

Mr. Vivona called the Meeting of the Zoning Board of Adjustment to order at 7:30pm with the reading of the Open Public Meetings Act.

**Roll Call**

Answering present to the roll call were Mr. Vivona, Mr. Weston, Mr. Williams, Mrs. Romano, Mr. Borsinger, Mr. Newman and Mr. Hurring. Mr. Style and Mr. Hyland were absent.

**Approval of Minutes**

Mr. Williams made a motion to approve the minutes of the August 25, 2016. Mr. Borsinger seconded the motion. All board members were in favor of the motion.

**Hearings**

**Hermey & Hyland**

**Calendar BOA 16-48.04-34**

99 Southern Boulevard

Block: 48.04 Lot: 34 Requesting variances for front and side yard setback, building coverage and area of accessory structure to add covered front porch, 2 car garage and renovation of existing one car garage.

Chris Hermey, applicant, stated that he is requesting front yard variance for the addition of a covered front porch and needs variances for side yard setback, building coverage and the area of accessory structure to add a new 2 car garage and convert the existing 1 car garage to a shed.

Mr. Vivona questioned why the roof was being removed between the house and the existing garage. Mr. Hermey explained that if they keep the roof they would need an additional variance for the length of the main property.

Mrs. Romano confirmed that there is no entrance to the home from the side of the property with the proposed plan.

Mr. Siegal, architect for the applicant, stated that the driveway would be moved to the other side of the property near the proposed 2 car garage.

Mr. Borsinger noted that the existing 1 car garage is only about 2 feet from the side property line and asked why this structure would not be taken down and applicant could add a shed elsewhere on the property. Mr. Borsinger noted that this would eliminate 3 of the requested variances. Mr. Hermey stated that location of a shed would be challenging since they have a pool in the rear of the property. Mr. Hermey stated that he believed that the neighbor on the adjoining property near the existing garage would come and speak in support of the proposed changes.

A site visit was scheduled for October 1<sup>st</sup> at 9:00am.

**46 Dellwood Builders**

**Calendar BOA 16-78-19.01**

46 Dellwood Avenue

Block: 78 Lot:19.01 Requesting variance for 3 stories where 2 ½ are permitted and steep slope of 925 sq. ft. where 500 sq. ft. is permitted.

Steve Azzolini, attorney for the applicant, stated that this property was purchased in June 2016 and is currently being renovated. Applicant is proposing a new lot grading plan that includes 3 stories in the back of the property and increases the disturbance of steep slope.

Andrew Clark, Engineer for the applicant, stated that the current permit proposes a 2 tier wall in the rear of the property and fill to re-grade. Revised plans propose a 1 tier wall instead of a 2 tier wall and less fill.

Mr. Ruschke questioned whether the 3<sup>rd</sup> story would trigger UCC requirements for a sprinkler system and Mr. Azzolini stated that under UCC standards this property would still be considered a 2 ½ story building.

Patrick Foley and Lee Ann Taylor, neighbors at 42 and 40 Dellwood respectively, raised concerns regarding drainage in the back of this property and in the immediate area.

Mr. Ruschke stated that drainage in this area is a town issue. The town is aware of the drainage issue and any concerns should be addressed to the Township Administrator.

A site visit was scheduled for October 1<sup>st</sup> at 9:30am.

**Van Vliet**

**Calendar BOA 16-102.08-10**

51 Dale Drive

Block: 102.08 Lot: 10 Requesting C variances to construct a pool and patio.

Mr. Vivona has recused himself from this application and Mr. Weston steps in as Board Chair.

Mr. Tomczak, Engineer for the applicant, stated that the accessory structure has been removed from the application. This reduces the number of variances being requested to 2. A variance will be needed for impervious lot coverage and a variance will be needed for side yard setback for the pool equipment.

Mr. Tomczak also reviewed changes to the Storm Water Management system. Mr. Ruschke stated that any follow up with the drainage proposed can be addressed and should be part of any decision rendered by the Board.

Mr. DeNiscia, Planner for the applicant, stated that that the number of variances requested has been reduced and that there is no substantial detriment with this application. He stated that this application proposes an aesthetic improvement and meets the criteria for approval.

A motion was offered by Mr. Williams to approve the variances requested for impervious lot coverage and side yard setback and it was seconded by Mr. Hurring. All board members voted in favor of the motion.

**Calusa Partners**

**Calendar BOA-16-96-1.03**

1 Linden Lane

Block: 96 Lot: 1.03 Requesting front yard setback, rear yard setback, building coverage and building width to construct new single family home.

Mr. Miller, attorney for the applicant, stated that the applicant proposes demolishing the existing single family home and building a new single family home. Variances would be needed for front yard setback, rear yard setback, and maximum coverage. The variance for building width has been eliminated.

Mr. Vivona read the site visit report into the record.

Mr. Kastrud, Engineer for the applicant, reviewed the variances needed and explained that the variance for building width has been eliminated. He stated that this is an undersized lot with 20,000 sq. ft. vs. the 25,000 sq. ft. required in this zone. This undersized corner lot triggers the need for variances. Mr. Kastrud also explained that the proposed plan for a new home would eliminate some of the existing non-conforming variances and reduce the footprint of the home.

Mr. Vivona stated that he believes that the new home proposed will be an improvement and will fit with the neighborhood.

Mrs. Romano stated that the new driveway location will be safer.

Mr. Ruschke stated that any concerns with the drainage calculations can be addressed.

Marjorie Roller, Planner for the applicant, stated that 2 existing non-conforming variances, one for front yard setback on Noe and one for building width, have been eliminated. The driveway has been moved to a safer location. The current home is dated and the proposed home will be aesthetically pleasing and have better drainage. Ms. Roller stated that there are no detriments due to the improvements proposed.

A motion was offered by Mrs. Romano to approve the variances requested for front yard setback, rear yard setback and maximum coverage and it was seconded by Mr. Hurring. All board members voted in favor of the motion.

Mr. Williams requested an update from Mr. Shaw on the Cell Tower applications that were pending appeal. Mr. Shaw advised that an oral argument has been requested for the application at the Buxton water tower. It will be scheduled with the Appellate Court. Mr. Shaw advised that Verizon Wireless at Pine Street will be filing both an appeal on the Denial and an application for the new proposed location. A hearing will be scheduled after the complaint is received.

With no other business before the Zoning Board of Adjustment, Mr. Williams moved to adjourn the meeting, Mr. Borsinger seconded the motion, and it carried unanimously.

Meg Smith  
Zoning Board Secretary