

Minutes of the Board of Adjustment of the
Township Of Hanover
March 1, 2022

PUBLIC MEETING 6:00 P.M. VIA ZOOM WEBINAR ONLY

PUBLIC BUSINESS

I. STATEMENT BY PRESIDING OFFICER

Chairman Stanziale called the Public Meeting to order at 6:01 PM and read the Open Public Meetings Act into the record.

II. ROLL CALL

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Alwell, Bartell, Caruso, Corona, Fomchenko, Giorgio, Hingos and Chairman Stanziale

Absent were Members: Donaldson

Members of the Public were: Terri Baird

Also present were Attorney for the Board, Michael Sullivan, Esq.
Board Secretary, Kimberly A. Bongiorno, LUA
Township Engineer, Gerardo Maceira, P.E.
Township Planner, Blais Brancheau, PP

III. RESOLUTION TO BE MEMORIALIZED

1) CASE NO.	1865
APPLICANT	JOHN CARUSO BUILDERS, LLC
OWNER	MAR-KIDS PROPERTIES, INC
LOCATION:	116 WHIPPANY ROAD, WHIPPANY
BLOCK: 4402	LOT: 6 ZONE: R-25

Applicant sought to amend the allowable uses, hours of operation and signage to accommodate the applicants proposed construction office use. The applicant proposed to stripe the parking lot and provide a handicap stall for a total of 6 parking spaces as well as 2 wall mounted lighting fixtures and planting of 8 trees.
APPLICATION APPROVED WITH CONDITIONS JANUARY 20, 2022

There were no questions, comments or corrections offered by Board Members.

A motion to approve the resolution as written was moved by Member Alwell and seconded by Member Bartell.

Members Corona, Fomchenko, Giorgio, Bartell and Alwell voted in favor of approving the resolution as written.

IV. MINUTES **JANUARY 20, 2022**

There were no questions, comments or corrections offered by Board Members.

A motion to approve the Minutes from January 20, 2022, was moved by Member Alwell and seconded by Member Giorgio.

In voice all present voted in favor of approving the Minutes from January 20, 2022.

V. PUBLIC HEARINGS

- | | | |
|----|------------------------|--|
| 1) | CASE NO. | 1869 |
| | APPLICANT/OWNER | JEFFREY & MICHELLE LUTTRELL |
| | LOCATION: | 63 POPLAR DRIVE, MORRIS PLAINS (CEDAR
KNOLLS) |
| | BLOCK: 502 | LOT: 3 ZONE: R-30 |

Applicant is seeking a residential “C” variance for rear yard setback in order to remove and replace the existing deck boards and railings on the existing main deck, add a new roof over a portion of the existing main deck and the smaller deck will be removed and replaced with a new landing and stairs as well as a paver patio and hot tub. **APPLICATION WITHDRAWN – ORDINANCE 3-2022 ELIMINATED THE NEED FOR A VARIANCE**

Documents for this application can be viewed at the following link:

https://drive.google.com/drive/folders/1WBvG4CupCvW1NVYFCmzfd_J-XTAmcS1

Board decision due by: January 29, 2022

Board Secretary, Kimberly A. Bongiorno, LUA

- For the record read email sent and addressed to her by the applicant requesting to withdraw their variance application.

- | | | |
|----|------------------------|-----------------------------------|
| 2) | CASE NO. | 1872 |
| | APPLICANT/OWNER | JOSEPH & JILLIAN HUNCKEN |
| | LOCATION: | 8 BRIARWOOD COURT, WHIPPANY |
| | BLOCK: 3101 | LOT: 8.4 ZONE: R-25 |

Applicant is seeking a residential “C” to permit an inground pool with patio.

Documents for this application can be viewed at the following link:

<https://drive.google.com/drive/folders/1yixv-D1lDqoFwezF5MVMlORDNtf5F8id?usp=sharing>

Board decision due by: JUNE 8, 2022

Jillian Huncken – Applicant was sworn in by the Attorney for the Board, Michael Sullivan

Jillian Huncken – Applicant

- 8 Briarwood Court, Whippany.
- Went over what she is seeking relief for.

The Township Engineer, Gerardo Maceira, P.E., and the Township Planner, were sworn in by the Attorney for the Board, Michael Sullivan.

Township Planner, Blais Brancheau

- Addressed Chairman's Stanziale's question regarding the ordinance amendment for increase of maximum improvement coverage.
- Went over his report and further explained.
- Addressed Chairman Stanziale's question regarding how much is the applicant over.
- Went over the discrepancies in the measurements.

Jillian Huncken – Applicant

- Addressed Chairman Stanziale's question regarding what is surrounding her property.
- Addressed Mr. Sullivan's questions regarding the property to the right, to the left, and if there were any buffering that would block the view of the pool from the neighbor to the left.
- Addressed Member Giorgio's question regarding the property being level or sloped.

