

Chairman Schwemmer called the regular Meeting of the Board of Adjustment of April 4, 2007 to order at 7:10 p.m.

MEMBERS PRESENT: Elliott Averett, Morris Bauer, Harvey Ort, Craig Schwemmer, John Turick

Alternate Members: Dorothy Walter, Frank Baguiao

Members Absent: Spina, Graziano

Others Present: Clerk Kesper, Attorney Fraser

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT - Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 12, 2007 and posted on the Bulletin Board on the same date.

Pledge of Allegiance

MINUTES

1. March 7, 2007 Regular Meeting

Mr. Ort made a motion to approve the minutes, seconded by Mr. Averett. A voice vote was taken; all were in favor and the motion carried.

RESOLUTIONS

07-11 DelTufo – Block 37 Lot 20 – 137 E. Valley Brook Road, R-5 Zone - .65 Acres – Approval of Request for front and side yard variance and expansion of non-conforming structure to replace porch with two-story addition

The resolution was reviewed.

Mr. Ort made a motion to approve resolution 07-11. Seconded by Mr. Bauer.

Ayes: Averett, Bauer, Ort, Schwemmer, Turick,

Nays: None Abstentions: None Absent: Spina, Graziano

Ineligible: None

07-12 Zaikowski – Block 15, Lot 11 – 212 Bartley Road – R-5 Zone – 5.274 Acres – Approval of Request for side and rear setback variances and expansion of non-conforming structure for furnace room

The resolution was reviewed.

Mr. Ort made a motion to approve resolution 07-12. Seconded by Mrs. Walter.

Ayes: Averett, Bauer, Ort, Schwemmer, Turick, Walter

Nays: None Abstentions: None Absent: Spina, Graziano

Ineligible: None

07-13 Cannavo – Block 46 Lot 53.06 – 7 Settlers Ridge – R-5 Zone – 6.43 Acres – Request for steep slope variance

The resolution was reviewed.

Mr. Ort made a motion to approve resolution 07-13. Seconded by Mr. Bauer.

Ayes: Averett, Bauer, Ort, Schwemmer, Turick,

Nays: None Abstentions: None Absent: Spina, Graziano

Ineligible: None

The meeting was opened to the public for items not on the agenda. There were no comments from the public and the meeting was closed to the public for items not on the agenda.

APPLICATIONS

1. Colonial Investment – Block 56 Lots 10 & 11 – West Valley Brook Road – R-5 Zone – 4.259 Acres – Request for Steep Slope Variance, Ridgeline Variance – Deemed Complete December 6, 2006 – Previously Heard December 6, 2007 and February 7, 2007 -Public Hearing Continued – Expires – April 5, 2007

Adjourned at Applicant's request to May 2, 2007

2. Rosado – Block 43, Lot 62.01 – Stephensburg Road – R-5 Zone – 3.21 Acres – Request for Steep Slope Variance – Deemed Complete January 3,

2007 – Previously Heard January 3, 2007 - Public Hearing Continued –
Expires May 3, 2007

Adjourned at Applicant's request to May 2, 2007

3. Montgomery – Block 54, Lot 21 – 400 West Mill Road – R-5 Zone – 2.538
Acres – Request for Use Variance for mixed use
residential/agriculture/landscape support

Adjourned at Applicant's request to May 2, 2007

4. O'Hara – Block 45, Lot 16 – 132 Old Turnpike Road – R-5 Zone – 2.755
Acres – Request for front yard setback variance and expansion of
residential non-conforming structure

Irin O'Hara, Applicant
Keith O'Hara, Applicant
Terry Gallagher, Applicant

Irin O'Hara, Keith O'Hara and Terry Gallagher were sworn in by Attorney
Fraser.

Mr. Gallagher stated that the O'Hara's are the owners of the subject property. He explained that the barns are in disrepair and are not salvageable. One of the barns has fallen down since the picture was submitted. The applicant would like to take down the existing garages and put up a new garage. He answered the Board that the total square footage of the new garage would be less than that of the old buildings – 27' x 27'. He referred to the survey and pointed out the old garages and the proposed garage. The proposed garage would be setback 4'-5' from the front of the home, or 24' from the road. He answered Mr. Averett that the well line will not be compromised. The septic is in the back and not an issue. He answered Ms. Fraser that all of the structures on the survey shown as garage, shed and barn would be taken down if this application is approved. He answered Mrs. Walter that the applicant would not be taking down any trees to build the new garage. He answered Mr. Ort that there would be no living space in the garage, just storage space and that the applicant does not plan on putting in any plumbing. He answered the board that this change would improve the current side yard setback condition.

Ms. Fraser noted for the board that the existing garage and dwelling are within the front yard setback.

Mr. Gallagher stated that he prepared the elevations submitted with the application.

The meeting was opened to the public for questions or comments on this application. There were no questions or comments and the meeting was closed to the public for questions or comments on this application.

Mr. Averett made a motion to approve the variance as presented, allowing the new structure to be 24' from the property line. Seconded by Mr. Ort. A roll call vote was taken.

Ayes: Averett, Bauer, Ort, Schwemmer, Turick, Baguiao, Walter

Nays: None Abstentions: None Absent: Spina, Graziano

Ineligible: None

5. Dragunas – Block 47, Lot 25 – 50 North Mt. Lebanon Road – R-5 Zone – 7.58 Acres – Request for front yard setback variance and expansion of residential non-conforming structure

Vera Dragunas, Applicant

Alex Dragunas, Applicant

Kevin Fleming, Applicant's Builder

Vera Dragunas, Alex Dragunas and Kevin Fleming were sworn in by Attorney Fraser.

Ms. Dragunas stated that she is looking to put an addition to the rear of her 100-year old house. This addition to the rear of the house will still be in the front yard setback but further from the side yard setback. She is adding bedrooms and putting in a new septic system.

The board reviewed the plans and the survey.

Mr. Fleming stated that the house is 20' off the edge of pavement.

Ms. Dragunas stated that her barns are across the street and the house is set close to the road because it is an old farmstead. The addition on the first floor will have an expanded kitchen, mud room, two bedrooms and a sitting room. The second story will have pull down stairs for storage, no living space. She stated that there are small and large homes on the street. Her home is one of the smaller homes on the street. She stated that she has renovated the existing home and the barns. This explained that this property is one of the last farms in the area. The addition will conform to what is existing.

The meeting was opened to the public for questions or comments on this application. There were no questions or comments and the meeting was closed to the public for questions or comments on this application.

Mr. Averett made a motion to approve the application as presented, seconded by Mr. Bauer.

Ayes: Averett, Bauer, Ort, Schwemmer, Turick, Baguiao, Walter
Nays: None Abstentions: None Absent: Spina, Graziano
Ineligible: None

DISCUSSION - CORRESPONDENCE

1. Vouchers

The vouchers were reviewed. Mrs. Walter made a motion to approve the vouchers reviewed by the Chairman and found in order and send same on for payment. Seconded by Mr. Averett. A voice vote was taken; all were in favor and the motion carried.

2. Board Procedure

The board reviewed their procedures on hearings.

Mr. Bauer made a motion to adjourn, seconded by Mr. Baguiao. A voice vote was taken; all were in favor and the meeting was adjourned at 8:00 p.m.

Virginia R. Kesper, Clerk