January 2, 2013

TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
REORGANIZATION MEETING
MINUTES

January 2, 2013

The Board of Adjustment of the Township of Denville held its reorganization meeting on Wednesday, January 2, 2013. The meeting was held in the Municipal Building, 1 St. Mary’s Place and commenced at 7:00 P.M.

Secretary Probasco read NOTICE OF PUBLIC MEETING.

ROLL CALL:

Present: Arthur Korn, Roger Spiess, Mark Wilson, James Rodimer, Kevin Scollans, Sally Dankos, John Murphy, Frank Passucci, Sean Ryan

Absent: None

Prof. Present: Rich Saunders, Esq., John Ruschke, PE, Jason Kasler, AICP, PP

Secretary Probasco recognized Mayor Andes was present. Mayor Andes addressed the board and thanked the members for their service. The Mayor voiced his endorsement of Jason Kasler.

Secretary Probasco announced the re-appointments and terms of regular member, Sean Ryan through December 31, 2016 and Alternate Two, Susan Richter through December 31, 2014 by the Council. Councilman Don Kuser was appointed as the council liaison to the Zoning Board of Adjustment.

Rich Saunders, Esq. administered the Oath of Allegiance to Mbrs. Ryan and Richter and notarized same.

Secretary Probasco opened the nominations for board chairperson.

A motion was made to nominate Mbr. Murphy to serve as Board Chairperson by Mbr. Dankos and was seconded by Mbr. Rodimer. No other nominations were heard and the nominations were closed.

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

Chairman Murphy thanked the board for their nomination and then opened nominations for the position of Vice Chairperson of the Board.

A motion was made to nominate Mbr. Spiess to serve as Board Vice Chairperson by Mbr. Dankos and was seconded by Mbr. Rodimer. No other nominations were heard and the nominations were closed.

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

MINUTES:

December 5, 2012

Motion to adopt the minutes as amended was made by Mbr. Korn, seconded by Mbr. Spiess and unanimously approved by all members able to vote.

PURCHASING:

Motion to pay voucher(s) submitted by William Denzler & Associates, (dated December 3, 2012) subject to the availability of funds, was made by Mbr. Spiess, seconded by Mbr. Korn and unanimously approved by all Members present.

Motion to pay vouchers submitted by Larry I. Weiner, (dated December 19, 2012) subject to the availability of funds, was made by Mbr. Spiess, seconded by Mbr. Korn and unanimously approved by all Members present and able to vote.
RESOLUTIONS:
Appointment of Board Secretary
A motion was made to appoint Denean Probasco Board Secretary for the year 2013 by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Appointment of Board Attorney for the Year 2013
A motion was made to appoint Larry I. Wiener, Esquire Board Attorney for the year 2013 by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Appointment of Township Planner for the Year 2013
A motion was made to appoint Jason Kasler, AICP, PP of Kasler Associates, PA Board Planner for the year 2013 by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Appointment of Township Engineer for the Year 2013
A motion was made to appoint John Ruschke, PE of Hatch Mott MacDonald, Board Engineer for the year 2013 by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Liaison to Planning Board
Arthur Korn volunteered to be the liaison to the Planning Board. Mbr. Rodimer, made a motion to appoint Mbr. Korn as liaison, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

By-Laws and Regulations
A motion was made to adopt the resolution by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Schedule of 2013 Meeting Dates
A motion was made to adopt the resolution by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Minutes of Meetings
A motion was made to adopt the resolution by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Designation of Newspapers and Notices
A motion was made to adopt the resolution by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

Adequate Notice of Meetings
A motion was made to adopt the resolution by Mbr. Rodimer, seconded by Mbr. Dankos and unanimously approved by all members able to vote.

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<tr>
<th>BA 12-24:</th>
<th>Panera, LLC</th>
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<tbody>
<tr>
<td></td>
<td>Block 21203, Lot 1</td>
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<tr>
<td></td>
<td>3056 Route 10</td>
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A motion was made to adopt the resolution by Mbr. Korn, seconded by Mbr. Spiess and unanimously approved by all members able to vote.

ROLL CALL Ayes: Korn, Spiess, Richter, Murphy

PUBLIC HEARINGS FOR SCHEDULING:

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<th>BA 12-34:</th>
<th>Kim &amp; Dorant Wolfe</th>
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<tr>
<td></td>
<td>Block 40815, Lot 1726</td>
</tr>
<tr>
<td></td>
<td>57 South Wynde Drive</td>
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The applicant, Dorant Wolfe was present and sworn under oath. Applicant is seeking bulk variance relief for a proposed 10’ side yard setback where 13.33’ is required. Mr. Wolfe indicated that the side steps would provide easier access than the front steps for his mother. The land is graded backwards and is lower in the rear.

Chr. Murphy opened to the professionals.

John Ruschke, Township Engineer inquired if there would be a canopy. Mr. Wolfe stated that the steps would remain open and would not be enclosed.

Jason Kasler, Township Planner stated he had no questions.

Chr. Murphy opened to the board members.

Mbr. Dolan had no questions.

Mbr. Rodimer inquired about lighting. Mr. Wolfe indicated that the light would be a motion activated floodlight and would not disturb the neighbor. They are at the back of the neighbors garage.

Mbr. Ryan had no questions.
Mbr. Dankos stated that she visited the property and had no problem with the proposed.
Mbr. Korn referenced the neighbor’s garage and inquired about the home renovation. Mr. Wolfe stated that the original home had a deck with stairs. They replaced the deck with an addition and are adding the stairs back onto the home. Mbr. Korn had no other questions.
Mbr. Richter inquired about the location of the light. Mr. Wolfe stated that the flood light was there originally and will be reinstalled. To the right side as you face the house.
Mbr. Passucci stated that the light would have a motion sensor. Mr. Wolfe responded affirmatively.
Mbr. Spiess had no questions.
Chr. Murphy referenced that the board is sensitive to lighting. Stating that if lighting became a problem for the neighbor, it would have to be addressed by the zoning officer. Chr. Murphy had no further questions.

Mbr. Passucci stated that the light would have a motion sensor. Mr. Wolfe responded affirmatively.

Mbr. Spiess had no questions.
Chr. Murphy referenced that the board is sensitive to lighting. Stating that if lighting became a problem for the neighbor, it would have to be addressed by the zoning officer. Chr. Murphy had no further questions.

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

Motion to approve this application with the condition that it remain open and never be enclosed was made by Mbr. Spiess, seconded by Mbr. Ryan and unanimously approved by all members eligible to vote.

ROLL CALL: Ayes: Spiess, Ryan, Rodimer, Dankos, Korn, Passucci, Murphy

NEW BUSINESS
Chr. Murphy referenced the upcoming annual report and asked the board to give thought for comments and recommendations they would like included. One specific item was resolution language limiting the approval if work had not been performed.

Secretary Probasco referenced sending the invoices electronically instead of generating hard copies. A show of hands was in favor of having electronic distribution. After brief discussion, Mbr. Rodimer changed his vote to satisfy those not in favor. Ultimately, it was decided to continue distributing the paper copies.

Motion to Adjourn.

Denean Probasco, Board Secretary  Date Approved: January 16, 2013