

# Washington Township Board of Adjustment

## January 6, 2016

Chairman Spina called the regular Meeting of the Board of Adjustment of January 6, 2016 to order at 7:30 p.m.

**MEMBERS PRESENT:** Anthony Spina, Morris Bauer, Robert Bridgman, Geoffrey Price, Harvey Ort, Derrick Thauer  
**Alternate Members:** Dorothy Walter, Eric Raes  
**Members Absent:** Mark Soga  
**Others Present:** Engineer Leon Hall, Attorney Gail Fraser, Secretary Barbara Margolese

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT - Adequate notice of this meeting was published in the Observer-Tribune on January 15, 2015 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

Pledge of Allegiance

### **MINUTES**

1. December 2, 2015 Regular Meeting

A motion was made by Mr. Bauer to approve the regular meeting minutes of December 2, 2015 as corrected, seconded by Ms. Walter. A voice vote was taken and the motion carried.

Ayes: Anthony Spina, Robert Bridgman, Eric Raes, Geoffrey Price, Morris Bauer, Derrick Thauer  
Nays: None Abstentions: Harvey Ort

*The meeting was opened to the public for items not on the agenda.  
No comments were received and the meeting was closed to the public for items not on the agenda.*

### **APPLICATIONS**

1. Sardeira/Viera – Block 47, Lot 23.05 – 40 North Mount Lebanon Road – R-5 Zone - “C”  
Variance for height of retaining wall (existing) built over 6 ft. maximum retaining wall height

The Board discussed the application. Attorney Fraser stated that the Board can take action to dismiss this application due to a lack of the applicant moving forward with the application process. The Board directed the Board secretary to send the applicant a letter stating that the applicant must submit everything noted as deficient in Engineer Hall’s letter that needs to be submitted so that the application can be deemed complete and that all revised plans and documents must be submitted ten days prior to the February 3<sup>rd</sup> meeting, along with the escrow account being replenished, and if this does not take place the application will be dismissed due to a lack of prosecution.

A motion was made by Mr. Bauer, seconded by Ms. Walter to deem the application incomplete. A voice vote was taken; all were in favor and the motion carried.

Ayes: Anthony Spina, Morris Bauer, Geoffrey Price, Harvey Ort, Eric Raes, Derrick Thauer, Robert Bridgman  
Nays: None Abstentions: None

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2. Anthony Cappuccio – Block 13, Lots 12 & 12.01- Jones Lane - Variance to allow single family dwelling construction on a non-dedicated street

The Board discussed the use by the applicant of a survey that is 36 years old. The Board decided that a recent survey must be submitted with this application.

The Board directed the Board secretary to send the applicant a letter stating that the applicant must address Engineer Hall's comments within the next three months so that the application can be deemed complete by the April 6<sup>th</sup> meeting along with the escrow account being replenished, and if this does not take place the application will be dismissed due to a lack of prosecution.

A motion was made by Mr. Bauer, seconded by Mr. Price to deem the application incomplete. A voice vote was taken; all were in favor and the motion carried.

Ayes: Anthony Spina, Morris Bauer, Geoffrey Price, Harvey Ort, Eric Raes, Derrick Thauer, Robert Bridgman Nays: None Abstentions: None

### EXECUTIVE SESSION

The Following resolution was read into the record:

BE IT RESOLVED by the Washington Township Board of Adjustment on the 6<sup>th</sup> day of January 2016 that prior to the conclusion of this regular meeting, the Board shall meet in Executive Session from which the public shall be excluded to discuss pending litigation as permitted pursuant to N.J.S.A. 10:4-12. A motion was made by Ms. Walters, seconded by Mr. Price to adopt the resolution as presented. A voice vote was taken; all were in favor and the motion carried. The Board went into executive session at 7:50 p.m.

The Board came out of executive session at 7:58 p.m. with no action being taken.

### DISCUSSION - CORRESPONDENCE

#### 1. Vouchers

The motion to approve the submitted vouchers was made by Mr. Bauer and seconded by Mr. Raes. A voice vote was taken; all were in favor and the motion carried.

Mr. Bauer made a motion to adjourn, seconded by Mr. Raes. A voice vote was taken; all were in favor and the meeting was adjourned at 7:59 p.m.

Respectfully Submitted,

Barbara Margolese, Secretary