

TOWN OF WESTFIELD
BOARD OF ADJUSTMENT AGENDA
Monday, July 10, 2023
7:30 pm REGULAR MEETING

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

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

III. STATEMENT BY THE CHAIRMAN

IV. APPROVAL OF MINUTES: May 8, 2023

V. ADOPTION OF RESOLUTIONS:

ZBA 23-06 – Michael Crotty, 554 Lawrence Avenue
ZBA 23-02 – Lizette Edelman, 510 Topping Hill Road

VI. APPEALS PENDING: (Hearing date TBD)

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

Applicant is seeking to construct a deck in the rear yard of dwelling off of an existing back door contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 12.04F2 where the maximum building and above-grade structures coverage including decks permitted is 22% / 1,248.2 SF and the proposed is 25.5% or 1,587 SF; Section 12.04F3 where the maximum building and above-grade structures coverage including decks and porches is 24% / 1,498 and proposed is 26.39% / 1,647 SF; and, Section 11.09E6 where the minimum side yard required is 10' and proposed is 5.8'. **120-Day decision is July 29, 2023**

VII. APPEALS CARRIED FROM: June 12, 2023 to August 14, 2023

ZBA 22-041 – Jessica & Brian Fineburg, 164 Landsdowne Ave, Block: 5004, Lot: 63

Applicants are seeking to construct a second-floor addition over the existing first-floor garage and expand the existing second-floor. The addition will allow for a total of four bedrooms, four bathrooms, and a laundry room contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 11.06E6 where the minimum side yard setback permitted is 12.5 and present/proposed is 6.89 (unchanged); Section 11.06E13 where the maximum building mass at side yard permitted is 25' and present/proposed is 29.83 and 58.63' (unchanged); Section 11.06E14 where the minimum garage space required is two(2) and present is one(1); and, Section 12.04E where the FAR (floor area ratio) permitted is 37% / 2,775 SF and proposed is 38.7% / 2,906 SF. **120-day decision is June 2, 2023**

VIII. NEW APPEALS:

ZBA 23-24 – YMCA, 138 Ferris Place, Block: 2504, Lot: 20

Applicant is seeking permission to construct an ADA compliant access ramp and shade structure at the outdoor playground area of its property adjacent to Ferris Place, as well as also upgrade the existing playground by installing sensory playground equipment contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 11.12E10 where the maximum coverage by buildings and above-grade structures permitted is 10%, present is 60.07%, and proposed is 61.60%; Section: 12.08C where the maximum retaining wall height permitted is 4', present is 8.11', and proposed is 8.40'; Section: 13.01B where the minimum offset from a principal building for the accessory structure proposed is 11.5', present is 13.86', and proposed is 8.2'; Section: 13.01E where accessory structures are not permitted in a front yard and proposed is an ADA ramp, shade structure, warble chimes and Ditty Metallophone within the Ferris Place front yard; and, Section 18.11E where the maximum coverage by buildings and above-grade structures permitted is 20%, present is 60.07% / 31,011 square feet, and proposed is 61.60% / 31,799 square feet.

120-Day decision is August 17, 2023

ZBA 23-22 – Matt Sachs, 24 Hawthorne Drive, Block: 2102, Lot: 6

Applicants are seeking to add an addition below an existing second floor which will expand their breakfast nook contrary to following section of the Westfield Land Use Ordinance: Section 12.04E where the maximum floor area ratio permitted is 32% but not above 3,600 SF, existing is 36.3% / 3,727 SF, and proposed is 36.73% or 3,771 SF. **120-Day decision is August 25, 2023**

ZBA 23-01 – Erika Kozolchyk & Jason Schaechter, 41 Moss Avenue, Block: 5501, Lot: 5

Applicants are seeking to add a pergola in their backyard to provide some partially covered outdoor living space contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 11.07E7 where the required minimum rear yard setback is 35' and proposed is 17'; and, Section 12.04F1 where the maximum building and above-grade structures coverage permitted is 20% or 2,195 SF and proposed is 22.81% or 2,504 SF. **120-Day decision is August 31, 2023**

ZBA 23-04 – Rodney Ross, 779 Fairacres Avenue, Block: 3501, Lot: 22

Applicants are seeking to construct a deck and exit stairway in their backyard. The deck will replace a deteriorated on-grade patio and small platform with stairway contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 12.04F1 where the maximum building and above-grade structures coverage permitted is 20% / 1,350 SF and proposed is 25.36% / 1,712 SF; Section 12.04F3 where the building and above-grade structures coverage including decks and porches permitted is 24% / 1,620 SF and proposed is 27.91% / 1,884 SF; and, Section 12.04E where the maximum coverage by improvements permitted is 50% / 3,375 SF and proposed is 52.2% / 3,524 SF. **120-Day decision is September 1, 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**

ZBA 23-030 – Saber/Westlink01, LLC, 507 Westfield Avenue, Block: 3003, Lot: 49

Applicant is seeking to create two apartments in the second floor in addition to the existing third-floor apartment. This would create a property with an office on the first floor and three apartments above in a zone which permits only one apartment in a mixed-unit building contrary to following section of the Westfield Land Use Ordinance: Section 11.21A5 where permitted is one single-family residence use on the second and/or third floor in the same structure as a permitted professional office use, and a professional office with three apartments are proposed. **120-Day decision is September 14, 2023**

IX. CONTINUED APPEALS: *From June 12, 2023*

ZBA 23-09 – Ben & Lauren Pearlman, 304 Roanoke Road, Block: 406, Lot: 35

Applicants are seeking to install a 6' black aluminum wrought iron-style fence surrounding their pool contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 13.02D5 where the pool enclosure and screening required is a 6' stockade, board-on-board or other solid fence, but not a chain-link, and proposed is a 6' open-style fence.

120-Day decision is August 19, 2023

Next BOA hearing: August 14, 2023