

## BOROUGH OF NEW PROVIDENCE SUNSHINE NOTICE

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9 2020, declaring a State of Emergency and Public Health Emergency in the State of New Jersey, and extended by Executive Orders No. 119 on April 7, 2020, No. 138 on May 6, 2020, and No. 151 on June 4, 2020, and N.J.A.C. 5:39-1 et seq., Emergency Remote Meeting Protocol for Local Public Bodies, the Borough of New Providence does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of the Zoning Board of Adjustment in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public, meetings of the Zoning Board of Adjustment will be held with all Board Members, Board Professionals, the Applicant, the Applicant's Professionals, interested parties and members of the public, connected by conferencing software provided by zoom.us until the Public Health Emergency has been lifted. Members of the public are invited to view meetings live using Zoom client, which allows them to participate and contribute with voice and video when they are invited to do so during public portions of the meeting.

Please click the link to join the meeting: <https://zoom.us/j/2221678523>

**Or** One tap mobile

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**Or** Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1+1 929 205 6099 US (New York)  
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+1 253 215 8782 US

Meeting ID: 222 167 8523

**IF YOU CANNOT JOIN A LIVE MEETING REMOTELY** for any reason, you may contact Margaret Koontz, Secretary, Zoning Board of Adjustment at 908-

665-1124 or via email at [mkoontz@newprov.org](mailto:mkoontz@newprov.org). A hardcopy of applications and associated documents will be made available to you.

BOROUGH OF NEW PROVIDENCE  
AGENDA  
BOARD OF ADJUSTMENT MEETING  
**MONDAY, FEBRUARY 1, 2021 – 8:00 P.M.**

Council Chambers - Municipal Center, 360 Elkwood Avenue New Providence,  
New Jersey

VIRTUAL MEETING

**No new witnesses will be heard after 10:00 p.m.**

- A. CALL TO ORDER
- B. PUBLIC NOTICE
- C. ROLL CALL
- D. RESOLUTIONS

Randy and Nicole Falk [Application #2020-40](#)  
471 Charnwood Road, Block 25, Lot 4, R-2 Zone, New Providence, NJ 07974  
Chapter 310, Article IV, Section 310-10, Schedule II for permission to construct an addition. The proposed front-yard setback to the addition is 38.47 feet whereas 40 feet is the minimum required. The proposed rear-yard setback to the addition is 40.5 feet whereas 46.61 feet is the minimum required.

**Members eligible to vote in favor: Mr. Ammitzboll, Ms. Ananthakrishnan, Mr. Grob, Mr. Morgan, Mr. Ping, Mr. Sorothen and Mr. Nadelberg.**

167 The Fellsway, LLC [Application #2020-39](#)  
167 The Fellsway, Block 282, Lot 5, R-2 Zone, New Providence, NJ 07974  
Chapter 310, Article IV, Section 310-10, Schedules II & III for permission to construct a new home. The proposed lot area is 9,000 square feet whereas 15,000 square feet is the minimum required. The proposed lot width at the setback is 60 feet whereas 110 feet is the minimum required. The proposed building coverage is 1,757 square feet whereas 1,650 square feet is the maximum allowed.

**Members eligible to vote in favor: Mr. Ammitzboll, Ms. Ananthakrishnan, Mr. Grob, Mr. Morgan, Mr. Ping and Mr. Sorothen.**

- E. PUBLIC HEARING SCHEDULED FOR FEBRUARY 1, 2021

**Carried from Special Meeting on January 20, 2021**

Redwood-ERC New Providence, LLC [Application #2020-43](#)  
575 Mountain Avenue, Block 320, Lot 18.01, CCRCO Zone, New Providence, NJ 07974

Preliminary and final site plan approval for development of a continuing care retirement community (the “CCRC”) on Lot 18.01, which shall connect to CCRC improvements on Block 320, Lot 17.01. The proposed CCRC improvements for which Applicant seeks approval include the construction of some six (6) CCRC buildings on Lot 18.01 which will contain approximately 554 independent living units, approximately 108 health care units (including assisted living units and nursing care units), and related improvements including, without limitation, landscaping, utilities, stormwater management, parking, and driveway and access improvements. CCRC use on Lot 17.01 is not permitted by the TBI-1 Zone, but use variance relief was previously granted to allow development of the existing CCRC development on Lot 17.01. Applicant seeks variance approval from Borough Zoning Ordinance Section 310-9.1(I), adopted in Ordinance No. 2019-07, to permit one freestanding monument sign at the intersection of Southgate Road and Mountain Avenue where no site entrance exists, whereas freestanding monument signs are only permitted at each entrance to the CCRC, other than any entrance limited to emergency vehicles. Applicant seeks a design waiver or exception from Borough Ordinance Section 305-11(D)(Note 1), adopted in Ordinance No. 2008-22, to permit maximum illumination of 1.8 footcandles at the property line located at the proposed vehicular entrance at Southgate Road, whereas a maximum of 0.5 footcandles at the property line is permitted. Applicant also seeks variance approval to permit modification of the driveway from Mountain Avenue to the CCRC located on Lot 17.01 (the “Mountain Avenue Driveway”) and utilization of the Mountain Avenue Driveway by the CCRC proposed to be developed on Lot 18.01, along with utilization of the other driveways and facilities on Lot 17.01. In connection with such modification and utilization, Applicant also proposes future construction of a left-turn lane from Mountain Avenue leading into the Mountain Avenue Driveway.

#### F. REVIEW OF PUBLIC HEARING SCHEDULED FOR A SPECIAL MEETING ON FEBRUARY 8, 2021

##### **Carried from January 11 AND 25, 2021**

South Street Commons, LLC

[Application #2020-35](#)

232 South Street, Block 234, Lot 14, R-3 Zone, New Providence, NJ 07974

Preliminary and final site plan approval with use, density, dimensional/bulk and steep slope variances for the construction of an 11 unit multi-family townhouse development and associated improvements.

- [Engineering Review of Truck Turning Plan](#)

#### G. REVIEW OF PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 22, 2021

Todd Andrew Midura

[Application #2020-41](#)

154 Brookside Drive, Block 136, Lot 10, R-2 Zone, New Providence, NJ 07974

Chapter 310, Article IV, Section 310-10, Schedule II for permission to construct an addition. The proposed setback along Maple Street is 32.8 feet to the addition and 34 feet to the condenser unit whereas 40 feet is the minimum required. The existing front stoop is 37.5 feet from the front property line. The existing driveway is 3.5 feet from the side property line.

Tanya Batorsky

[Application #2020-42](#)

16 Brook Road, Block 43, Lot 11, R-2 Zone, New Providence, NJ 07974

Chapter 310, Article IV, Section 310-10, Schedule II for permission to construct an addition. The proposed front-yard setback is 39.66 feet to the addition whereas 40 feet is the minimum required. The proposed rear-yard setback to the addition is 33 feet whereas 40 feet is the minimum required. The proposed side-yard setback to the addition on the right is 9.79 feet and the setback on the left side 7.72 feet whereas 13.8 feet on the right and 11.10 feet on the left is the minimum required.

#### H. COMMUNICATION ITEMS

#### I. MISCELLANEOUS BUSINESS

#### J. MINUTES FROM January 25, 2021

#### K. ADJOURNMENT