigned, do hereby certify; that I am duly elected and acting secretary of the Zoning Board of Adjustment and, that the foregoing minutes of the Zoning Board of Adjustment meeting, held on January 9, 2008, comprised of 7 pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said this February 6, 2008.

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Josette C. Kratz, CPS

/jck