

Washington Township Board of Adjustment

June 4, 2014

Chairman Spina called the regular Meeting of the Board of Adjustment of June 4, 2014 to order at 7:00 p.m.

MEMBERS PRESENT: Elliott Averett, Frank Baguiao, Anthony Spina, Robert Bridgman, Geoffrey Price, Harvey Ort (arrived at 7:20 p.m.), Morris Bauer

Alternate Members: Mark Soga, Dorothy Walter

Members Absent: -

Others Present: Engineer Leon Hall, Attorney Gail Fraser, Planner David Banisch, Secretary Barbara Margoiese

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. May 7, 2014 Regular Meeting

A motion was made by Mr. Soga to approve the regular meeting minutes of May 7, 2014 as presented, seconded by Mr. Bridgman. A voice vote was taken; all were in favor. The motion carried.

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

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.

RESOLUTIONS

14-08 Presentation of Plaque of Resolution of Appreciation for Dedicated Service to the Board of Adjustment to Craig Schwemmer

Chairman Spina read the resolution of appreciation and presented the plaque to Mr. Schwemmer. He thanked him for his many years of service to Washington Township.

14-09 Charles Weimer – Block 31, Lot 11 – 48 West Springtown Road – R-5 Zone – 2.7 Acres Front Yard Setback “C” variance (existing dwelling is in the front yard setback & applicant is proposing to construct an addition to the rear of the dwelling)

The Board reviewed the resolution. A motion was made by Mr. Bridgman, seconded by Mr. Soga to adopt the resolution as presented. A roll call vote of all eligible voters was taken and the motion carried.

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Ayes: Elliott Averett, Frank Baguiao, Anthony Spina, Robert Bridgman, Geoffrey Price, Mark Soga
Nays: None Abstentions: None

APPLICATIONS

1. Sprint Spectrum and JCP&L - Block 51, Lot 22.02 – 220 Middle Valley Road
R-5 Zone -Wireless communications tower and 4 equipment cabinets Conditional Use -
Preliminary/Final Site Plan Application with Variances for tower height and setbacks
Representatives present: Attorney Greg Meese, Architect Frank Colasurdo

Mr. Bauer recused himself due to a conflict of interest. It was noted that because of the change in location of the cell tower the Board had asked that the revised site plans go through completeness determination again. It was also noted that a pole barn had been added to the plans. Attorney Meese stated that the only forms that had been submitted were the ones that had been changed from the original application. Mr. Meese stated that Environmental Specialist Dr. Keller had sent a letter dated September 1, 2013. Engineer Hall stated that based upon those statements this application could be deemed complete.

A motion was made by Mr. Soga, seconded by Mr. Averett to deem the Sprint Spectrum application as complete.

Ayes: Elliott Averett, Frank Baguiao, Anthony Spina, Robert Bridgman, Geoffrey Price, Mark Soga, Dorothy Walter
Nays: None Abstentions: None

Engineer Hall stated that the applicant should provide a letter from the Highlands Council regarding an exemption. Mr. Meese stated that due to schedule conflicts the applicant would not be coming back before the Board until August. An announcement was made to carry this hearing to the August 6th, 2014 meeting without further notice. The Board was informed that a crane test with a balloon tether will be done on Saturday August 2nd between 8:00 a.m. to 11:00 a.m. Engineer Hall and Planner Banisch will be viewing the crane test along with Board members. The Board members will be viewing at different times so as not to constitute a quorum.

Mr. Bauer rejoined the Board.

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

The Board reviewed Engineer Hall's review letter dated May 16, 2014. Variance checklist items found to be incomplete were checklist item #3 (signed and sealed property survey), item #4 (key map – waiver requested and not recommended), and item #5 (building elevations).

A motion was made by Mr. Price, seconded by Mr. Bauer to not approve the waiver request for checklist item #4 and to deem the application incomplete.

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

The Board discussed doing a site visit on this property. It was decided that Engineer Hall and Planner Banisch would agree upon a date and time and that two Board members would also go along with them on the site visit.

