

Application to be carried to May 8, 2018 without further notice to property owners.

Z.B. 18-6644 Jeffrey Guagliardo - Public Hearing for Bulk variance approval to build a 32' x 32' addition to existing home and keep an 8' x 12' shed that was built too close to property line and proposed addition, on an undersized lot, located at 43 Halifax Drive, Block 264, Lot 35 in the R-20 zone

Jeffrey Guagliardo was sworn in and gave testimony. Mr. Guagliardo stated he proposes to construct a one-story addition (32 feet x 32 feet; 1,024 square feet) along the west side of the dwelling.

Mr. Guagliardo explained that he was seeking bulk variance relief to permit the construction of a one-room addition to an existing single-family dwelling. Mr. Guagliardo stated that variance relief was required from the following sections of the Zoning Ordinance: Section 220-35C(4) — No paved terrace shall be permitted closer than 5 feet to any side or rear property line; the existing shed structure appears to have a pad area located approximately 4 feet from the southerly side property line. Section 220-56C (Table I) — The minimum required lot area is 20,000 s.f.; 10,965 s.f. is provided. Section 220-56C (Table I) — The minimum required lot frontage for a corner property is 150 feet; 79.9 feet is provided along Church Street and 132.4 feet is provided along Halifax Drive. Section 220-56C (Table I) — The minimum required lot width for a corner property is 150 feet; 75 feet is provided. Section 220-56C (Table I) — The minimum required lot depth is 150 feet; approximately 146 feet is provided. Section 220-56C (Table I) — The minimum rear yard setback required is 50 feet; 49.9 feet is provided to the existing dwelling. Section 220-140E(2)(a) - Sheds shall not be larger than 120 s.f. and not taller than 11 feet in height and shall be setback a minimum of 5 feet from side and rear property lines on lots which are less than 20,000 s.f. in size; approximately 5 foot setback appears provided to the existing accessory structure along the southerly property line. Section 220-165C-Each lot must front upon an approved public street at least 50 feet in width; Church Street is indicated to have an apparent width of 33 feet along the subject site frontage.

Section 200-56C (Table I) - The minimum required front yard setback is 50 feet; 20.4 feet is proposed along Halifax Drive and 20.8 feet is proposed along Church Street to the subject building addition. We note that 21.8 feet is indicated as the existing front yard setback along Halifax Drive to the existing dwelling. 37 feet is also provided to the existing shed structure along Church Street.

Section 200-56C (Table I) - The maximum percentage of total lot coverage permitted is 28%, 32.2% is indicated as proposed. Section 220-140C - The minimum distance between an accessory building or structure and any other building(s) on the same lot shall be 20 feet; approximately 7 feet appears proposed between the subject building addition and the existing accessory shed structure. Approximately 16 feet provided between the existing dwelling and the accessory shed structure.

Section 220-140 (Table III) - The maximum percentage of building coverage permitted for a principal building within an R-20 Zone is 11%; approximately 9.6% is proposed with the subject building addition. Section 220-140D(1) (Table III) - The maximum percentage of total building coverage permitted within an R-20 Zone is 14%; approximately 20.4% is proposed with the subject building addition.

PUBLIC - *There were no members of the public expressing an interest in this application.*

A motion in the affirmative as requested

Offered:	Chairman Shapiro	Ayes: 5 (Mr. Solon, Mr. Weilheimer, Chairman Shapiro, Ms. DiGrande, & Dr. Adler)
		Nays: 0
Second:	Ms. DiGrande	Absent: 2 (Mr. Viridi, & Mr. Zwerin) Recused: 1 (Mr. Powers)

Z.B. 17-6636 Ronald & Patricia Lukach - Public Hearing for Use variance approval to conduct a Landscaping Business that is not a permitted use in the CS zone and this is additional to the mixed residential and business irrigation uses, located at 394 Route 79, Block 153, Lot 31 in the CS zone

Dante Alfieri, Esq. representing the Applicant, introduced himself to the board.

An appearance was entered by Walter Toto, Esq. representing Lisa and Tom Bowers of 388 Rt.79.

Mr. Alfieri gave a brief synopsis of the previous hearing. Mr. Alfieri stated the Applicant is seeking use variance relief to replace the existing irrigation business on-site with a lawn service use within the existing 2-story office and residential building, which is not permitted in the Zone. The existing one-story business building onsite is to be utilized for storage associated with the onsite business. No site improvements are proposed with this application. Mr. Alfieri further stated the proposed hours of operation will be 7:00am. to 7:00pm., with four employees, three trucks, one enclosed trailer, and three open trailers, and three snow plows would be stored on the site. Only equipment related to the lawn-care business will be stored on site, no landscaping materials or salt. Mr. Alfieri further testified eight DOT gas cans would be located on site, and that all fuel would be removed from the equipment in the winter time.

Mr. Cucchiaro asked if Retail was being proposed, Mr. Alfieri stated that there would not be any retail sales permitted on-site. No outside visitors on site. Mr. Cucchiaro asked if any on-site repair of the vehicles or equipment. Mr. Alfieri testified that no vehicle repair would be performed on site, but the lawn equipment would be maintained on site, in the garage. Mr. Alfieri further testified all oil would be properly disposed of, at a reclamation center.

