

**HARDING TOWNSHIP BOARD OF ADJUSTMENT MINUTES  
REGULAR MEETING  
APRIL 21, 2022  
7:00 PM**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE**

The Board Chair, Mr. Flanagan called the regular meeting of the Board of Adjustment to order at 7:00 and announced that adequate notice of the meeting had been made in accordance with the New Jersey State Open Public Meetings Act.

**REGULAR MEETING**

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**ROLL**

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

Mr. Cammarata	Present	Mr. Newlin	Present	Mr. Maselli	Present
Mr. Addonizio	Excused	Ms. Sovolos	Present	Mr. Boyan	Excused
Mr. Rosenbaum	Present	Mr. Symonds	Present	Mr. Flanagan	Present

Board Attorney, Mr. Hall, Board Engineer, Mr. Fox and Board Planner, Ms. Mertz and Ms. Taglairino were also present.

**ADMINISTRATIVE**

Mr. Flanagan announced the following scheduling & procedural matters:

<u>Application BOA# 14-20</u>	Donald & Eliza Murphy 49 Meyersville Road, B55/L5 Status update: <b>(Pending Notice)</b>
<u>Application BOA# 16-21</u>	Ronald & Judith Preiss 110 Village Road, B15/L10.03, R-1 Zone <b>(Pending Notice)</b>
<u>Application BOA #18-21</u>	529 Waterfront Properties, LLC 595 Van Beuren Road, B5/L8 Appeal of Tree Officer Decision <b>(Pending Notice)</b>
<u>Application BOA# 17-18</u>	New York SMSA Limited Partnership d/b/a Verizon 8 Millbrook Road, B17/L1, PL Zone <b>(Adjourned to the May 10, 2022 Special Meeting with no further notice.)</b>

## **MINUTES**

March 17, 2022 Minutes

Mr. Symonds made a motion to approve the March 17, 2022 minutes as written. It was seconded by Mr. Flanagan. On a voice vote all were in favor of approving the minutes.

## **ANNUAL REPORT**

The Board briefly discussed the 2021 Annual Report and decided to add additional recommendations. The resolution will be prepare for the May meeting.

## **RESOLUTIONS**

Application BOA# 02-21

Dr. James Wittig  
34 Kitchell Road B1/L5 R-1 Zone

Mr. Flanagan made a motion to adopt Resolution BOA #02-21 Wittig. The motion was seconded by Mr. Rosenbaum. The vote went as follows:

For: Flanagan, Maselli, Symonds, Newlin, Sovolos, Rosenbaum.

Application BOA# 19-21

Andreas & Wendy Kertesz  
19 Wildlife Run, B15/L22.04

Mr. Rosenbaum made a motion to adopt Resolution BOA #19-21 Kertesz. The motion was seconded by Ms. Sovolos. The vote went as follows:

For: Flanagan, Maselli, Symonds, Newlin, Sovolos, Rosenbaum.

## **OLD BUSINESS**

Application BOA# 02-22

Daniel Cotter & Caren Khoo  
566 Tempe Wick, B34/L8, R-R Zone  
Applicant is requesting variance relief for a side setback and expansion of a non-conforming structure as per N.J.S.A.40:55D-70(c) and a conditional use variance for a proposed accessory structure as per N.J.S.A.40:55D-70(d).

Presenting:

Nicole Magdziak, Attorney  
Pat Burke, Architect  
Candice Davis, Engineer  
Daniel Cotter, Owner

Mr. Cotter and Ms. Davis were sworn in for testimony.

- Ms. Magdziak presented revised plans to reduce the size of the deck off of the proposed accessory dwelling from 10ft. wide to 6 ft. wide reducing the setback relief to 63.5 ft from 59.6 ft.

- Ms. Magdziak presented Exhibit A-1 a colorized version of the proposed changes in the site plan.
- Ms. Magdziak presented Exhibit A-2, photos of the current conditions of the site.
- Ms. Davis addressed the request for screening the property with the proposed addition.
- Mr. Symonds requested that the deck be moved to the west side of the structure to eliminate some of the setback relief.
- The Board discussed the deck issues.
- Mr. Burke stated that architecturally speaking, the deck would be better situated on the east side of the structure.
- It was also noted that in order to situate the deck on the west, some tree removal would be involved.
- Ms. Davis addressed the septic and the lighting for the project.
- The Board strongly felt that the deck on the east side of the structure was a big ask.
- The applicant decided to reflect on the application.

The Board took a break from 8:28 to 8:33

Ms. Taglairino called the roll after the break. The roll went as follows:

Present: Mr. Cammarata, Mr. Newlin, Mr. Maselli, Ms. Sovolos, Mr. Rosenbaum, Mr. Symonds, and Mr. Flanagan

### **NEW BUSINESS**

Application BOA# 03-22

James Weichert

72 Woodland Road, Block 13/L 1.01, R-R Zone

Applicant is requesting variance relief for a conditional use variance for a proposed accessory structure as per N.J.S.A.40:55D-70(d)(3).

Presenting:

Nicole Magdziak, Attorney

Candice Davis, Engineer

Art Palumbo, Architect

James Weichert, Owner

Mr. Weichert, Ms. Davis and Mr. Palumbo were sworn in for testimony.

- Ms. Magdziak presented proposed garage, breezeway and porch addition plans for an existing accessory dwelling on a 16 acre lot.
- Mr. Weichert opined about the legacy and history of the property and noted the proposal to reduce the structure from a 4 bedroom dwelling to a 2 bedroom dwelling.
- Mr. Hall noted that there was an approval in 1992 to build the main home on the property with the existing historical home.
- Ms. Magdziak presented Exhibit A-1, photos of the existing conditions of the property.
- Ms. Davis discussed the conditional use criteria being requested in association with the application.
- Ms. Magdziak addressed the report comments from the Planner, Engineer and HPC.

- Mr. Palumbo addressed the livable vs total square footage of the addition.
- Ms. Davis noted that there would be no visual impact from Woodland Road.
- Ms. Davis noted that there would be some tree removal.
- Mr. Weichert noted that there was no intention to subdivide.
- The Board requested confirmation of the square footage numbers on the plans.
- The Board deliberated the elements of the application and felt that this was a very particular property with a unique heritage.
- Mr. Weichert opined that the intention was to invest and care for the original family home.

Mr. Flanagan made a motion to approve the application as written with confirmation of the square footage numbers. The motion was seconded by Mr. Newlin. A roll call vote went as follows:

For: Cammarata, Newlin, Maselli, Sovolos, Rosenbaum, Symonds, & Flanagan.

Against: None

### **OTHER BUSINESS**

None

### **ADJOURNMENT**

Mr. Flanagan adjourned the meeting at 10:05

*Lori Taglairino*

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Respectfully submitted by Lori Taglairino, Board of Adjustment Secretary