

MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING HELD NOVEMBER 27, 2018

CALL TO ORDER: Chairwoman 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:

Candace Leatham – Present
Jim Homa – Absent
Ellis Marples – Present
Jane L. Caiazzo – Present
John Bazelewich – Present @ 7:05 p.m.
Richard Kell – Absent
Mary Ann Murphy – Present
Vally Cicerale – Absent
Doug Grayson – Present

FLAG SALUTE: Chairwoman Murphy led the flag salute.

OTHERS PRESENT: Richard Briigliodoro, Esq., and Michael G. Vreeland, P.E., P.P., were present.

APPROVAL OF MINUTES: *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held July 24, 2018* – A motion to approve was made by Candace Leatham seconded by Doug Grayson. There was no discussion. Roll Call: Candace Leatham – yes, Jane L. Caiazzo – yes, Doug Grayson – yes, Mary Ann Murphy – yes. The motion carried.

APPROVAL OF RESOLUTIONS: There were no resolutions scheduled.

APPLICATIONS: **ZB-10-18-1, Lavery, Cean. “C” Variance, Block 49 Lot 40** – William P. Askin, Esq., appeared on behalf of the Applicant. Board member Ellis Marples recused. Witnesses Cean Lavery, Owner, and Scott Babcock, Contractor, were sworn. Richard Briigliodoro, Esq., confirmed that notice was satisfactory and the Board had jurisdiction.

Mr. Askin presented the application for “c” variance relief to allow a replacement deck to encroach into the side-yard setback of a single-family dwelling located at 8 Lakeside Avenue, Hardyston, New Jersey in the R-3 Zone. Mr. Briigliodoro confirmed that the side-setback variance condition created by the construction of a new replacement deck was the only relief required. He opined that existing variance conditions did not need relief.

Ms. Lavery stated she plans to replace the roof and extend the new roof over a replacement deck to create a porch. She explained that the current deck is sagging and needs repair. She stated she intends to make the improvements conform with the existing style of the home. She added that new stairs and a railing would address safety concerns. She confirmed that the 205 square foot replacement deck is the same size as the existing one. Ms. Lavery stated the deck would provide direct lakeside access to the house, which is currently difficult due to the parcel’s topography. The Applicant confirmed that code compliant stairs and a railing would be added to the deck placed on a new concrete pad. Ms. Lavery testified that the front yard faces lakefront, and the surrounding homes are similar to her residence. She stated surrounding properties also have decks, and there would be no negative impact on neighbors.

Chairperson 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 the application was made by Candace Leatham seconded by Jane L. Caiazzo. There was no discussion. Roll Call: Candace Leatham – yes, Jane L. Caiazzo – yes, John Bazelewich – yes, Doug Grayson – yes, Mary Ann Murphy – yes. The motion carried. The Board waived the reading of the resolution enabling the Applicant to apply for a Zoning Permit at their own risk.

ZB-11-18-1, Lovatt, John and Ann. “D” Variance, C Variance, Block 61 Lot 13 –

Richard Briigliodoro, Esq., confirmed the Applicant’s notice was satisfactory and the Board had jurisdiction to hear the matter. Gary A. Kraemer, Esq., appeared on behalf of the Applicant. Kenneth A. Wentink, P.E., L.S., and Ann Lovatt were sworn.

Mr. Kraemer presented an overview of the matter stating the Applicant requests “D” Variance relief to construct a single-family residence at 3032 Route 23 North, Hardyston, New Jersey in the B-1 Zone. He presented that the property is part of an original homestead dating back to the 30’s and is located in the middle of a hamlet of single-family homes. Mr. Kraemer opined the property is ill suited for a commercial use due to its topography and location. He stated access for a commercial use would be dangerous.

Applicant Ann Lovatt stated the subject property was bought by her grandparents in the 30’s. She stated the parcel’s dwelling was demolished approximately ten years ago, and the property has been vacant since. She stated she grew up in the area and would like to retire there.

Mr. Wentink described the existing conditions noting the property is steep with rock outcrops. He stated there is a new septic design that will be located in front of the house. He confirmed the home could be built within the building envelope without setback encroachments or other variances. He also agreed to provide a certification that there is adequate space for a vehicle to turn around and adequate parking. Mr. Wentink stated the lot is also much higher than the road and could require excessive blasting for a commercial design. He noted there are five residences in the immediate area with a bus company and auto repair shop. The Applicant confirmed that a NJDOT permit and Highlands Council approval were obtained.

With reference to the request for bulk variance relief for the number of accessory structures and setback encroachments for Shed Two and Shed Three, Mr. Kraemer explained the sheds were built in the 1960’s. He noted the property to the rear is owned by Green Acres. The Applicant stated the sheds would be used for storage of tools and gardening equipment. Following discussion, it was agreed that the sheds could not be replaced in violation of setback requirements or number of accessory structure limitations.

Having no other issues to discuss, Chairperson 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 John Bazelewich seconded by Jane L. Caiazzo. Roll Call: Candace Leatham – yes, Ellis Marples – yes, Jane L. Caiazzo – yes, John Bazelewich – yes, Doug Grayson – yes, Mary Ann Murphy – yes. The motion carried.

BILLS: A motion to recommend payment of the bills noted on the 11/27/18 Bill List was made by Jane L. Caiazzo seconded by Ellis Marples. There was no discussion. Roll Call: Candace Leatham – yes, Ellis Marples – yes, Jane L. Caiazzo – yes, John Bazelewich – yes, Doug Grayson – yes, Mary Ann Murphy – yes. The motion carried.

CORRESPONDENCE: There was no correspondence.

DISCUSSION: There was no discussion.

ADJOURNMENT: A motion to adjourn was made by John Bazelewich and seconded by Ellis Marples. All were in favor. The motion carried. The meeting concluded at 8:00 p.m.

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