October 6, 2010

The Board of Adjustment of the Township of Denville held its regular scheduled meeting on Wednesday, October 6, 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, Arthur Korn, Sean Ryan, Sally Dankos, John Murphy, Frank Passucci
Absent: Mark Wilson
Prof. Present: Larry I. Wiener, Esq., Nicholas Rosania, PE, William Denzler, PP

MINUTES:
September 15, 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 voucher(s) submitted by Larry I. Wiener, dated September 21, 2010 subject to the availability of funds, was made by Mbr. Scollans, seconded by Mbr. Murphy and unanimously approved by all Members present.

PROFESSIONAL COMMENTS:
Nick Rosania, Township Engineer commented on the outcome of the TD Bank being a great fixer upper and great ratable for the town. Chr. Rodimer commented on Five Guys also being a great addition with a better utilization of parking.

RESOLUTIONS:
BA 10-27  Eugene & Donna Finnegan
32 Longview Trail West
Block 40811, Lot 511
Motion to adopt the memorializing resolution as submitted for the above property was made by Mbr. Korn, and seconded by Mbr. Scollans and unanimously approved by all Members present and able to vote.
Roll Call:  Ayes – Korn, Scollans, Spiess, Dankos, Murphy, Passucci, Rodimer

BA 10-28  Christopher & Anne Marie Colletti
20 Zeek Road
Block 11202, Lot 18
Motion to adopt the memorializing resolution as submitted for the above property was made by Mbr. Korn, and seconded by Mbr. Scollans and unanimously approved by all Members present and able to vote.
Roll Call:  Ayes – Korn, Scollans, Spiess, Dankos, Murphy, Passucci, Rodimer

BA 10-29  Ken & Debbe Woodin
100 Cedar Lake East
Block 60402, Lot 156
Motion to adopt the memorializing resolution as submitted for the above property was made by Mbr. Korn, and seconded by Mbr. Scollans and unanimously approved by all Members present and able to vote.
Roll Call:  Ayes – Korn, Scollans, Spiess, Dankos, Murphy, Passucci, Rodimer
PUBLIC HEARINGS:

BA/SPC 09-18: W&L Associates, LLC
423 Main Street
Block 41307, Lots 2 & 8
Chr. Rodimer announced to the members of the public that the application would be carried to the November 3, 2010 meeting without further notice.

BA 10-32 Richard & Nancy Weber
27 Bald Nob Road
Block 61001, Lot
Chr. Rodimer announced to the members of the public that the application would be carried to the October 20, 2010 meeting without further notice.

BA 10-30 Kevin & Caroline Borecki
45 East Shore Road
Block 40908, Lot 356
Kevin & Caroline Borecki were both present and sworn in. Applicant is proposing to construct an addition requiring “C” variance relief for front and side yard setbacks. Mr. Borecki testified to increasing the home towards the street while maintaining the existing setback of 4.7’ where 9’ is required.

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

Nick Rosania, Township Engineer commented that the denial letter referenced a 25’ setback requirement and that the requested variance was only for 3’. Stating that the side yard will be essentially the same as what exists now. No engineering concerns.

Bill Denzler, Township Planner inquired about the alignment of the home with the neighboring homes. Applicant did not believe it would stick out from other homes in the neighborhood. Due to the close proximity to the right of way, Mr. Denzler recommended to the board that if approved, the front portico remain open. The applicant spoke to a maximum of having a roof over the walkway and agreed to the portico remaining open as a condition of approval. No further comments or questions.

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

Chr. Rodimer opened to the board members.

Mbr. Spiess inquired about the zoning data being 55.5’ vs. 64’. The applicant responded that the home is irregularly shaped and has two different setbacks. The addition out back will not impact the rear yard setback to require relief.

Mbr. Ryan had no comments.

Mbr. Korn’s only comment was that the applicant would be pleased with the results of Steve Bias’ plans.

Mbr. Murphy inquired about a tear down of the existing garage, condenser units and landscaping. Applicant confirmed that the existing garage would be removed and that there would be landscaping but was not yet determined.

Mbr. Passucci had none.

Mbr. Dankos had none, thought the proposed was great and wished the applicant good luck.

Mbr. Scollans thought the proposed was a big improvement and liked it.

Mbr. Spiess inquired about the air conditioning units outside and possible impact on the required variance. Bill Denzler explained that there were not residential requirements only for noise. Mbr. Spiess made a motion to approve the application with the condition that the portico remain open.

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

Roll Call: Ayes – Spiess, Scollans, Korn, Dankos, Murphy, Passucci, Rodimer

BA 10-31 Frances McLaughlin/Mark Antonaccio
2 Field Lane
Block 61702, Lot 14
Frances McLaughlin and Mark Antonaccio were present and sworn in. Ms. McLaughlin testified to the current home of 1,052 sq. ft. having a crawl space foundation with limited attic space, small bedrooms and one bathroom. Ms. McLaughlin went on to explain that there was no dining room and that the front door entered through the 15’ wide kitchen. The proposed addition requires “C” variance relief for frontage on both Field and Spear Lanes. The proposed would allow for a 2’ expansion of both the middle bedroom and the master bedroom along with a second bath. Total 10’ x 18’ addition includes 4’ addition on the living room. Kitchen bump out of 5’ and removal of existing porch. The new porch will come out 3’ further than the existing. More aesthetically pleasing to maintain a ranch than adding a second floor. The proposed will become approximately 1,300 sq. ft.

Chr. Rodimer opened the hearing to the professionals for comments.
Nick Rosania, Township Engineer stated that the addition was modest in nature. The only engineering related item would be sight distance at the corner which is not an issue. Confirming that a hardship exists due to the two front yards. Without being a corner lot, the side yard would be conforming.

Bill Denzler, Township Planner stated that the application falls under the C1 and C2 hardships. The interior configuration dictates where the addition would have to go without requiring a complete renovation.

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

Chr. Rodimer opened to the board members.

Mbr. Murphy commented that the covered porch would enhance the house, had no problems and wished the applicant good luck.
Mbr. Passucci thought it was nice.
Mbr. Dankos no issues.
Mbr. Scollans had no questions and commented that the proposed was an enhancement.
Mbr. Spiess stated that the proposed would be functionally and aesthetically better.
Mbr. Ryan had none.
Mbr. Korn thought the proposed would be an improvement to the neighborhood and inquired if the professionals regarding future development. Mr. Rosania stated that there would be no future development and it was unrelated.
Chr. Rodimer thought it was good.

A motion to **approve** this application was made by Mbr. Spiess, seconded by Mbr. Scollans and unanimously approved by all members eligible to vote.

**Roll Call:**  Ayes – Spiess, Scollans, Korn, Dankos, Murphy, Passucci, Rodimer

OLD BUSINESS
Chr. Rodimer commented positively on the open space at Tulip Lane.
Mbr. Korn commented positively on the trails in Muriel Hepner Park.

**Motion to Adjourn.**