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3. Brian Cavezza -Block 13, Lot 34 – R-5 Zone – 1.41 Acres 306 Fairview Avenue
“C” variance application to allow for the construction of a front porch and an addition on an existing dwelling in the front yard setback – Deemed Complete 6-4-14 - Public hearing

Mr. Averett recused himself due to a conflict of interest. Mr. Brian Cavezza introduced himself to the Board. Attorney Fraser swore-in Mr. Cavezza. Mr. Cavezza stated that he is proposing to add a front porch with a front entrance foyer, a closet for the master bedroom and a dinette room. He noted that the rear of the house is in the front yard setback.

The Board reviewed Engineer Hall’s May 2, 2014 review letter. Mr. Hall noted that an email had been sent by the Highlands Council’s Keri Bencoter saying that this qualifies as an exemption #5. It was decided that the applicant did not need to the Highlands Council exemption as it has been determined that this application qualifies as exemption #5. Mr. Hall asked Mr. Cavezza if the lot coverage calculation had included the area in Fairview Avenue. Mr. Cavezza stated that it did. Mr. Hall asked if the applicant would be willing to provide a right-of-way dedication. Mr. Cavezza agreed to the dedication. Mr. Cavezza told the Board that his architect had calculated the proposed new setbacks. Engineer Hall recommended that the setbacks for the variance be 53 feet for the front yard setback and 14 feet for the side yard setback. Mr. Cavezza stated that alternate locations for the improvements had been considered; however, because of the existing front yard setback any improvements would be in the setback. Mr. Cavezza was asked when he would begin building these additions. Mr. Cavezza stated that he would like to start as soon as possible and that he was told by his contractor that the shell of the additions can be complete in 3 weeks.

Mr. Banisch noted that the front yard setback is being reduced by 4 feet and that the proposed setbacks would not result in any detriment to the neighbors. He stated that this is a “C-1” hardship variance and that any impact to the neighbors would be de minimis.

The hearing was opened to the public. No questions or comments were given by the public and the hearing was closed to the public.

A motion was made by Mr. Bauer, seconded by Mr. Soga to grant the front yard variance allowing a 53 foot front yard setback and a side yard variance allowing a 14 foot side yard setback with a 30 foot right-of-way dedication to the Township.

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

Mr. Averett rejoined the Board.

4. Terence Stone & Laurie Campanelli – Block 52, Lot 9 – 31 Sky Top Road – R-5 Zone
Variance to allow single family dwelling construction on a non-dedicated street & Variances For pre-existing non-conformities (front yard setback, lot width, lot frontage, min. lot size)
Deemed complete 7-3-13 Extension granted to hear application to 6-4-14

The Board was informed by Secretary Margolese that the applicant had requested to have the public hearing carried to the July 2nd meeting because of family matters that required Mr. Stone to be in Maine. She informed the Board that the applicant had granted an extension to hear this application though July 3, 2014. It was noted that the applicant’s escrow account needs to be immediately replenished prior to the July 2nd meeting. It was also noted that the applicant had not

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met with the Fire Dept. Chief prior to this meeting as had been agreed upon. The Board noted that this would also need to be done prior to the July 2nd meeting. Attorney Fraser announced that this public hearing is being carried to July 2, 2014 without further notice.

5. Hackettstown Hyundai – Block 4, Lot 7.01 – 40 Route 46 – C-2 Zone- Prelim. & Final Site Plan with “D” Variance – Deemed Complete on 3-5-14 – Public Hearing.
Representatives present: Attorney Michael Selvaggi and applicant Drew Picon

Mr. Price and Mr. Bridgman recused themselves due to a conflict of interest. Mr. Selvaggi informed the Board that Mr. Picon is working with Hyundai regarding the deliveries of vehicles to High Street. He stated that fencing is needed along High Street for security. Mr. Selvaggi asked that the Board continue this application on July 2nd when the revised plans for Lot 1 and 7.02 will be submitted which address the changes made for the Highlands Council. Attorney Fraser announced that the hearing on this application will be carried to the July 2nd meeting with no further notice. Mr. Selvaggi stated that the applicant is willing to grant an extension to hear this application through July 2, 2014.

Mr. Price and Mr. Bridgman rejoined the Board.

DISCUSSION - CORRESPONDENCE

1. Vouchers

The motion to approve the submitted vouchers for Anderson & Denzler - \$1297 and Gail Fraser - \$764.40 was made by Mr. Averett and seconded by Mr. Price. A voice vote was taken; all were in favor and the motion carried.

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

Respectfully Submitted,

Barbara Margolese, Secretary

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