Mr. Alfieri submitted a color photo of the garage, marked as A-25

Mr. Robert Burdick, P.E. was called up to testify. Mr. Cucchiaro reminded Mr. Burdick that he remains under oath from the previous hearing. Mr. Burdick referenced the revised plan submitted to

the board. Mr. Burdick testified that the stream is located approximately 50 feet off site, at the south east corner of the subject property. Mr. Burdick confirmed that the stream was not a Category I Waterway. Mr. Burdick stated that the revised plan shows the proposed parking locations. Mr. Cucchiaro asked if the owner of the lawn-care business would be residing on premise, Mr. Alfieri stated "yes, that is correct". Mr. Burdick stated the subject property contains 2.4 acres with 176 feet of frontage along the east side of NJ State Highway Route 79 approximately 965 feet south of the Beacon Hill Road intersection within the CS (Commercial Service Zone). The subject property is currently improved with a 2-story office and residential building with associated decks/patios and a shed structure near the southerly side property line, as well as a 1-1/2 story commercial/business building with associated porches, deck/patio and the remains of a coop structure foundation along Route 79 near the northwest property corner of the subject site. The site has an access via a semicircular paved driveway along Route 79 with an apparent paved parking area south of the 1-1/2 story onsite building and a gravel extension and apparent parking area to the 2-story building. The northern and eastern portions of the subject property are predominately wooded and a site identification sign is depicted along the Route 79 site frontage.

In response to questioning from the Board, Mr. Burdick also stipulated that the Applicants would remove the existing sign from the subject property.

Mr. Powers asked to clarify Mr. Powers asked when was the last time the 1 1/2 story structure was occupied. Mr. Alfieri stated it was prior to the 1995 variance approval.

Dr. Adler asked if the Applicant intends on demolishing the structure. Mr. Alfieri stated that his clients did discuss it, but at this time it still remains.

Mr. Powers has concerns with the condition of the 1 1/2 story structure, and he suggested that it be demolished. Mr. Powers recommended that the 1 1/2 structure, along with the remnants of the chicken coop be demolished. The Applicant stated that they would comply with the Boards request.

Glenn Wells (Applicant's Son in-law) was asked to testify and was reminded that he's still under oath from the previous hearing. Mr. Wells explained that the Applicants purchased the subject site in 1995 at which time the existing structure known as the barn was used as a residential use, but that the structure was now used exclusively for storage. He also confirmed that the existing irrigation business use for the subject property was being abandoned and totally replaced by a lawn care use. Mr. Wells also testified that the new owner of the property would be living on site.

An appearance was also entered by Walter Toto, Esq. representing Lisa and Tom Bowers of 388 Rt.79. Mr. Toto cross-examined Mr. Burdick and confirmed that the stream near the subject property was not a Category I Waterway. Mr. Burdick further stated that the existing remains of a coop on the property would be removed. He also stipulated that a mix of evergreen trees would be planted as a buffer to adjoining properties. A fire truck template would also be submitted to the Board Engineer for review and approval. The 1-1/2 story building facing Rt. 79 was also agreed to be

demolished. Mr. Toto stated that his clients were satisfied with the conditions to be attached to any potential approval.

PUBLIC - *There were no members of the public expressing an interest in this application.*
A motion in the affirmative as requested

Offered:	Chairman Shapiro	Ayes: 7 (Mr. Solon, Mr. Weilheimer, Chairman Shapiro, Ms. DiGrande, Dr. Adler, Mr. Powers & Mr. Yozzo)
		Nays: 0
Second:	Dr. Adler	Absent: 2 (Mr. Viridi, & Mr. Zwerin)

RESOLUTIONS

Z.B. 16-6607 John & Lauren Lacognata – Memorialization of Resolution granting a Bulk Variance to maintain a 6” side yard setback and installation of a 3’ aluminum barrier fence along the length of driveway, located at 253 Nottingham Road, Block 139, Lot 53 in the R-30/20 zone.

A motion in the affirmative

Offered:	Chairman Shapiro	Ayes: 2 (Chairman Shapiro, & Dr. Adler)
		Nays: 0
Second:	Dr. Adler	Absent: 2 (Mr. Viridi, & Mr. Zwerin)

Z.B. 17-6637 Alex Papirnik - Memorialization of Resolution granting a Bulk Variance to construct a new single family residential house with a circular driveway which exceeds permitted lot coverage for the principal structure (house) and total lot coverage (including driveway).located at 10 Silver Leaf Dr., Block 413, Lot 38.05 in the R-20 zone.

A motion in the affirmative

Offered:	Chairman Shapiro	Ayes: 5 (Mr. Solon, Mr. Weilheimer, Chairman Shapiro, Ms. DiGrande, & Dr. Adler)
----------	------------------	--

Second: Ms. DiGrande Nays: 0
Absent: 2 (Mr. Virdi, & Mr. Zwerin)

Z.B. 17-6638 Tiago R. Hartman - Memorialization of Resolution granting a Bulk Variance to construct a partial 2nd story addition to existing 1 ½ story home to make it a single family, two story home located at 553 Union Hill Road, Block 299, Lot 163 in the R-80 zone.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 4 (Mr. Weilheimer, Chairman Shapiro,
Ms. DiGrande, & Dr. Adler)
Nays: 0
Second: Ms. DiGrande Absent: 2 (Mr. Virdi, & Mr. Zwerin)

Z.B. 18-6641 Jamie & Keith Tiniakos - Memorialization of Resolution granting a Bulk Variance to construct an 18' x 36' in-ground pool with 972 sq. ft. of concrete patio, with proposed lot coverage of 25.9%, water line of pool is eighteen feet away from existing shed where twenty feet is required, located at 1 Hillside Terrace, Block 171, Lot 67 in the LC zone.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 4 (Mr. Weilheimer, Chairman Shapiro,
Ms. DiGrande, & Dr. Adler)
Nays: 0
Second: Ms. DiGrande Absent: 2 (Mr. Virdi, & Mr. Zwerin)

A motion to adjourn was offered by Chairman Shapiro, seconded by Dr. Adler.

*Respectfully submitted
Jennifer Bajar*