

MINUTES OF THE HARDYSTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING HELD JUNE 28, 2022

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

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 posted on the bulletin board at the Hardyston Township Municipal Building.

OATH OF ALLEGIANCE: Richard Briigliodoro, Esq., administered the oath to James Caiazzo

ROLL CALL:

Jim Homa – Present
Ellis Marples – Present
Doug Grayson – Absent
Vally Cicerale – Absent
Eric Balinski – Present
James Caiazzo – Present
Mary Ann Murphy – Present
Savas Savidis – Present
David Van Ginneken – Absent

OTHERS PRESENT: Michael G. Vreeland, P.E., P.P.; Richard Briigliodoro, Esq.

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Zoning Board of Adjustment Meeting Held May 24, 2022* was made by Jim Homa and seconded by Ellis Marples. There was no discussion. Roll Call: Jim Homa – yes, Ellis Marples – yes, Savas Savidis – yes. The motion carried.

APPROVAL OF RESOLUTION: ZB-5-22-1, Farrell, William and Susan. “C” Variance, Block 52 Lot 1 — A motion to adopt the resolution was made by Jim Homa and seconded by Savas Savidis. There was no discussion. Roll Call: Jim Homa – yes, Savas Savidis – yes. The motion carried.

APPLICATION: ZB-12-21-2, Lake Stockholm Country Club & Community Association, Inc., “D” Variances, Preliminary and Final Site Plan, Block 57 Lot 14. Board member Ellis Marples recused. William T. Haggerty, Esq., appeared on behalf of the Applicant. He provided an overview of the application stating the Applicant seeks relief to allow the installation of a gazebo and 8 x 10 storage shed on the subject property without said property having a principal use. He explained the completeness waiver requests noting the potential expense of site plan preparation was prohibitive. He opined the application was small and minor in nature. He stated the Highlands Exemption was obtained. He stated the use of the gazebo and storage would be limited to Home Owner’s Association members. He stated there would be no lighting or sound amplification.

Michael G. Vreeland, P.E., P.P., stated that there are nonconforming conditions and a definitive quantification was not possible without a plan. He recommended the Applicant provide additional testimony and a survey. Board Secretary Wilhelm noted the administrative checklist items had not been addressed. Richard Briigliodoro, Esq., stated the Board could impose conditions as part of an approval. A motion to deem the application complete was made by Eric Balinski and seconded by Savas Savidis. Roll Call: Jim Homa – yes, Eric Balinski – yes, Mary Ann Murphy – no, James Caiazzo – yes, Savas Savidis – yes. The motion carried.

Mr. Haggerty submitted Exhibit A-1, a plan identifying the location of the proposed shed and gazebo. Ms. Christine Dorn-Moldodan, President, Lake Stockholm HOA, was sworn. Ms. Dorn-Moldodan confirmed the proposed shed would replace the existing bus shelter. She explained the HOA needs storage for their property, which includes records and decorations. It was confirmed the storage area would be 80 sq.ft. Ms. Dorn-Moldodan also explained the gazebo could serve as shelter for children waiting for the school bus that stops at the property and as an area to chat. She stated the existing shelter could accommodate approximately five children and the gazebo could shelter a few more. Ms. Dorn-Moldodan noted that approximately 25 children use the bus stop. She also noted the Christmas program had been run there in the past utilizing electric from a neighbor’s property. She stated she did not know if the HOA would elect to hold it there again. She opined that the storage shed could not be located on other HOA property due to financial and environmental constraints. Ms. Dorn-Moldodan presented the HOA’s intent to beautify the area. She noted the site is on-camera and the shed would be accessed by a key. She confirmed the site would be maintained by HOA staff. Ms. Murphy expressed concern about speeding in the area and the danger of the location being at the bottom of the hill. Ms. Dorn-Moldodan noted the township prohibited speed bumps on the roads.

Mr. Haggerty opined the proposal would not make the area's conditions worse and it would have no negative impact. He stated it would provide a service to the community by providing a shelter for kids.

Michael G. Vreeland, P.E., P.P., confirmed the gazebo would have no utilities, no illumination, no parties, and would be located on a plan. Ms. Dorn-Moldodan stated she had not yet selected a gazebo and did not know what color she would pick. Mr. Vreeland suggested a garbage can be on site as well. Following discussion, the Applicant agreed to satisfy setback requirements applicable to accessory structures.

The Board suggested signage posting the areas hours of operation tentatively defined as 6 a.m. – 8 p.m. / 6 a.m. – 8 p.m. The Applicant agreed to contact the association's membership to determine the hours and submit the information to the Board Engineer for review. The Applicant also agreed to comply with signage requirements and provide a detail on the plan.

Chairman Murphy opened the meeting to the public. Michael Ficus, Vice President, Lake Stockholm Association, stated he agreed with signage requirements. No other members of the public addressed the public. The meeting was closed to the public.

A motion to approve subject to the conditions noted below was made by James Caiazzo and seconded by Eric Balinski. Roll Call: Jim Homa – yes, Eric Balinski – yes, James Caiazzo – yes, Savas Savidis – yes, Mary Ann Murphy – yes. The motion carried. The conditions noted include the applicant providing an enlarged copy of Exhibit A-1 with the structures identified on the plan; no utilities; no illumination; no parties; area for use by members and guests only; HOA members to determine hours of operation; applicant to provide a sign detail; and the applicant to identify the structure using signage for emergency services.

CORRESPONDENCE: There was no correspondence.

OPEN TO THE PUBLIC: No members of the public addressed the Board.

BILLS: A motion to pay the bills was made by Jim Homa and seconded by James Caiazzo. All were in favor. The motion carried.

DISCUSSION: There was no discussion.

ADJOURNMENT: A motion to adjourn was made by Jim Homa and seconded by Ellis Marples. All were in favor. The meeting adjourned at 7:55 p.m.

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