Minutes of the Board of Adjustment of the Township Of Hanover JUNE 18, 2015

Chairman Stanziale called the Meeting to order at 7:46PM and The Open Public Meetings Act statement was read into the record:

Board Secretary, Kimberly A. Bongiorno, LUA, took the Roll Call.

In attendance were Members: Caruso, Donaldson, Hingos, Iradi, Linfante, Neidhardt, Stanziale, and Walsh

Absent was Member: Fomchenko

Also present were Board Attorney, Daniel Bernstein, Township Planner, Blais Brancheau and Township Engineer, Gerardo Maceira, PE.

Public Business Presented

I. RESOLUTION TO BE MEMORIALIZED

1) CASE NO. 1767

APPLICANT/OWNER MARK AND ELIZABETH DI LAURI

LOCATION: 12 SYCAMORE TERR.

CEDAR KNOLLS

BLOCK: 609 **LOT:** 24 **ZONE: R-25**

Applicant sought permission to replace and enlarge the existing deck and to add a shed. Applicant sought relief from sections 166-113.1, 166-114B. 166-167B, and 166-154C, as well as any and all other variances that may have been required. Application approved May 21, 2015.

Motion to memorialize the above resolution as written.

Moved by Member Hingos, and seconded by Member Neidhardt.

Members Caruso, Walsh, Hingos, Linfante, Neidhardt, and Stanziale voted in favor of adopting the memorialized resolution as written and no members voted against the resolution.

2) CASE NO. 1763

APPLICANT BRIGHTSTAR HOSPITALITY, LLC

OWNER EPCO SERVICES, INC.

LOCATION: 262 ROUTE 10 WEST WHIPPANY

BLOCK: 7301 **LOT:** 9.01, 13 & 14 **ZONE:** I-B

Applicant sought "C" & "D" Variances only to allow for a four story Marriot branded hotel and related improvements. Applicant also sought relief from sections 166-150E(2), 166-150E(6), 166-202J, 166-157K(1)(a), 166-153K(2). Variances approved May 21, 2015

Motion to memorialize the above resolution as written.

Moved by Member Neidhardt, and seconded by Member Hingos.

Members Walsh, Hingos, Linfante, Neidhardt, and Donaldson voted in favor of adopting the memorialized resolution as written and no members voted against the resolution.

III. OTHER BUSINESS REVIEW AND ADOPTION OF THE 2014 ANNUAL REPORT

Mr. Brancheau, Township Planner

Gave a brief overview of the 2014 Annual Report and the types of applications that the board was seeing.

The zoning for Pools, decks, and patios are areas that need to be studied and reviewed.

Motion to approve the 2014 Annual Report as written.

Moved by Member Linfante, and seconded by Member Hingos.

Members Caruso, Walsh, Hingos, Linfante, Neidhardt, Donaldson, and Stanziale Voted in favor of the 2014 Annual Report as written.

IV. MINUTES - MAY 21, 2015

Motion to approve the May 21, 2015 Minutes as written.

Moved by Member Hingos, and seconded by Member Caruso.

Voice Vote – All present in favor.

V. PUBLIC HEARINGS

1) CASE NO. 1770

APPLICANT/OWNER FILIPE AND JENNIFER SANTIAGO

LOCATION: 15 BIRCH HILL DRIVE

WHIPPANY

BLOCK: 4602 **LOT:** 7 **ZONE:** R-15

Applicant is seeking permission to construct a new second floor addition as well as a porch and renovations to the existing single family dwelling. Applicant is seeking relief from sections 166-173A(3), 166-173A(2) and 166-173A(4).

Board decision due by: SEPTEMBER 9, 2015

Jennifer Santiago was sworn by the Board Attorney.

Daniel Dressel, architect for the applicant, was sworn by the Board Attorney.

- Mr. Dressel gave on overview of his credentials and education.
- Described the proposed second story addition.
- The addition does not create a variance.
- The current house is pre-existing and nonconforming.
- Applicant would like to add a second level and a front porch.
- All variances are pre-existing.
- Reviewed the variances.
- Reviewed the existing non-conforming issues.

Mr. Maceira

- There is not a height to setback ratio.
- There is a rear yard setback pre-existing.

Mr. Dressel

- There will be minimal lighting proposed.
- All will comply with the township ordinance.

8:02PM Opened to the Public

8:03PM – Seeing None – Closed to the Public.

Motion to approve, subject to the conditions outlined by Board Attorney, Daniel Bernstein.

