

Chairman Schwemmer called the regular Meeting of the Board of Adjustment of May 1, 2013 to order at 7:00 p.m.

MEMBERS PRESENT: Craig Schwemmer, Elliott Averett, Anthony Spina, Robert Bridgman, Frank Baguiao, Harvey Ort, Morris Bauer
Alternate Members: Dorothy Walter (arrived at 7:05 p.m.) Geoffrey Price
Members Absent: -
Others Present: Secretary Barbara Margolese, Engineer Leon Hall, Attorney Gail Fraser

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT - Adequate notice of this meeting was published in the Observer-Tribune on January 17, 2013 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

Pledge of Allegiance.

MINUTES

1. April 3, 2013 Regular Meeting

A motion was made by Mr. Spina to approve the minutes of April 3, 2013 as presented, seconded by Mr. Price. A voice vote was taken; all were in favor. The motion carried.

Ayes: Anthony Spina, Dorothy Walter, Elliott Averett, Morris Bauer, Geoffrey Price, Frank Baguiao, Robert Bridgman Nays: None Abstentions: Harvey Ort

The meeting was opened to the public for items not on the agenda.

Mr. Patrick Kenney, 264 Schooley’s Mountain Road, told the board that after his addition was built an as-built survey was done. He stated that it was determined that the original application and survey had not included the road in the lot coverage calculation. He stated it has been determined that now that the road has been added that lot coverage for his lot has been exceeded. Engineer Hall stated that he was aware of this situation and that he had sent a letter to that effect to Mr. Kenney. Attorney Fraser stated that the applicant’s property line goes to the centerline of the road. She stated that the lot coverage is non-conforming to the ordinance requirements. Ms. Fraser stated that Mr. Kenney can either donate the right-of-way to the township or he can keep the boundaries and go for a lot coverage variance.

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

RESOLUTIONS

None

APPLICATIONS

1. The Promised Land (Dr. Ronald Weiss) – Block 34, Lot 42 – 177 West Mill Rd. Home Occupation Conditional Use (Medical Office)-Minor Site Plan with Variance - Completeness Determination Only
Representatives present: Attorney Robert Mielich

Mr. Ort recused himself due to a conflict of interest. Engineer Hall reviewed his report dated April 26, 2013. Attorney Fraser noted that a copy of the deed (item #19 in the report) had been submitted to the Board. Ms. Fraser advised the applicant to provide the most significant lot coverage calculation for this property. Attorney Mielich noted that the office coverage calculation for the home occupation has been limited to Building “G”.

A motion to deem this minor site plan and variance application complete based upon Engineer Hall’s Review letter of April 26, 2013 was made by Mr. Bauer and seconded by Mr. Averett. A roll call vote was taken; all were in favor and the motion carried.

Ayes: Anthony Spina, Dorothy Walter, Elliott Averett, Geoffrey Price, Frank Baguiao, Morris Bauer, Robert Bridgman, Harvey Ort, Craig Schwemmer
Nays: None Abstentions: None

2. Carl Hvid – Block 47 Lot 15 – 276 Pleasant Grove Road – R-5
Front Yard Setback, Side Yard Setback, and expansion of a non-conforming Structure – Applicant had received BOA approval on Sept. 5, 2007; however, time for extension had lapsed and new application is required

Mr. Hvid stated that there were no changes to his application since his original application in 2007. Attorney Fraser stated that since 2007 the Highlands checklist has been added to the checklist. Mr. Hvid stated that he needs to garage space and that he is proposing to build a two-car garage along with a front porch. It was noted that Mr. Hvid owns two adjacent undersized 1 having ½ acre lots which combined total 1 acre. Engineer Hall stated that the application should reference both lots. Mr. Hall added that a 47’ setback is required. He noted that the existing building is not parallel to the lot line. It was noted that the existing house is in the 100 required front yard setback and that this application is for an expansion of a non-conforming structure to allow for the addition of the front porch.

A motion was made by Mr. Bauer to direct the Board’s attorney to draft a resolution for Carl Hvid’s application for a front yard variance for 74 feet to

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allow for the construction of a front porch and a side yard variance of 27 feet to allow for the construction of a detached garage with the following documents to be submitted to the Board's secretary:

- Completed Highlands Questionnaire
- A Completed Variance Checklist and new application
- The improved lot coverage calculation is to be determined by a Licensed Professional Land Surveyor and submitted to determine compliance with the ordinance requirements and if it is determined that the lot coverage has been exceeded than a new notice will be required including that variance.
- As-built survey to be submitted upon receipt of the Certificate of Occupancy.

The motion was seconded by Mr. Averett. A voice vote was taken; all were in favor and the motion carried.

Ayes: Anthony Spina, Dorothy Walter, Elliott Averett, Geoffrey Price, Frank Baguiao, Morris Bauer, Robert Bridgman, Craig Schwemmer

Nays: None Abstentions: None

DISCUSSION - CORRESPONDENCE

1. Vouchers

A voucher from Habitat by Design for \$40 and from Anderson and Denzler for \$682.50 was reviewed. The motion to approve the submitted voucher was made by Mr. Averett and seconded by Mr. Spina. A voice vote was taken; all were in favor and the motion carried.

Mr. Bauer made a motion to adjourn, seconded by Mr. Averett. A voice vote was taken; all were in favor and the meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Barbara Margolese, Secretary