

MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING HELD MAY 4, 2017

CALL TO ORDER: Chairman Murphy called the meeting to order at 7:00 p.m. and read the following Statement of Compliance:

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meeting Act, Chapter 231, P.L. 1975, adequate notice as defined in Section 3D of Chapter 231 P.L. 1975 was made to the New Jersey Herald, and a copy is posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

William Walsh – Present
Gerald Laughlin – Present
Candace Leatham – Present
James Homa – Present
Ellis Marples – Present
Jane L. Caiazzo – Present @7:05 p.m.
John Bazelewich (Alt. 1) – Present
Robert T. Cook (Alt. 3) – Present
Mary Ann Murphy – Present

FLAG SALUTE: Chairman Murphy led the flag salute.

OTHERS PRESENT: Michael G. Vreeland, P.E., P.P., and Glenn C. Kienz, Esq.

APPROVAL OF MINUTES: *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held April 6, 2017* – A motion to approve was made by Candace Leatham and seconded by James Homa. There was no discussion. Roll Call: William Walsh – yes; Candace Leatham – yes; James Homa – yes; Ellis Marples – yes; John Bazelewich – yes; Robert T. Cook – yes; Mary Ann Murphy – yes. The motion carried.

APPROVAL OF RESOLUTIONS: ZB-8-16-1A, TV WAREHOUSE LLC, BLOCK 84 LOT 2. REQUEST FOR RELIEF OF CONDITION #5 REGARDING COMPLIANCE WITH §147-8(o) OF THE HARDYSTON TOWNSHIP CODE – RESOLUTION TOWNSHIP OF HARDYSTON ZONING BOARD OF ADJUSTMENT IN THE MATTER OF TV WAREHOUSE, LLC APPLICATION NO. ZB-8-16-1 DECIDED AUGUST 22, 2016 MEMORIALIZED OCTOBER 6, 2016 USE VARIANCE, CERTIFICATE OF NONCONFORMITY, PRELIMINARY AND FINAL SITE PLAN APPROVAL AND RELATED RELIEF FOR A MIXED - USE PROJECT: The Board memorialized an approval changing a condition of an approval memorialized on October 6, 2016 in the matter of ZB-8-16-1, TV Warehouse LLC, “D” Variances, “C” Variances, Preliminary and Final Site Plan, Block 84 Lot 2. The subject property is located at 2841 New Jersey State Highway Route 23, Hardyston, New Jersey in the R-C Zone. The October 6, 2016 approval permits a plan to develop the site and the first floor of the existing building with a Green Life Market retail grocery store. The Green Life Market would include a commercial kitchen and seating area with up to sixteen seats. A use variance approval was granted pursuant to N.J.S.A. 40:55D-70d(1). Ancillary “C” Variance relief was granted pursuant to N.J.S.A. 40:55D-70c(1) and (2). The Board also granted a request for a *Certificate of Nonconformity* and denied a request for a waiver of fire protection requirements. Condition 5 was revised as follows: *The granting of this application is subject to and conditioned upon the Applicant installing a residential sprinkler system in the residential portion of the premises which shall be subject to the review and approval of the Hardyston Township Fire Department and Construction Code Official.*

The motion to approve was made by Jane Caiazzo and seconded by Ellis Marples. There was no discussion. William Walsh – yes; Candace Leatham – yes; James Homa – yes; Ellis Marples – yes; Jane Caiazzo – yes; John Bazelewich – yes; Mary Ann Murphy – yes. The motion carried. – yes.

APPLICATION: ZB-4-17-1, DEAN ANTHONY PROPERTIES LLC, “C” VARIANCE, BLOCK 32 LOT 3: Vanessa L. Henderson, Esq., appeared on behalf of the Applicant. Glenn G. Gorlich, RA, NCARB, was sworn, qualified, and accepted as an expert witness. Dean Dellolio, Owner, was sworn. Ms. Henderson provided an overview of the matter. Mr. Kienz clarified that the Applicant needed two front yard variances and an impervious coverage variance. He noted the property is lakefront and therefore has two front yards.

Mr. Gorlich identified the proposed development as the relocation and modification of the home's entrance on the street side of the lot; the removal of the lower level of a multi-level deck on the lake front side, and an expansion of the second-story lake front deck. He explained setback adjustments noting the relocation of the entranceway doubles the front yard setback. Mr. Gorlich presented the existing conditions noting preexisting impervious coverage of 35% where 20% is the maximum permitted by the ordinance. He stated the Applicant is reducing the impervious coverage to 32% by removing a sidewalk along the lake front and installing pavers. He identified the location of the garage at the back of the house and the overhang on the southwest corner. Mr. Gorlich confirmed that the Applicant could not completely eliminate the encroachments. Mr. Kienz noted the lot was shallow. Mr. Gorlich noted the lot was sloped. He confirmed that the Applicant is improving the situation, and the project does not negatively affect the surrounding neighborhood.

Chairman Murphy opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

A motion to approve was made by William Walsh and seconded by James Homa. There was no further discussion. Roll Call: William Walsh – yes; Gerald Laughlin – yes; Candace Leatham – yes; James Homa – yes; Ellis Marples – yes; Jane Caiazzo – yes; John Bazelewich – yes; Mary Ann Murphy – yes. The motion carried. The Board waived the reading of the resolution at the Applicant's request.

BILLS: There were no bills to review.

CORRESPONDENCE: There was no correspondence scheduled for review.

DISCUSSION: There was no discussion.

ADJOURNMENT: A motion to adjourn was made by William Walsh and seconded by James Homa. All were in favor. The motion carried. The meeting concluded at 7:20 p.m.

Minutes respectfully submitted by:
/s/Anne-Marie Wilhelm
Anne-Marie Wilhelm
Land Use Administrator