TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
MINUTES

September 1, 2010

The Board of Adjustment of the Township of Denville held its regular scheduled meeting on
Wednesday, September 1, 2010. The meeting was held in the Municipal Building, 1 St. Mary's
Place and commenced at 7:00 P.M. Chairperson James C. Rodimer presided.

Secretary Probasco read NOTICE OF PUBLIC MEETING.

ROLL CALL: Present: James Rodimer, Kevin Scollans, Roger Spiess, Mark Wilson,
Sean Ryan, Arthur Korn, Sally Dankos, John Murphy
Absent: John Murphy, Frank Passucci
Prof. Present: Rich Saunders, Esq., William Denzler, P.P.

MINUTES:
August 4, 2010
Motion to adopt the minutes as submitted was made by Mbr. Scollans, seconded by Mbr. Korn
and unanimously approved by all Members present and able to vote.

PURCHASING:
Motion to pay vouchers submitted by Denzler & Associates, (dated August 9, 2010) subject to the
availability of funds, was made by Mbr. Korn, seconded by Mbr. Scollans and unanimously
approved by all Members present and eligible to vote.

Motion to pay voucher(s) submitted by Larry I. Wiener, (dated August 10, 2010 and August 20,
2010) subject to the availability of funds, was made by Mbr. Korn, seconded by Mbr. Scollans and
unanimously approved by all Members present.

PROFESSIONAL COMMENTS:
Bill Denzler, Township Planner and Rich Saunders, Board Attorney had none.

RESOLUTIONS:

BA 10-19: Suzanne Satterfield (Werner)
75 West Shore Road
Block 40514, Lot 18

A motion to adopt the memorializing resolution of approval as submitted for the above properties
was made by Mbr. Scollans, seconded by Mbr. Korn and unanimously agreed upon by all
members present and eligible to vote.

Roll Call: Ayes – Scollans, Korn, Spiess, Wilson, Dankos, Ryan
A motion to adopt the memorializing resolution of approval as submitted for the above properties was made by Mbr. Scollans, seconded by Mbr. Korn and unanimously agreed upon by all members present and eligible to vote.

Roll Call: Ayes – Scollans, Korn, Spiess, Wilson, Dankos, Ryan

A motion to adopt the memorializing resolution of approval as submitted for the above properties was made by Mbr. Scollans, seconded by Mbr. Korn and unanimously agreed upon by all members present and eligible to vote.

Roll Call: Ayes – Scollans, Korn, Spiess, Wilson, Dankos, Ryan

PUBLIC HEARINGS:

BA 10-21: David & Regina Hansen
7 Wetmore Drive
Block 60506, Lot 11

Chr. Rodimer announced to the public that this application had been withdrawn by the applicant.

BA 10-22: Michael & Myriam “Giselle” Billeci
17 Broad Street
Block 41311, Lot 6.01

Michael Billeci (17 Broad Street) was present and sworn under oath. Applicant proposed to construct a 6’ stockade fence requiring “C” variance relief for having two front yards. Mr. Billeci stated that the fence would be a continuation of the neighbor’s fence and is required for privacy, litter from Route 46 and safety of their children.

Chr. Rodimer opened the hearing to the professionals for comment.

Bill Denzler, Township Planner commented that the property was a large corner lot with a large frontage on Route 46. No sight visibility issue since it begins partially down from the corner of the lot. Mr. Denzler agreed that the proposed would provide some safety and privacy for the property owners and did not see a problem with the proposed.

Opened to the public and seeing none, closed the public portion of the hearing.

Chr. Rodimer opened the hearing to the board members.

Mbr. Spiess had no questions and commented on seeing the need for such a fence.
Mbr. Wilson commented that it made sense for the neighbor and for the applicant.
Mbr. Ryan agreed with the other members and saw no problem with the proposed.
Mbr. Korn commented that it should read front yard and 6’ solid fence. Mr. Denzler confirmed.
Mbr. Dankos had no objections.
Mbr. Scollans agreed with fellow board members that the proposed made sense.

A motion to approve this application was made by Mbr. Spiess, seconded by Mbr. Dankos and approved by the majority of members eligible to vote.

Roll Call: Ayes – Spiess, Dankos, Wilson, Korn, Scollans, Ryan, Rodimer

BA 10-23: Patricia Dyer
48 Cedar Lake West
Block 61005, Lot 18
Patricia A. Dyer (48 Cedar Lake West) was present and sworn in. Applicant proposed to construct a replacement deck and expansion of 10’ towards the lake. The deck requires “C” variance relief for side yard setbacks. The new deck will actually be shorter than the stairs on the existing deck. A request for Riparian buffer has been made to the NJDEP. The applicant stated that the deck is in a state of disrepair and is a safety issue.

Chr. Rodimer opened to the professionals for comment.

Bill Denzler, Township Planner summarized that the replacement and expansion of existing deck requires a side yard setback variance of 17’ where 2.6’ is proposed. Original deck of 251 sq. ft. is being extended 10’ for 6.8’ out the back for a total of 353 sq. ft. The proposed is consistent with the neighborhood, modest and no negative impact to the rear. Adding that the proposed is more of a replacement than an expansion.

Chr. Rodimer opened to the public and seeing none, closed the public portion.

Chr. Rodimer opened to the board members for comments.

Mbr. Dankos had no comment and stated that a replacement deck is necessary.
Mbr. Scollans supported the project and confirmed that the site survey reflects a structural issue.
Mbr. Spiess supported the project.
Mbr. Wilson had no issue with the application.
Mbr. Ryan had no problems with the proposed.
Mbr. Korn understands the application and inquired if the entire deck or just a portion would be replaced. The applicant stated that it would be determined by the contractor but assumed the entire deck would be built new on the existing support beams. Mbr. Korn inquired about the Cedar Lake property lines not being firmly established. Bill Denzler stated that the worst case scenario of 2.6’ and not going beyond the line of the dwelling should not present a problem.

A motion to approve this application was made by Mbr. Scollans, seconded by Mbr. Wilson and approved by the majority of members eligible to vote.

**Roll Call:** Ayes – Scollans, Wilson, Spiess, Korn, Dankos, Ryan, Rodimer

BA 10-25: Bianca Franchi & Thomas Lancaster
233 Cedar Lake North
Block 61302, Lot 91

Bianca Franchi and Thomas Lancaster (233 Cedar Lake North) were present and sworn in. The applicant purchased the 100 year old home seven years ago. Applicant maintained the existing footprint by adding a second floor onto the existing ranch. The original patio on the home was concrete and is being replaced with rear and side decks requiring a bulk variance for rear and side yard setbacks. Proposed deck along the rear of the home where the patio was. Side steps to the deck leading to the side door that has been relocated. Nothing proposed in the front of the house. The second floor deck will be cantilevered.

Chr. Rodimer opened to the hearing to the professionals.

Bill Denzler, Township Planner stated that the proposed was consistent with other properties in Cedar Lake and would have no substantial detriment. Hardship comes from the zoning R1B on 2 acre lot and inconsistent with the zoning setbacks. Rezoned in 2000 Master Plan due to increased environmental concerns.

Chr. Rodimer opened the hearing to the public and seeing none, closed the public portion of the meeting.

Chr. Rodimer opened the hearing to the board members for comments.
Mbr. Spiess commented that the proposed plan was in character and on a large lot if not for the zoning. Loved the home and in favor and supported the application.
Mbr. Wilson had no comments.
Mbr. Ryan stated he had no problems with the proposed.
Mbr. Korn inquired about the home being moved, if it had the same amount of bathrooms, septic and chimney. Mbr. Korn also asked about the NJDEP and commented on the drawings not being consistent with what had been built. Bill Denzler stated it was not necessary if the increase was less than 300 sq. ft. and that the drawings would be addressed by the building department.
Mbr. Dankos thought the home was lovely and had no problems.
Mbr. Scollans stated that the home was picturesque and that the proposed would only enhance its character.

A motion to approve this application was made by Mbr. Scollans, seconded by Mbr. Spiess and approved by the majority of members eligible to vote.

Roll Call: Ayes – Scollans, Spiess, Wilson, Korn, Dankos, Ryan, Rodimer

BA 10-26: Melissa & Alex Papadopolo
26 Southwynde Drive
Block 40816, Lot 1783

Melissa and Alex Papadapolo (26 Southwynde Drive) were present and sworn in. Applicant proposed to construct an overhang over the front porch entry of roughly 3’ x 4’ on their bi-level. The roof and two support columns would require “C” variance relief for a 15’ front yard setback where 25’ is required.

Chr. Rodimer commented that the proposed would be a finished look and opened to the professionals for comments.

Bill Denzler, Township Planner commented on the proposed being a modest and functional improvement on an existing non-conforming front yard setback.

Chr. Rodimer opened to the public and closed the public portion of the meeting.

Chr. Rodimer opened to the board members.

Mbr. Dankos commented that the proposed would be a nice addition.
Mbr. Scollans stated the proposed was nice and having no problems.
Mbr. Spiess stated he loved it.
Mbr. Wilson stated that Mr. Denzler summed it up nicely and he had no problems.
Mbr. Ryan had none.
Mbr. Korn had no comment.

A motion to approve this application was made by Mbr. Scollans, seconded by Mbr. Dankos and approved by the majority of members eligible to vote.

Roll Call: Ayes – Scollans, Dankos, Spiess, Wilson, Korn, Ryan, Rodimer

ADJOURNMENT:
Motion to Adjourn.

Denean Probasco, Board Secretary Date Approved