

BOROUGH OF MIDLAND PARK – ZONING BOARD OF ADJUSTMENT MINUTES

July 13, 2022

PLEASE TAKE NOTE:

ON WEDNESDAY, JULY 13, 2022, THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M

FORMAL MEETING

READING OF THE OPEN PUBLIC MEETINGS ACT

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mr. Les Andersen	present	Mr. Nick Papapietro	present
Mr. David Zuidema	present	Mr. Mark Braunius	present
Mr. John Meeks	present	Mr. Mark Divak	present
Mr. Richard Formicola	absent	Mr. William Placier, Alt #1	absent
		Mr. David Barlow, Alt #2	present

Attendance by Board Professionals: R. Landel, Esq., Attorney and E. Boe, acting Engineer

Minutes of the 6/8/22 meeting - approved

PUBLIC HEARINGS:

Mulligan Jr., Joseph P. – 142 Irving Street – BL 25 LT 11.02 – Notices are in order. Atty David Becker on behalf of the applicant for bulk variances to construct a detached garage. The existing property does not have a garage so this would correct a non-conforming condition and the small shed on the property will be removed which eliminates a non-conformity. The applicant is seeking variances for accessory structure in a front yard, the proposed front yard setback of 5' 10.5" where 30' is required, and the proposed footprint for accessory structures is 1,090 SF where the maximum permitted is 681 SF. Atty Becker reviewed the associated hardships: the property is a corner lot with two front yards, the lot is deficient in width, and the existing structures on the lot provide for no way to add a garage without needing some kind of variance relief. A flexible variance is also warranted because housing vehicles is good for the applicant and the neighborhood, and a detached garage is consistent with the neighborhood. **Exhibit A1** – Plan, 4 sheets. Michael A. Bet, Architect, last revised 4/25/22.

Joseph Mulligan, applicant/owner – sworn in. Long-time resident of Midland Park, proposed garage is important for vehicle storage. The barn on the property is approximately 120-150 years old and is in good condition with historical value that predates the home. The size of the barn and location in the yard prohibit it from being a viable option for a garage. The proposed garage will match the home aesthetically and will only have electricity no plumbing/heating/air conditioning. The proposed location won't detract from the home or the barn and will be on the side of the property where the driveway and all the service entrances from the home are already located; additionally, it will be set back further than other detached garages on the street.

Board questioned if the applicant considered moving the garage closer to the barn, Mr. Mulligan felt it looked best where proposed and did not want to disrupt the stone wall there. The Board feels moving the proposed garage 5' is worth considering, to line up with the existing home and driveway. Applicant also considered using part of the barn to construct a garage and constructing an attached garage, both were not viable options for him.

Meeting opened to the public for questions of Mr. Mulligan, with none, meeting closed to the public.

Michael A. Bet, Architect – accepted as expert and sworn in. Mr. Bet prepared the plans marked as **Exhibit A1**, describes the existing conditions of the property, and concurs with Atty Becker's conclusions regarding the hardships. The proposed structure is 24'x30' and will be located in the south corner of the

property, design and finishes will match the dwelling and look of the neighborhood. The proposed garage will help the property conform to Borough ordinance 34-4.3 by providing enclosure for at least one vehicle, will have no attic space and the location will allow for continued use of the backyard. The garage will be 16' away from the existing barn; Board continued to discuss moving the garage closer to the barn.

Atty Becker advised the Board that the applicant is willing to move the garage over 5' as suggested; the new front yard setback variance would be for 10' 10.5" where 30' is required. Board also discussed the size of the structure; the applicant's lot coverage and building coverage are all conforming, the variance for accessory structures is required due to the size of the house.

Meeting opened to the public for questions of Mr. Mulligan, with none, meeting closed to the public.
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Board further discussed application; two other homes on the street also have buildings very close to their lot lines so the setback variance would not have any negative impact on the neighborhood, accessory building coverage is a function of the size of the home which is small and the other coverage parameters are all conforming, and the width of the lot is deficient. In addition, parking vehicles in a garage is an improvement to the neighborhood and the existing shed, which is a non-conforming structure, will be removed from the right-of-way.

Motion to approve the application with the revision of the setback being 10' 10.5" instead of 5' 10.5", subject to a review by the municipal engineer with regards to drainage for increasing more than 300 SF and for all the reasons on the record made by Mr. Braunius, seconded by Mr. Papapietro; all voted in favor.

COMMUNICATIONS

Atty Landel discussed a procedure with the Board; no action taken.

Meeting Adjourned – 8:21 PM
Jessica Harmon