

CALL TO ORDER:

Mr. O'Leary called the meeting to order at 7:33 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, sections 4 & 13.

FLAG SALUTE

ROLL CALL: **Members Present:** Hughes, Fette, Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Henderson, O'Leary.

Members Excused: Randazzo, Taylor.

Members Absent: None.

Also Present: Ursula Leo, Esq.
Nevitt Duveneck, PE

Mr. O'Leary introduced Ms. Vanessa Henderson as the Board's new member and she was sworn in by Ms. Leo.

MINUTES: July 26, 2012, August 23, 2012.

A motion to approve the minutes of the July 26, 2012 meeting with the noted corrections was made by Mr. Corcoran. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Corcoran, Leuthe, Didyk, Van Sickle, O'Leary.

A motion to approve the August 23, 2012 meeting minutes with the noted corrections was made by Mr. Hughes. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Hughes, Fette, Luthman, Corcoran, Didyk, Van Sickle, Leuthe, O'Leary.

EXECUTIVE SESSION: None.

COMPLETENESS/ HEARINGS/ COCEPT:

1.) Alptekin, Ismail VAR12-1 B:6 L:17

Mr. Joe Golden, PE, PP was sworn in by Ms. Leo. He said he has testified before this Board in the past and the Board accepted him as a qualified professional. He said they were requesting two variances, one for the rear yard and one for the side yard setbacks. He said it is a pre-existing, non-conforming lot.

Mr. Golden presented a large scale, color version of the plan submitted to the Board with a date of 12/13/12 which was entered and marked as exhibit A-2. Mr. Golden explained the plans to the Board. He said they were going to add a two car garage and close off the existing garage to

provide more living space for the owner. There will only be storage over the proposed garage. The proposed garage will be no higher than 35 feet. Mr. Golden said the proposed layout will create safer vehicle movement on the property. He said his client will be able to exit the property in a forward direction as opposed to backing out onto Valley View Road.

Mr. Golden explained the drainage and said the proposed changes will create a very small amount of additional stormwater runoff. He said his client's property does not meet the zone requirement of 2.5 acres and only has 100 foot road frontage. Mr. Golden said they are proposing an 8 foot setback on the side yard. He said the proposed plan will eliminate parking on the road as it allows for cars to turn around on the property. He said they are not adding any slope to the driveway. Mr. Golden explained the retaining wall to the Board. He felt the proposed plan has no negative impact.

Mr. Fette asked for the slope of the rear yard. Mr. Golden said it is about an 8 to 10 foot drop off behind the existing garage. Mr. Fette asked about the four turn movement to exit the proposed garage and property. Mr. Golden said that once the car backs out of the garage, it is then a standard three movement turn.

Mr. Golden presented a plan entitled "Alternate Driveway Configuration" dated 12/13/12 which was entered and marked as exhibit A-3. He explained the plan to the Board. The alternate plan would require the existing driveway to be cut back to the existing porch.

Mr. Golden felt they do not need a driveway permit since they are not changing the driveway slope or the location of the driveway. Ms. Leo said the applicant will need a driveway permit. Mr. Duveneck felt the proposed driveway will still have difficult vehicle movement and that drivers will still back out onto the road. Mr. Luthman noted that due to the slope of the driveway the applicant will have to apply for a permit. Mr. Golden said most people would want to make the K-turn and not back out of the driveway onto the roadway.

Mr. Duveneck asked if there was any evidence of effort to make the lot more conforming. There was a discussion on the applicant's need for a buy/sell letter from his neighbor. Mr. Alptekin was advised he was still under oath. Mr. Alptekin said he did talk to his neighbor but did not remember if he sent a certified letter to his neighbor asking to buy land. He said he did not have proof of any such letter but will get one from the neighbor. Mr. Golden felt that taking land from the neighbor who also has a non-conforming lot was not likely to happen. Ms. Leo said the letter will be a condition of any approval.

