

Minutes of the Board of Adjustment of the  
Township Of Hanover  
**February 19, 2015**

Chairman Benjamin Stanziale called the Meeting to order at 7:34PM 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, Hingos, Linfante, Neidhardt, Stanziale, and Walsh

Absent were Members: Donaldson, Fomchenko, and Iradi

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

Cases Presented

**I. RESOLUTION TO BE MEMORIALIZED**

- |    |                  |                           |
|----|------------------|---------------------------|
| 1) | CASE NO.         | 1758                      |
|    | APPLICANT /OWNER | Robert and Jessica Scholl |
|    | LOCATION:        | 18 Adams Drive            |
|    |                  | Whippany                  |
|    | BLOCK: 5404      | LOT: 1                    |
|    |                  | ZONE: R-15                |

Applicant sought permission to build an addition on the above mentioned premises. Applicant sought relief from sections 166-173A(2) and 166-167B as well as any and all other variances that may be required. Application approved January 6, 2015

Motion to approve resolution as written.

Moved by Hingos and seconded by Neidhardt

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

- 2) CASE NO. 1733  
APPLICANT /OWNER CALDWELL INVESTORS, INC.  
LOCATION: 36 SOUTH JEFFERSON RD.  
CEDAR KNOLLS  
BLOCK: 2904 LOT: 5 ZONE: I

Applicant sought Preliminary and Final Site Plan “C” and “D” variances to construct an indoor firing range with an area also for Instruction/sales/mechanicals. Case partially heard on October 17, 2013 as well as May 15, July 17, September 18 and December 18 2014.

Application denied December 18, 2014.

Resolution of Denial

Motion to approve the resolution of denial as written.

Moved by Chairman Stanziale, and seconded by Chairman Stanziale.

Chairman Stanziale voted in favor of adopting the resolution as written and no members voted against.

## II. MINUTES -

December 18, 2014,  
January 6, 2015

Motion to approve minutes as written.

Moved by Member Linfante, and seconded by Member Hingos

Voice Vote – All present in favor.

## III. PUBLIC HEARINGS

- 1) CASE NO. 1756  
APPLICANT /OWNER SCOTT BARTELL  
LOCATION: 7 OVERLOOK ROAD  
WHIPPANY  
BLOCK: 5003 LOT: 5 ZONE: R-15

Applicant is seeking permission to construct a second floor addition to the existing g home located on the property. The applicant is seeking relief from sections 166-173 A(3), 166-167 B, 166-154 C, 166-138.2B, 166-136, 166-114 B (6), 166-113.1 as well as any and all other relief that may be required.

Board decision due by: April 1, 2015

The Application was presented by Architect Matthew G. Evans and Phil Finamore of the Evans Architect office and Scott Bartell. All witnesses were sworn by the Board attorney.

Mr. Bartell described the existing conditions on the property.

The property behind the home is owned by Algonquin Gas Transmission, Co.

Mr. Bartell purchased the property from his parents in 2001.

The applicant proposes to add a second story to his home and convert it to a colonial from a ranch style home.

Mr. Evans and Finamore described the violations of the zoning ordinance within the R-15 zone.

The home will be 25 feet in height and requires a 18 foot side yard.

There will be an additional 23 square feet of lot coverage which will increase the total impervious lot coverage from 40.43% to 40.60% where the limit is 34%.

The driveway set back is 3.7 feet where 5 feet is required.

The existing deck and patio are non-conforming as it does not abut the residence and has setback deficiencies.

The shed has a side yard setback of 4.40 feet and a rear yard setback of 1.9 feet where 10 feet is required.

The concrete pad for the pool equipment has a rear yard setback of less than 10 feet. The pool was installed in 1978.

The fence extends into the Algonquin Gas property. Mr. Bartell stated he would move the fence within his property lines.

The board feels the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan.

Mr. Bernstein outlined the conditions if the application should be approved.

Motion to approve the application with conditions.

Moved by Member Linfante, and seconded by Member Walsh.

Members Voting “AYE” – Caruso, Walsh, Hingos, Linfante, Neidhardt and Chairman Stanziale

Members Voting “NO” - None

2)	CASE NO.	1762
	APPLICANT /OWNER	MICHAEL AND NANCY LEONE
	LOCATION:	44 KARLA DRIVE
		WHIPPANY
	BLOCK: 3702 LOT: 26	ZONE: R-15

Applicant is seeking permission to construct an addition to the existing home located on the property. The applicant is seeking relief from sections 166-114 B (6), 166-165 F, 166-136, 166-114 as well as any and all other relief that may be required.

Board decision due by: April 2, 2015

Arnold George, Attorney for the Applicant gave an overview of the application before the board.

Frederick C. Meola, Professional Planner and Professional Engineer and Michael and Nancy Leone were sworn by the Board Attorney.

Witnesses described the proposed addition.

Mr. Meola testified that the zoning officer denied the application for the proposed addition because of existing conditions on the property and not on account of the addition, which itself is conforming.

Mr. Meola reviewed the existing violations for the shed, swimming pool and patio.

The board finds that the existing structures may remain on the site and that variance relief is warranted and that the relief can be granted without substantially impairing the intent and purpose of the zone plan and zoning ordinance of the township.

Mr. Bernstein outlined the conditions if the application should be approved

Motion to approve the application with conditions.

Moved by Member Walsh, and seconded by Member Neidhardt

Members Voting “AYE” – Walsh, Hingos, Linfante, Neidhardt and Chariman Stanziale

