

TOWN OF WESTFIELD
BOARD OF ADJUSTMENT AGENDA
Wednesday, October 11, 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	Ms. Giorgianni (Alt.2)
Mr. Cohen	Ms. Knowles	
Mr. Sontz	Ms. Razin (Bd. Atty)	

III. STATEMENT BY THE CHAIRMAN

IV. APPROVAL OF MINUTES: July 10, 2023 & August 1, 2023

V. ADOPTION OF RESOLUTIONS:

- ZBA 23-26 – Andrew Vanderback, 212 Myrtle Avenue, Block: 4007, Lot: 6**
- ZBA 23-19 – Joseph Fusaro, 601 Leigh Drive, Block: 5207, Lot: 1**
- ZBA 23-03 – Ramaswamy Iyer, 1560 Rahway Avenue, Block: 5402, Lot: 30**
- ZBA 21-056 – Christopher Osborne, 15 Sunnywood Drive, Block: 201, Lot: 70**

VI. APPEALS CARRIED:

(Carried to 11/13/2023)

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

VII. APPEALS WITHDRAWN:

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

VIII. OTHER BUSINESS:

- ZBA 23-030 – Westlink01, LLC, 507 Westfield Ave, Block: 3003, Lot: 49**

Amendment to memorialized resolution. Addition of Exhibit A-3 Color Aerial Image of Lot.

- ZBA 18-59 – Westfield Senior Housing, 1129 Boynton Avenue, Block: 4901, Lot: 9**
Request for an extension

IX. NEW APPEALS:

***ZBA 23-14 – Carnes, 1042 Prospect Street (RS-12) Block: 306, Lot: 64**

Applicants are seeking to install an inground swimming pool, patio area, and 6' board-on-board fence contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 13.02D3 where the minimum rear yard setback required for swimming pools is 15' and proposed is 8.3'; and Section 13.02D3 where the minimum street side yard setback required should reflect the adjacent property's established front yard setback of 45' and proposed is 25.4'; and, Section 12.07C where a 6' solid fence is not permitted within the street side yard where the required setback is 1) the principal building on the lot, or 2) the minimum street side yard setback, whichever is more restrictive. Therefore, the required setback for a 6' solid fence on this corner property is 22.12' and the proposed setback is zero feet (0').

120-Day decision is October 20, 2023

***ZBA 23-21 – Brady Clegg & Elizabeth Kernion, 545 Lawrence Ave (RS-12)**

Block: 1102, Lot: 19

Applicants are seeking to construct a swimming pool and outdoor entertainment area in their rear yard contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 12.04G where the maximum coverage by improvements permitted is 30% but not above 8,000 SF, existing is 23% / 8,248 SF, and proposed is 27.8% / 9,990.1 SF; and, Section 17.05A where minimum the driveway width permitted is 24' and proposed is 34.3'.

120-Day decision is October 27, 2023

***ZBA 23-031 – Ben Ebel, 465 Channing Avenue (RS-8) Block: 801, Lot: 12**

Applicant is seeking to install a 6' high fence in the property's front yard of the through lot to enclose his yard and pool which has frontage on Whittier Avenue contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 12.07C where the maximum fence height in a front yard permitted is 4' and proposed is 6'. **120-Day decision is October 27, 2023**

ZBA 23-25 – Lorenzina Ciccina, 552 Downer Street (RM-6)

Block: 2707, Lot: 34

Applicant is seeking to construct a two-story addition to the rear of the single-family dwelling with an addition on the second floor to create three-bedrooms, three bath-rooms, office, great room, and laundry room contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 11.12E6 where the minimum side yard setback required is 10' and proposed is 2.3' unchanged; Section 11.12E6 where the minimum side yard setback required is 10' and proposed is 3'6"; Section 12.04F1 where the maximum building coverage permitted is 20% 712.65 SF, existing is 20.8% / 741SF, and proposed is 31.38% / 1,118 SF; Section 12.04F2 where the maximum building coverage including decks permitted is 22% / 783 SF and proposed is 33.43% / 1,191 SF; Section: 12.04E1 where the maximum FAR (floor area ratio) permitted is 37% / 1,318 SF, existing is 27.48% / 979 SF, and proposed is 59.67% / 2,126 SF; Section 11.12E13 where the maximum building mass and zoning side yard permitted is 25' and proposed is 61'; Section 11.12E13 where the minimum window area and zoning side yard permitted is 5% and proposed is 2.5%, Section 11.12E14 where the minimum garage space required is one (1) and proposed is none existing); and, Section 12.04F3 where the maximum building coverage including decks and porches permitted is 24% / 855 SF, existing is 21.22% / 756 SF, and proposed is 33.43% / 1,191 SF. **120-**

Day decision is November 3, 2023

ZBA 23-032 – Brooke Stevens and Devin Morgan, 423 Everson Place (RS-8)

Block: 4203, Lot: 18

Applicants are seeking to construct a one-car detached garage contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 1204F1 where the maximum building coverage permitted is 20% / 1,791 SF, existing is 22.52% / 2,017 SF, and proposed is 20.60% / 1,845 SF; and, Section 12.04F2 where the maximum building coverage including decks permitted is 22% / 1,970 SF, existing is 24.5% / 2,194 SF, and proposed is 22.58% / 2,022 SF. **120-Day decision is November 3, 2023**

X. APPEALS CONTINUED:

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

Applicants are seeking to construct a second-story addition to the right side of their existing dwelling along with various interior alterations contrary to following section(s) of the Westfield Land Use Ordinance(s): Section 11.12E6 where the minimum side yard setback required is 10' and the existing and proposed is 5.4' and 8.5'; Section 12.04F1 where the maximum building and above-grade structures coverage permitted is 20% / 2,006 SF and proposed is 26.22% / 2,630 SF; Section 11.12E13 where the maximum continuous wall length permitted is 25' and proposed is 33.9' at the second floor; Section 12.04F2 where the maximum building and above-grade structures coverage including decks permitted is 22% / 2,206 SF and proposed is 26.95% / 2,703 SF ; and, Section 12.04F3 where the maximum building and above-grade structures including decks and patios permitted is 24% / 2,407 SF and proposed is 29.04% / 2,913 SF.

120-Day decision is September 28, 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

Next BOA hearing: November 13, 2023