

**HARDING TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
JULY 19, 2018**

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Board of Adjustment Chair, Mike Flanagan, called the meeting of the Board of Adjustment to order at 7:30 and announced that adequate notice of the meeting had been made in accordance with the New Jersey State Open Public Meetings Act.

REGULAR MEETING

The Roll call was taken and went as follows:

Mr. Rosenbach	Present	Mr. Newlin	Present
Mr. Flanagan	Present	Mr. Maselli	Excused
Mr. Schleifer	Present	Ms. Eichler	Present
Mr. Kearns	Present	Mr. Symonds	Present
Ms. Chipperson	Present		

Also present was Board Attorney, Gary Hall, McKinley Mertz and Board Secretary, Lori Taglairino.

MINUTES

Mr. Flanagan made a motion to approve the June 21, 2018 minutes as written. The motion was seconded by Mr. Newlin. On a voice vote all eligible members were in favor of approving the minutes.

ADMINISTRATIVE

Mr. Newlin noted an ongoing training session regarding Affordable Housing has been postponed. He asked the Board for other suggestions for training. Master Plan, storm water management, easements and setbacks were some of the suggestions made by the board members.

Mr. Hall noted that there will be a training session for all Board members regarding Municipal Excess Liability possibly planned for the September meeting.

RESOLUTIONS

None

OLD BUSINESS

<u>Application BOA# 06-18</u>	Janet Simon 157 Village Road, B10, L18, RR Zone Applicant is requesting relief for a conditional use variance, per NJSA 40:55D-70 (d)(3), minor subdivision and other relief to retain noncompliant accessory residence on smaller lot.
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Presenting:
Tom Malman, Attorney
Ron Kennedy, Engineer

- Mr. Malman stated that Mr. Hall prepared a draft resolutions with the conditions. He also noted that there was a question regarding the Bridle Trails. A memo from Paul Fox dated July 13, 2018 confirmed that there are no Bridle Trail easements on the property. Mr. Hall will amend the Resolution to reflect the confirmation of that condition.

Mr. Flanagan made a motion to approve the subdivision with the conditions stated in the resolution and the amendment by Mr. Hall. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson, and Mr. Symonds.

Against: None

Application BOA# 08-18

Chester and Amanda Van Doren
37 Long Hill Road, B17, L41, RR Zone
Applicant is requesting temporary use variance relief and temporary building area and lot coverage relief for construction of a new dwelling prior to demolition of the existing dwelling on the lot as per NJSA 40:55D-70 (d) (1)

Presenting:
Jack Dusinberre, Attorney
Chester Van Doren, Owner
Mr. Van Doren was sworn in for testimony

- Mr. Dusinberre presented a proposal for a temporary use relief variance for construction of a new home while living in the existing contributing historic home on the lot.
- Mr. Dusinberre noted that there was a site inspection by the HPC and the BOA.
- Mr. Hall noted that there were additional variance fees required for this application for the temporary use.
- Mr. Dinsmore, the Chairman of the HPC was present and spoke in support of preserving and possibly re-purposing the existing residence.
- The Board discussed several conditions for this applications. They required that the demolition take place 18months after the start of construction or 60 days after receiving the TCO, they required a performance guarantee to cover demolition and or site restoration costs. The Board required Board of Healthy approval, Construction approvals and storm water management approval.

Mr. Flanagan made a motion to approve the application with the above stated conditions. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson, and Mr. Symonds.

Against: None

Application BOA# 09-18

Leslie Wentz

6 Village Road, B17, L58, B-1 Zone

Applicant is requesting relief for Floor Area Ratio as per NJSA-40:55D-70-(d) 4.

Presenting:

Karl Nichols, Architect

Leslie Wentz, Owner

- Mr. Nichols noted that they reduced the house by 300 sq. ft. in height and area and reduced the size and number of the dormers.
- Ms. Mertz noted that she mapped a plan of changes between the two sets of plans.
- Mr. Nichols noted that they reduced the FAR from 24% to 22%.
- Mr. Nichols presented photos of other 4-square homes in New Jersey.
- Mr. Newlin notes that they were responsive to the Board's concerns.

Mr. Flanagan made a motion to approve the application as submitted. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson, and Mr. Symonds.

Against: None

Application BOA# 04-18

Robert and Barbara Sandelands

11 Holly Hill Road, B6, L6.04, R-1 Zone

Applicant requesting variance relief for a front setback per NJSA 40:55D-70(c).

Presenting:

Art Palumbo, Architect

Robert Sandelands, Owner

- Mr. Palumbo noted that he made the corrections requested by the board on the plans and zoning table.
- Mr. Palumbo explained the reason for the setback and presented plans for the porch and mudroom addition.
- It was noted that this property is situated on a cul-de-sac and that it will have no impact on properties behind the home.

Mr. Flanagan made a motion to approve the application as submitted. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson, and Mr. Symonds.

Against: None

NEW BUSINESS

Application BOA# 11-18

David and Lisa Welsh
10 Griffin Lane, B7, L1.02, RR Zone
Applicant is requesting relief for height for an accessory structure devoted to a conditional use as per NJSA-40:55D-70-(d) 3.

Presenting:

Thomas Malman, Attorney
David Welsh, Owner
Mr. Welsh was sworn in for testimony.

- Mr. Malman stated that the application was previously heard and approved by the Planning Board for a use variance because it was thought to have met all the conditions. Upon verification, it was discovered that the height exceeded the height requirement and as such need relief granted by the Board of adjustment.
- Mr. Malman noted that the planned use of the structure was for a music studio.

Mr. Rosenbach made a motion to approve BOA# 11-18 Welsh. It was seconded by Mr. Flanagan. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson,
Mr. Flanagan and Mr. Symonds.
Against: None

Application BOA# 12-18

Janice Rizzo
5 Willow Acres Lane, B25, L18, R-3 Zone
Applicant requesting variance relief for a rear setback per NJSA 40:55D-70(c).

Presenting:

Eleanor Weiner, Attorney
Janice Rizzo, Owner

- Ms. Weiner presented a proposed plan for a pool project.
- Ms. Weiner noted that the applicant had received prior approval for this project but that the resolution had expired.
- Mr. Hall verified the setback number to be 16 ft.

Mr. Flanagan made a motion to approve the application as submitted. It was seconded by Ms. Eichler. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Eichler, Mr. Schleifer, Mr. Kearns, Ms. Chipperson,
and Mr. Rosenbach.
Against: None

OTHER BUSINESS

None

ADJOURNMENT

Mr. Flanagan adjourned the meeting at 9:35.

Respectfully submitted by

Lori Taglairino, Board of Adjustment Secretary