Township Engineer, Gerardo Maceira, P.E.

- Addressed Member Giorgio's question regarding the grading of the property and how the pool would affect it and the runoff.

Attorney for the Board, Michael Sullivan

- Confirmed with Mr. Maceira that item "1" on his February 28, 2022, report, if the application was approved that would be a condition as would be item "2" with respect to tree preservation, removal, and replacement.

Township Engineer, Gerardo Maceira, P.E.

- That is correct, the plans do not indicate any trees but as Ms. Huncken testified there are some woods in the rear and further explained it.

Jillian Huncken – Applicant

- Addressed Member Giorgio's question regarding the location of the trees.
- Addressed Chairman Stanziale's question regarding adding more trees if necessary.

Township Planner, Blais Brancheau

- Addressed Member Alwell's question regarding the shape of the property provide uniqueness to the property.
- Addressed Chairman Stanziale's question regarding set back of the property.
- Addressed Member Fomchenko's question regarding what could be solved if the size of the pool were to be smaller.
- Addressed Chairman Stanziale's question regarding the types of trees recommended for planting.

Township Engineer, Gerardo Maceira, P.E.

- Addressed Member Fomchenko's question regarding trees being planted to create a buffer.

Jillian Huncken – Applicant

- Addressed Chairman Stanziale's question regarding planting trees to create a buffer.

Attorney for the Board, Michael Sullivan

- Blais, I do not know how you will want to structure this in the event it is approved if we use your number on the third page of your memo that is forty-five square feet less than when we correct the pool dimensions that is ninety-six square feet less, so I just want to make sure using your numbers. Blais, you believe your numbers are accurate.

Township Planner, Blais Brancheau

- It is impossible to tell what the exact number change would be without a revised plan to show the actual pool and the actual pool patio dimensions with the thirty by eighteen pool.

Attorney for the Board, Michael Sullivan

- I thought I could quantify this but that is not correct you are right.
- I think if the board were inclined to approve this application, we would have to err on the side of caution and use the applicant's numbers understanding that those dimensions would not increase from what is being approved.

Township Planner, Blais Brancheau

- Gave his recommendations.

Open to the Public for questions and or comments

After hearing none, after seeing none

Close to the Public

Attorney for the Board, Michael Sullivan

- If there is a motion to approve it is going to be subject to comments “1” and “2” contained in Mr. Maceira’s February 28, 2022, memo.
- As well as comments “B1” and “B2” in Mr. Brancheau’s memo with the same date but with respect to “B1” we are going to have to put that caveat that when these discrepancies are resolved those structures are not to exceed the dimensions that are showing on the plan.
- The applicant also agreed to plant some evergreens to shield the pool from the view of that adjacent neighbor to the north, subject to review and approval by the Board’s Engineer and Planner.

A motion to approve this application with conditions was moved by Member Fomchenko and seconded by Member Giorgio.

Members Corona, Caruso, Fomchenko, Giorgio, Hingos, Alwell and Chairman Stanziale voted in favor of approving this application with conditions.

VI. OTHER BUSINESS:

Chairman Stanziale

- Discussed the proposed date to go back in person.
- Board members unanimously agreed to be back in person in May with the meeting time of 6:30 PM.

Open to the Public

Terri Baird

- 180 Parsippany Road, Whippany.
- My only request is the applicants are now posting things online and asked if that could continue
- Questioned if Blaise’s and Gerry’s reports would also be online.

Board Secretary, Kimberly A. Bongiorno, LUA

- That is going to continue, that is something that we are still going to require all applicants to provide a link either in google drive or drop box something like that, and they will continue to post their applications, their plans to a link that the public can go and view it.
- It is up to the applicant to upload all of their documents and reports.

Closed to the Public

Board Secretary, Kimberly A. Bongiorno, LUA

- Because we cannot maintain the six feet of distance and we are all on top of each other on the dais, if you are not feeling well, or think you may not feel well please do not show up.
- Addressed Member Alwell's question regarding masks. The mask mandate has been removed as a requirement in the Municipal Building.

Chairman Stanziale

- Reiterated Ms. Bongiorno's comments regarding the in-person meetings going forward.
- Did let the board members know if they wanted to wear a mask, they could but it is not required.

VII. ADJOURNMENT

A motion to Adjourn the meeting was made by Member Fomchenko and seconded by Member Hingos.

In voice all in present voted in favor of adjourning the meeting.

Meeting Adjourned at 6:55 PM

KIMBERLY A. BONGIORNO, LUA.
BOARD SECRETARY
PLANNING BOARD
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY