TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
MINUTES

November 7, 2012

The Board of Adjustment of the Township of Denville held its regular scheduled meeting on Wednesday, November 7, 2012. The meeting was held in the Municipal Building, 1 St. Mary’s Place and commenced at 7:00 P.M. Chairperson Murphy presided.

Secretary Probasco read NOTICE OF PUBLIC MEETING.

ROLL CALL: Present: John Murphy, Roger Spiess, Sally Dankos, Arthur Korn, James Rodimer, Frank Passucci, Sean Ryan, Tom Dolan, Susan Richter

Absent: None

Prof. Present: Larry I. Wiener, Esq., William Denzler, PP, John Ruschke, PE

PURCHASING:
Motion to pay vouchers submitted by Larry I. Weiner, (dated October 18, 2012 and October 31, 2012) subject to the availability of funds, was made by Mbr. Ryan, seconded by Mbr. Dankos and unanimously approved by all Members present and able to vote.

RESOLUTIONS

BA 12-26: Peter & Susan Agostini
28 Cambridge Avenue
Block 11501, Lot 14

A motion was made to adopt the resolution by Mbr. Ryan, seconded by Mbr. Dankos and unanimously approved by all members able to vote.
Roll Call: Ayes – Ryan, Dankos, Rodimer, Korn, Passucci Spiess, Murphy

PUBLIC HEARINGS

BA 12-24: Panera, LLC
3056 Route 10
Block 21203, Lots 1

Chr. Murphy announced to members of the public that the public hearing for this application would not be heard tonight. The applicant has requested adjournment. Public hearing has been carried without further notice to December 5, 2012.

BA 12-33: Sean Furlong and Andrea DeGraaf
47 Snyder Avenue
Block 50407, Lots 57

The applicant’s Sean Furlong and Andrea DeGraaf (47 Snyder Avenue) were present and sworn under oath. Applicant testified to having lost their home to Hurricane Irene. Proposing to construct an elevated single family dwelling requiring bulk variance relief for building in a flood hazard area. Applicant has already received approval from the NJDEP. Their existing inhabitable home will be demolished, the foundation will be modified to meet regulations for the 100 year flood plain, and a new home will be built. The proposed home will fully conform with all setback requirements.

Chr. Murphy opened to the board professionals.

John Ruschke, PE had no questions and stated that the applicant will have to conform with the conditions of the NJDEP permit as it relates to having no electrical components in the crawl space. Applicant understood that he would have to meet with his architect to move these utilities from the crawl space. The Township Engineer stated that the deed will have to state that the crawl space will not be inhabited and will not be used. Applicant agreed.
Bill Denzler, PP had no questions and commented that the proposed new dwelling would comply with the requirements of the R4 zone. The only relief required is to rebuild in the flood zone.
Chr. Murphy opened to the board members.

Mbr. Dolan had no questions.
Mbr. Rodimer expressed concern for the applicant’s loss.
Mbr. Ryan had no questions or comments.
Mbr. Dankos commented on the nice plan and wished the applicant good luck.
Mbr. Korn inquired if the home was prefabricated and commented that they may wish to leave the home and request relief for a non-conforming front yard setback. The applicant stated the home was a modular and they were fine with moving the home back to meet all the requirements. Mbr. Korn was glad the applicant would be staying in Denville and wished them good luck.
Mbr. Richter had none.
Mbr. Passucci was fine with the plans.
Mbr. Spiess commented that the proposed home was beautiful and inquired if the applicant had any plans for the existing shed. Ms. DeGraaf indicated not at this time. Mr. Furlong stated maybe some paint. Mbr. Spiess wished the applicant good luck with the project.
Chr. Murphy inquired about the vents. The applicant confirmed that the flood vents would allow for the flow through of water. Chr. Murphy had no other questions and voiced sympathy for their loss.

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

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

OLD BUSINESS
Mbr. Dankos inquired why there was a condition regarding the deed from the NJDEP when there hasn’t been one referenced on prior applications for elevation. John Ruschke, PE stated that this was a specific condition referenced in the permit from NJDEP and may be something new they imposed due to having a utility room on the plans.

NEW BUSINESS
None.

Motion to Adjourn.