

**MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING HELD FEBRUARY 3, 2005**

CALL TO ORDER: The meeting was called to order by Chairman Miller at 7:30 p.m.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 has been made to the New Jersey Herald and is also posted on the Bulletin Board at the Hardyston Township Municipal Building.

ROLL CALL:

William Walsh	Present
Santo Verrilli	Present
Gerald Laughlin	Present
David Toye	Present
Gary Bargiel	Excused
Candace Leatham	Present
Mary Ann Murphy (Alt. 1)	Excused
Roger Kabbash (Alt. 2)	Excused
Carl Miller	Present

OTHERS PRESENT: Michael G. Vreeland, P.E., Richard Briigliodoro, Esq., Anne-Marie Wilhelm, Secretary.

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Zoning Board of Adjustment Reorganization Meeting Held January 6, 2005*, was made by Santo Verrilli and seconded by William Walsh. Roll Call: William Walsh – yes, Santo Verrilli – yes, David Toye – yes, Carl Miller – yes. The motion carried.

A motion to approve the *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held January 6, 2005*, was made by Gerald Laughlin and seconded by David Toye. Roll Call: William Walsh – yes, Gerald Laughlin – yes, Santo Verrilli – yes, David Toye – yes, Carl Miller – yes. The motion carried.

RESOLUTION: ZB-11-04-1, Bresett, Alice and David, “C” Variance, Block 87, Lot 14: A motion to adopt the memorializing resolution was made by David Toye and seconded by Gerald Laughlin. Roll Call: Santo Verrilli – yes, Gerald Laughlin – yes, David Toye – yes, Carl Miller – yes. The motion carried.

APPLICATION: ZB-1-05-1, Luchynska, L. & V. Loutchynski, “C” Variance, Block 31, Lot 5: Glenn T. Gavan, Esq., appeared on behalf of the Applicant. Richard Briigliodoro, Esq., confirmed that notice was sufficient. Michael G. Vreeland, P.E., was sworn. Oleksiy Luchynskyi was sworn. Mr. Gavan submitted Exhibit A-1, a photograph of the home prior to the work being performed; Exhibit A-2, a photograph of the property showing the work completed; and Exhibit A-3, a photograph of the property showing the work completed. Mr. Luchynskyi stated that he replaced a railroad tie retaining wall using stone and he replaced a walkway with pavers. He stated the wall and walkway were unstable. He stated that he also replaced the front entranceway and included a mudroom in the design. He stated he applied for a zoning permit for the enclosure and was denied. Mr. Luchynskyi stated that the town also issued a stop work order. He stated that the enclosure is closer than 30' from the property line and this requires a variance. Mr. Gavan stated the Applicant built a front mudroom to create a more formal entry to the home. He noted that the home is on a uniquely shaped lot and the house is skewed on it. He confirmed there is no opportunity to obtain additional property to eliminate the variance condition.

Board members reviewed the attached report of Michael G. Vreeland, P.E., dated December 28, 2004. With reference to Item No. 1, Mr. Loutchynskyi stated that the shed has been removed. He confirmed that the septic system is located in the rear of the property. He stated that he was not certain of the well's location. Mr. Luchynskyi stated that he did not dig up any pipes during the construction process. He confirmed that the installed pavers replaced a walkway and did not increase impervious lot coverage. Mr. Luchynskyi stated that the roof gutters would drain into a pipe and discard on the side of his building. Mr. Luchynskyi acknowledged that the pipe can not discharge onto the neighbors' property. The Applicant agreed to place a hand-railing at the entranceway and run it along the walkway to the driveway.

Chairman Miller opened the meeting to the public. There were no participants. The meeting was closed to the public.

The Applicant stated that he believed the improvements are consistent with the houses in the neighborhood. Chairman Miller stated that the new retaining wall is more aesthetically pleasing and safer than the railroad tie wall. The Applicant stated that the neighbors loved the addition. Mr. Gavan stated that a neighbor contacted him and expressed her approval.

A motion to approve the application subject to the installation of the hand-railing and the drainage so as to not negatively impact the adjoining property was made by Santo Verrilli and seconded by William Walsh. Roll Call: William Walsh – yes, Santo Verrilli – yes, Gerald Laughlin – yes, David Toye – yes, Candace Leatham – yes, Carl Miller – yes. The motion carried.

The Board granted the Applicant's request to waive his right to the reading of the resolution.

PUBLIC PARTICIPATION: There were no members of the public present.

CORRESPONDENCE: There was no correspondence to review.

BILLS: A motion to approve a recommendation to the Council to pay the bills cited below was made by Santo Verrilli and seconded by David Toye. Roll Call: William Walsh – yes, Santo Verrilli – yes, Gerald Laughlin – yes, David Toye – yes, Candace Leatham – yes, Carl Miller – yes. The motion carried.

Richard Briigliodoro, Esq., Weiner Lesniak, LLP

Invoice #741126AA	Zoning OE	\$	280.00
Invoice #741127AA	ZB-11-04-1, Bresett, A.		84.00

New Jersey Herald

Invoice # 34785	Legal Notice		77.50
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Michael G. Vreeland, P.E., Guerin & Vreeland Engineering, Inc.

Invoice # WO639A	ZB-1-05-1, Luchynska, Loutchynski		380.00
Invoice # WO618B	ZB-9-04-1, Barrett, Pat		427.50
Invoice # WO592E	Zoning OE		475.00
Invoice # WO642A	Zoning OE		475.00
Invoice # WO638A	ZB-11-04-1, Bresett, A.		285.00
Invoice # WO391L	ZB-5-00-1, Playbiz, Inc		190.00

DISCUSSION: Board members reviewed the attached resolution titled *Report on Variance Applications and Amendment Recommendations*. A motion to adopt and memorialize the resolution was made by William Walsh and seconded by Gerald Laughlin. Roll Call: William Walsh – yes, Santo Verrilli – yes, Gerald Laughlin – yes, David Toye – yes, Candace Leatham – yes, Carl Miller – yes. The motion carried.

ADJOURNMENT: Having no further business, a motion to adjourn was made Santo Verrilli and seconded by William Walsh. All were in favor. The motion carried. The meeting was adjourned at 8:12 p.m.

Minutes respectfully submitted by:

Anne-Marie Wilhelm