Moved by Member Linfante, and seconded by Member Walsh.

Members Caruso, Walsh, Hingos, Linfante, Neidhardt, Donaldson, and Stanziale voted in favor of the application with conditions.

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No Members voting against the application.

2) CASE NO. 1772

APPLICANT GARY SCHWEIGHARDT

OWNER KELLY MAHON & GARY SCHWEIGHARDT

LOCATION: 101 SUMMIT AVENUE

CEDAR KNOLLS

BLOCK: 802 **LOT:** 8 **ZONE:** R-10

Applicant is seeking permission to construct a single story addition to the existing single family home. Applicant is seeking relief from sections 166-176B, 166-114 B, 166-136, and 166-138.2 B(2).

Board decision due by: SEPTEMBER 11, 2015

Ed Walsh recused himself from the case. There was a conflict of interest.

David Delle Donne, Architect for the applicant.

- Exhibits Photos A-1 through A-6 were reviewed.
- Exhibits showed different views of the home and surroundings
- Described the proposed variances.
- A one story addition is being proposed.
- The shed is an existing condition.
- Existing fence received approval to be replaced.
- Received a permit from the Building department even though the fence is off of the property.
- Permit 07-0023 was issued in 2007 by the Hanover Township Building Department.
- Described the hardships for the property.

Mr. Bernstein

- The Board cannot approve the fence to stay in the right of way.
- You do not get it grandfathered, just because you got a permit from the town.
- Must get permission from the town to keep the fence in the right of way.

8:22PM Opened to the Public

8:22PM Seeing none, Closed to the Public.

Motion to approve with conditions that were outlined by Mr. Bernstein.

Moved by Member Linfante, seconded by Member Donaldson.

Members Caruso, Hingos, Linfante, Neidhardt, Donaldson, Iradi, and Stanziale voted in favor to approve the above application with conditions.

No Members voting against the application.

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3) CASE NO. 1766

APPLICANT ANNMARIE PAGE

OWNER THOMAS PAGE AND LORENZO & BIANCA

DIFABRIZIO

LOCATION: 3 OAK BOULEVARD

CEDAR KNOLLS

BLOCK: 1307 **LOT:** 23 **ZONE:** R-10

Applicant is seeking permission to construct an addition to an existing single family home. Applicant is seeking relief from sections 166-176B, 166-176C, 166-176D, 166-154C, 166-114B(6), and 166-113.1

Board decision due by: SEPTEMBER 16, 2015

Mr. Walsh returned to the dais and rejoined the meeting.

Annmarie Page was sworn by the Board Attorney.

- Ms. Page's home is currently 680 square feet.
- Planning to expand 8 feet on the right of the house and 15 feet to the rear.
- Current home is 2 bedrooms and one bath.
- Proposing 3 bedrooms and 2 full baths.

Exhibit A-1 to A-3 Photos of the home and surrounding area

The Chairman

Reviewed the violations.

Mr. Maceira

- Described the existing driveway and setback.
- Existing shed is 7 feet from side yard line and 6 feet from the rear property line.
- All the setback regulations and violations were reviewed for the record.
- The distance between Ms. Page's home and the neighbor's structure is 50 feet.

Mr. Bernstein

- This lot is extremely undersized.
- This lot is 5,000 square feet, whereas 10,000 square feet is required.

8:38PM Opened to the Public

8:38PM Seeing None, Closed to the Public

Mr. Bernstein

- Summarized the Conditions.

Motion to approve with conditions.

Moved by Member Walsh, seconded by Member Linfante.

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Members Caruso, Walsh, Hingos, Linfante, Neidhardt, Donaldson, and Stanziale voted in favor of the application with conditions.

No Members voted against the application.

4) CASE NO. 1768

APPLICANT RYAN DUFF

OWNER RYAN DUFF & LAURA ADAMSKY

LOCATION: 25 HARRIET DRIVE

WHIPPANY

BLOCK: 3502 **LOT:** 4 **ZONE:** R-15

Applicant is seeking permission to construct a second story addition to an existing single family home. Applicant is seeking relief from sections 166-173A(3), 166-173A(2), and 166-114B(1).

Board decision due by: SEPTEMBER 18, 2015

Due to defective notice, this application will be moved to the July 7, 2015th meeting date.

Applicants are reserving notice to the neighbors within 200 feet and the utilites. They do not need to re-notice in the newspaper.

VI. ADJOURNMENT

Meeting Adjourned at 8:41P.M.

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