

Chairman Schwemmer called the regular Meeting of the Board of Adjustment of July 2, 2008 to order at 7:00 p.m.

MEMBERS PRESENT: Morris Bauer, Felix Graziano, Craig Schwemmer, Anthony Spina

Alternate Members: Frank Baguiao

Members Absent: Walter, Graziano, Ort, Turick

Others Present: Clerk Kesper, Attorney Fraser, Planner Banisch, Engineer Hall

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 18, 2008 and posted on the Bulletin Board on the same date. Two notices were mailed as there were two requests

Pledge of Allegiance

MINUTES

1. June 4, 2008 Regular Meeting

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

RESOLUTIONS

08-14 Maroney – Block 35, Lot 3.08 – 59 Old Farmers Road, Long Valley
– R-5 Zone – 3.6 acres - Request for flag lot setback variance and insufficient lot size

Mr. Bauer made a motion to approve resolutions 08-14, seconded by Mr. Baguiao

Ayes: Bauer, Schwemmer, Baguiao,

Nays: None Abstentions: None

Absent: Turick, Ort, Averett

Ineligible: Spina, Graziano, Walter

08-15 Yarussi – Block 34.01, Lot 2 – 158 Beacon Hill Road – R-5 Zone –
1 Acre -Request for variance for side yard setback and insufficient
lot size

Mr. Bauer made a motion to approve resolutions 08-14, seconded by Mr. Baguiao

Ayes: Bauer, Schwemmer, Spina, Baguiao,

Nays: None Abstentions: None Absent: Averett, Ort

Ineligible: Graziano, Walter, Turick

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. Chandra/Singh – Block 40, Lot 10.04 – R-5 Zone - .92 Acres –
Request for variances for: front yard setback, pre-existing front and
side yard setback, nonconforming structure and nonconforming lot
size variances

Pritipal Singh, Applicant

Snehil Chandra, Applicant

Aakriti Chandra, Applicant

Pritipal Singh, Snehil Chandra, Aakriti Chandra

Mr. Singh reviewed his application and stated that the property is an unusual shape which leads to the variance. He stated that they would like to put a two story 22' x 35' addition on the side of the house. He pointed out the septic system behind the house. The addition will maintain the style of the current home. He stated that the back of the house is 80' from the house behind them. The existing home is only 875 s. f. The house is currently 25' x 35'. They have a three bedroom house now and it will be a three bedroom house after the addition. They are not widening the driveway or moving the fence. They plan to pave the driveway.

Mr. Hall stated that the setbacks shown are not exact as they need to be measured perpendicularly from the right of way. He stated that the addition to the existing house is 23' to 24' and the new corner to the right is 32' to 33'.

Mr. Singh stated that the addition will be in line with the existing structure.

The meeting was opened to the public for questions and comments.

John Holt – Fairmount Road asked about the variances and distances to the house in the rear and concerned about the impact of the addition to the neighborhood. He asked about occupancy as there are a number of cars.

Ms. Fraser reviewed the existing variances, acreage, size of the home, front and side yard setbacks. The new addition does have a front yard but no side yard setback variance.

Mr. Singh stated that he and his wife and four daughters live in the house. He noted that three of his daughters are of driving age. He stated that he occasionally has guests who stay overnight as well.

Mr. Graziano made a motion to approve the application as presented and discussed this evening. Seconded by Mr. Bauer. A roll call vote was taken:

Ayes: Bauer, Baguiao, Graziano, Spina, Schwemmer

Nays: None Abstentions: None Absent: Ort, Walter, Averett

2. Kadosh (Neighbor House) – Block 34, Lot 47 – R-5 zone 3.607 Acres – Request for Preliminary and Final Site Plan with Variances for expansion granted with Use Variance 08-13– Decision on Completeness Only

Rafi Kadosh, Applicant
David Fantina, Applicant's Engineer

Mr. Fantina reviewed Mr. Hall's letter of June 27, 2008. He stated that the applicant would comply with items 1, 3, 5, 6, 15, 16 and 17 of the letter. Items 11, 13 have been submitted. He reviewed the remainder of the items:

2 & 4 – Regarding 200' information requested

Mr. Hall stated that the requirement is that all wetlands or transition areas on the site or within 150' be shown and that the wetlands expert letter stated only that no wetlands were within the area of disturbance. He stated that if there are wetlands or transition areas on the site they should be put into a conservation easement.

Mr. Fantina asked that the board waive the showing of wetlands/transition areas on site and easements because of the Historic nature of the property and that the Neighbor House is surrounded by farmland. He stated that there are wetlands offsite and transition areas are on the property in the wooded area.

Mr. Hall stated that the DEP controls and places restrictions on any wetlands which are similar to the controls under a township easements. He asked that the wetlands expert present testimony on this issue or sketch the approximate area of the transition areas on the plans.

Mr. Fantina stated that to his knowledge he has shown all other information required within 200'.

7 & 8 – The applicant was asking for the landscaping buffer waiver because of the distance the Neighbor House is from the road. They have shown some landscaping on sheet 3 of the plan, a boxwood hedge. The existing lights will remain and they were not proposing any new lighting.

Mr. Hall stated that he did not object to a waiver of these items for completeness. He wanted a note on the plans where the lights are shown as existing notes and are to remain or be relocated.

9 – They are not proposing any new signs.

Mr. Hall asked that the existing sign be shown on the plan with the dimensions.

10 – He was of the opinion that the legend was complete he would discuss this later with Mr. Hall.

14 – If it is determined that they are going to import or export 100 s.f. of soil a soil disturbance permit will be submitted as part of the application.

Mr. Graziano made a motion to deem the application incomplete based on the discussions this evening, seconded by Mr. Baguiao. A voice vote was taken all were in favor and the motion carried.

The application was scheduled for a completeness hearing and if deemed complete a public hearing on August 6, 2008.

DISCUSSION - CORRESPONDENCE

1. Vouchers

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

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

Virginia R. Kesper, Clerk