Mr. Luthman asked for the height of the proposed garage. Mr. Fette suggested the height be limited to 22 feet which would eliminate a second story living space. Mr. Luthman asked if the temporary storage hoop structure that exists on the property will remain. Mr. Alptekin said it is

presently covering a classic car which will be moved into the new garage. The hoop structure will be removed. Mr. Luthman asked about the construction debris that is on the property. Mr. Alptekin said it is paving stone that will be used for a patio in the backyard.

Mr. Leuthe asked if a two point turn out of the garage would be feasible. Mr. Golden said yes but it would require more construction to the existing driveway. There was a lengthy discussion on the parking and car movement in the driveway.

Mr. Hughes asked why the garage could not be built behind the house. Mr. Duveneck said the property behind the house drops off significantly. Mr. Golden agreed and said they would still need a variance. He said the impervious coverage would increase. Mr. Duveneck noted the garage would not fit in the setback if it were moved the rear of the house.

Mr. O'Leary opened the meeting to the public. With no public present, the meeting was closed to the public.

Mr. Golden summed up his client's application for the Board. He said the existing condition is unsafe and the proposed garage improves the movement. It also improves the parking situation. He said there was no negative impact on the neighborhood. He said the neighbors are aware of the proposal and nobody is objecting to it.

Ms. Leo explained the Nash case and said the applicant will need to provide a letter to the Board that he approached the neighbor asking to purchase land. This will be a condition of approval.

A motion to approve the application subject to Mr. Duveneck's report, the posting of the driveway escrow, submission of letter from the neighbor asking to purchase land, only storage space permitted over the garage with no living space and a height not to exceed 22 feet, and the temporary garage be removed and not replaced was made by Mr. Fette. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Fette, Luthman, Corcoran, Didyk, Leuthe, Van Sickle, O'Leary. Mr. Hughes voted in the negative.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. With no public in attendance, the meeting was closed to the public.

OLD BUSINESS: None.

NEW BUSINESS:

1.) 2013 Budget

The Board discussed the 2012 budget. Mr. Leuthe reported on what was actually spent in 2012. There was a lengthy discussion on what was spent in 2012. The board agreed to cut 20 percent from litigation and 20 percent from planning and keep everything else the same for 2013. The Board Secretary will type up the budget and submit it to the Township Committee for their consideration.

2.) Zoning and Tax Map Changes

The Board had no changes to submit to the Tax Assessor.

The Board discussed canceling its December 20, 2012 meeting due to a lack of agenda items. A motion to cancel the December 20, 2012 meeting was made by Mr. Corcoran. It was seconded by Ms. Didyk and passed with everyone saying aye.

RESOLUTIONS:

1.) Lakeland Bank

A motion to approve the resolution for Lakeland Bank was made by Mr. Luthman. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Luthman, Corcoran, Leuthe, Van Sickle, O'Leary.

ORDINANCES: None.

ZONING REPORT:

Mr. Fette reported that the Advance Housing project has been started.

Mr. Fette reported that the property across from Old Beaver Run Road along Route 94 has been given notices of violation for the debris on the property by himself, the DEP and the County to clean up the property. The company leasing the property has been cleaning up the property.

BILLS: List # 9

A motion to pay bills list #9 was made by Mr. Leuthe. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Henderson, O'Leary.

CORRESPONDENCE:

1.) From: Ursula Leo, Esq.
Re: Proposal for 2013

2.) From: Anna Rose Fedish, RMC
To: Vanessa Henderson

Re: Appointment to Board

3.) From: Dave Banisch, PP
Re: 2013 Proposal

4.) From: Nevitt Duveneck, PE
Re: 2013 Proposal

5.) From: SC Department of Engineering
Re: Cellco Partnership Minor Site Plan Application

ADJOURNMENT:

A motion to adjourn was made by Ms. Henderson. It was seconded by Mr. Leuthe and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Secretary