

**HARDING TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
March 21, 2019
7:30 PM**

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.

ROLL CALL

Ms. Taglairino called the roll. It went as follows:

Mr. Rosenbach	Present	Mr. Newlin	Present
Mr. Flanagan	Present	Mr. Maselli	Present
Mr. Rosenbaum	Present	Mr. Addonizio	Present
Mr. Symonds	Excused	Mr. Kearns	Present
Ms. Chipperson	Present		

Board Attorney, Gary Hall, Board Engineer, Paul Fox, Board Planner (late), McKinley Mertz and Board of Adjustment Secretary Lori Taglairino were also present.

REGULAR MEETING

Mr. Flanagan noted that the BOA# 03-19 Hartwyk/Schwester application was carried until the April 18, 2019 meeting.

MINUTES

Mr. Flanagan made a motion to approve the February 21, 2019 minutes. The motion was seconded by Mr. Newlin. On a voice vote all eligible members were in favor of approving the minutes.

Mr. Flanagan made a motion to approve the January 27, 2019 Site Inspection minutes. The motion was seconded by Mr. Newlin. On a voice vote all eligible members were in favor of approving the minutes.

ADMINISTRATIVE

- Mr. Hall noted that a suit was filed with the County on the SYAS application.
- Ms. Taglairino noted that FDS filing will start in April.
- Mr. Hall re-visited the Lewis application. The applicant changed the scope of their proposed plan and discussed the details to see if the Board wanted to have the applicant return to the BOA. The Board requested a memo of the changes be attached to the approved resolution as a record.

RESOLUTIONS

Appreciation of Phil Rosenbach BOA # 05-2019

Mr. Flanagan read the resolution for Phil Rosenbach, thanking him for his years of service to the Board of Adjustment.

OLD BUSINESS

Application BOA# 021-19

Brendan and Sharon Ryan
41 Village Road, B16/L7. R-1 Zone
Applicant requesting multiple variances for setbacks, building area and existing non-conforming lot size as per NJSA 40:55D-70(c).

Presenting:

Thomas Malman, Attorney

- Mr. Malman noted the comments from the Site Inspection.
- There were no further questions from the Board on this application after the Site Inspection.

Mr. Flanagan made a motion to approve BOA #02-19 Ryan. It was seconded by Mr. Rosenbach. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Mr. Rosenbach, Ms. Chipperson, Mr. Rosenbaum and Mr. Addonizio.

Against: None

Application BOA# 01-19

Madeline S. Pitney 2008 Revocable Trust
34 Hunter Drive, B48, L8.01, R-1 Zone
Applicant requesting variance relief for a front setback, and pre-existing non-conforming lot as per NJSA 40:55D-70(c).

Presenting:

Thomas Malman, Attorney

Robert Moschello, Engineer

- Mr. Malman noted that there was a site inspection at the property.
- Mr. Malman noted that the applicant has DEP and Board of Health approvals.
- Mr. Malman noted that the application is requesting relief for a front setback and steep slope disturbance.
- Mr. Malman noted that they addressed the conditions of the bridle trail at the site inspection.
- Mr. Moschello presented Exhibit A-1, an aerial view of the property.
- Mr. Moschello presented Exhibit A-2, a rendering that represents a revised plan of the environmental constraints of the property.
- Mr. Moschello presented Exhibit A-3, a site plan rendering that shows proposed improvements for a 4,000-5,000 sq. ft. home with a series of retaining walls. He noted the proposed site of the septic system as well. He noted the revised proposed bridle paths on the plans.
- Mr. Moschello presented Exhibit A-4, a revised rendering of the proposed grading.
- Mr. Moschello presented Exhibit A-5, a cross-section rendering of the property.
- There was a question regarding the height of the structure from average grade and from the back of the house. Mr. Maselli commented on the visual impact of height of the structure from the rear. Landscaping was discussed as a possibility.
- Mr. Moschello discussed the criteria of the two requested variances.

- Mr. Flanagan asked about the existing water run-off on the property and the proposed management of the run-off. Mr. Moschello noted that the run-off would be the close to the same down the property line.
- Mr. Maselli voiced his concern over the foot print and the actual square footage of the home.
- Ms. Chipperson expressed her concern for the percentages of the steep slope relief being requested.
- Mr. Rosenbach asked Ms. Mertz about the rear height of the structure. Ms. Mertz had not reviewed the application but did note that the rear mass appears large. Ms. Mertz did go on to say that landscaping could help soften the perceived massing.
- The application is carried until the April 18th meeting with no further notice.

NEW BUSINESS

Application BOA# 18-18

Sandra and David Renzulli
 42 Millbrook Rd., B17/L11.03, R-4/R-1 Zone
 Applicant requesting variance relief for side and rear setbacks as per NJSA 40:55D-70(c).

Presenting:

John Ferrante, Engineer
 Sandra Renzulli, Owner

- Mr. Ferrante presented plans for a proposed pool and surrounding patio area.
- Mr. Ferrante noted that the pool was a 454 sq. ft. prefabricated pool.
- Mr. Ferrante reported that the property is in a split zone.
- The Board requested that they relocate the pool equipment behind the garage.
- The Board also requested that there be no additional outdoor lighting.
- The Board requested revised plans to show the pool fence and relocated equipment and that they submit a corrected zoning table.

Mr. Flanagan made a motion to approve the application with the following conditions. The Board would like to see the pool equipment moved to be screened by the garage. The Board requested that there be no additional outdoor lighting. The Board asked for accurate numbers of the coverage of the pavers around the pool and a revised zoning table. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Mr. Flanagan, Mr. Newlin, Ms. Chipperson, Mr. Maselli, Mr. Rosenbach, Mr. Kearns and Mr. Rosenbaum.

Against: None

OLD BUSINESS

Application BOA# 17-18

New York SMSA Limited Partnership d/b/a Verizon Wireless
 8 Millbrook Road, B17/L1, PL Zone
 Applicant requesting variance relief for use, per NJSA 40:55D-70(d) for a cell tower.

Presenting:

Richard Schneider. Attorney

Ms. Boschulte, RF Specialist.

The Board Attorney, Mr. Hall is recused from this application. Mr. Ed Purcell is providing counsel.

Dr. Eisenstein is providing testimony on Radio Frequency.

Mr. Rob Simon is an objecting attorney representing several members of the community.

A transcript of the testimony is appended to these minutes.

OTHER BUSINESS

None

ADJOURNMENT

Mr. Flanagan adjourned the meeting at 11.01.



Respectfully submitted by

Lori Taglairino, Board of Adjustment Secretary
