

**BOROUGH OF CALDWELL  
ZONING BOARD OF ADJUSTMENT  
NOVEMBER 4, 2020  
MINUTES**

A Public Meeting of the Board of Adjustment of the Borough of Caldwell was held on November 4, 2020 at 7:00PM via electronically, using Zoom Meetings. Mr. Colaizzo opened the meeting at 7:03PM and read the opening statement.

**STATEMENT OF COMPLIANCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mr. Colaizzo, Mr. Vere, Ms. Buechner, Mr. Flack, Mr. San George, Mr. Guagliardi, and Mr. Piazza (at 7:10PM), Mr. Halal (7:06PM).  
Mr. Cosgrove and Mr. Beckmeyer were also present.

**ABSENT:** Mr. Kurus

**APPROVAL OF MINUTES:**

The Public Minutes of October 13, 2020 were approved.

**APPROVAL OF RESOLUTION:**

Resolution for Application Z20-002, Jose Rosario, 81 Park Avenue, Block 30, Lot 24  
Variance Relief

Motion to approve Application Z20-002, Jose Rosario, 81 Park Avenue, was made by Ms. Buechner and seconded by Mr. Vere.

Mr. Colaizzo – Yes  
Mr. Vere – Yes  
Ms. Buechner – Yes  
Mr. Flack – Yes  
Mr. San George – Yes  
Mr. Piazza – Yes  
Mr. Halal – Yes

Approved 7-0

**NEW BUSINESS:**

**Application Z20-003**, Michael Pedneault & Leonor Bravo, 31 Hatfield Street, Block 3, Lot 3.16  
Variance Relief

Mr. San George recused himself as a Board Member for discussion and voting of the application.

Mr. Michael Pedneault was sworn in as the applicant. He provided a brief introduction of his proposed plans:

- Initially bought his home on a budget with the intent to transform it into his dream home. Shortly after buying, he realized that his house was non-conforming.
- Residence was built in 1962. He is proposing to reuse the foundation, as it is in good condition, and plans to build on the existing footprint. Home is currently one story with 1700 sq. ft. He is proposing a second story and increase to a total of 2900 sq. ft.
- Referred to **Exhibit A Satellite View**. The yellow line on the image represents the front setback as non-conforming, although similar compared to neighboring properties.
- House will be contained within the same envelope.
- Proposing to use same foundation which serves as an advantage since the water, sewer, and drainage will be the same.
- Referred to **Exhibit B House Alterations Proposal** to demonstrate the existing site (on left of diagram) and the proposed site plan (on right side of diagram).
- The house will have a modern design.

Bogdan Szacillo, Architect for the Applicant was sworn in as a witness.

Mr. Szacillo offered the following testimony:

- The plan proposes to use the existing foundation; no earth disturbance and the footprint will stay the same.
- Proposal is for a two-story residence, using the existing basement and garage.
- First floor is approximately 1400 sq. ft. Proposed second floor will be approximately 1400 sq. ft for a total of roughly 2700 sq ft.
- First floor is mostly open area with a kitchen, dining room, office, living room, and powder room. Second floor will be comprised of three bedrooms and 2 bathrooms.
- Plan proposes a flat roof.

Mr. Colaizzo inquired where the driveway would be located.

Mr. Pedneault responded that the driveway is existing and is located on the west side of the property.

Mr. Halal asked if a test had been done on the foundation to ensure that it could handle the load of another story.

Mr. Szacillo responded that an initial assessment was done on the foundation, which looked to be in good condition. Areas where there are point loads may need some reinforcement.

Mr. Beckmeyer asked if reinforcing the foundation will make the foundation walls any thicker?

Mr. Szacillo explained that the plan is to reinforce and grout the existing foundation below the point load. If piers need to be built, they will protrude into the interior of the basement, not the outside.

Mr. Beckmeyer wanted to note for the record that it states in his review letter that unsigned and sealed plans were submitted, however, that is not the case. Signed and sealed plans were submitted on October 20, 2020.

Mr. Cosgrove asked to clarify that the variance request is due to a hardship from the narrowness and irregular shape of the lot.

Mr. Pedneault affirmed that is the case.

Mr. Colaizzo informed the Board that the Environmental Commission had submitted comments upon review of the application. One of the items addressed is the lack of a landscape plan. Mr. Colaizzo inquired if Mr. Pedneault had a landscape plan.

Mr. Pedneault indicated that a landscape plan had not been provided and that there no open space on the property that needs new landscaping as the property is well-maintained, including the driveway and retaining walls. The plan does propose a modification of the stairs, but it is indicated on the submitted plans.

Mr. Cosgrove suggested that there be a condition that a landscape plan be submitted to the Board Engineer.

Mr. Colaizzo asked Mr. Flack if there were specific concerns that the Environmental Commission wanted the Board to address. Mr. Flack responded that the Commission had requested information on if the plans called for any tree removals and if there would be any drainage difficulties with a flat roof.

Mr. Cosgrove indicated that a condition can be made that the applicant submit a landscape plan to the Board Engineer that incorporates the items mentioned by the Environmental Commission. The following review comments were submitted on November 3, 2020 by the Environmental Commission regarding Application Z20-003, 31 Hatfield Street:

1. There is no landscape plan- with a new construction, the existing plants may be damaged.
2. As the site is on a hill, there are no indications how drainage will be addressed.
3. There are downspouts indicated on the plans. A rain garden, as indicated in the attached brochure, would be appropriate.
4. Caldwell is a Sustainable Jersey participant. We urge you to incorporate green development practices into the construction.

Mr. Pedneault stated that the plan proposes to utilize the current water evacuation. The flat roof does have a low pitch towards the back of the house which leads into rain gutters. He offered to the Board that he could update his plans to illustrate the existing stormwater system to see if it meets the Board Engineers approval.

Mr. Cosgrove indicated that submitting the existing stormwater plan could be a condition of approval.

**Cross-examination of the Witnesses : (Open to the Public)**

There were no public comments.

Mr. Cosgrove offered a brief summation:

The application before the Board this evening is for a C Variance to be granted due to the pre-existing conditions of the property lot. Various issues raised during testimony can be incorporated into the Board's decision, such as a Landscape Plan, a Drainage Plan, and the Environmental Commission's Report.

A discussion ensued between the Board Members.

Mr. Vere made a motion to approve Application Z20-003, Michael Pedneault and Leonor Bravo, with all conditions, seconded by Mr. Piazza.

Mr. Colaizzo            yes  
Mr. Piazza             yes  
Mr. Vere                yes  
Ms. Buechner         yes  
Mr. Flack               yes  
Mr. Halal               yes  
Mr. Guagliardi        yes

Approved 7-0

Ms. Buechner made a motion to adjourn the meeting, seconded by Mr. Vere.

The meeting adjourned at 7:33PM

Respectfully Submitted

Kim Conlon  
Zoning Board Secretary