The Board of Adjustment of the Township of Denville held its scheduled reorganization meeting on Wednesday, March 2, 2016. The meeting was held in the Municipal Building, 1 St. Mary's Place and commenced at 7:03 PM. Chr. Dankos presided.

Secretary Probasco read NOTICE OF PUBLIC MEETING.

ROLL CALL:
Present: Brian Bergen, Adam Caravaglia, Sally Dankos, Tim Fisher, Susan Richter, James Rodimer, Dan Roman, Roger Spiess
Absent: Dan Napolitano
Prof. Present: Larry Weiner, Esq.

MINUTES:
None.

PURCHASING:
None.

RESOLUTIONS

BA 15-31 John & Jamie McMahon
41 Shawnee Trail
Block 40702, Lot 816
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.
ROLL CALL: Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos

BA 15-30 Edward & Margaret Galuska
9 Hilltop Trail
Block 40811, Lot 502
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.
ROLL CALL: Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos

BA 15-34 Eduardo D’Iapico
71 Sunset Trail
Block 41103, Lot 289
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.
ROLL CALL: Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos

BA 15-32 Igor & Anna Pikus
22 Canterbury Road
Block 10203, Lot 9
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.
ROLL CALL: Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos

BA 16-01 Michael & Helen Mastanduno
47 Clearmont Avenue
Block 31107, Lot 6
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.
ROLL CALL: Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos
A motion to adopt this resolution of approval was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by all members able to vote.

ROLL CALL:  Ayes – Rodimer, Fisher, Bergen, Richter, Spiess, Dankos

PUBLIC HEARINGS

BA 15-33  Jadwiga & Ryszard Koscinski
15 Magnolia Avenue
Block 30201, Lot 17
The applicant, Jadwiga Koscinski (15 Magnolia Avenue) was present, sworn under oath and testified to the requiring variance relief for quantity of accessory structures. The detached garage that was built within the last year created the additional accessory structure. Spoke to the existing garden shed and storage shed. Seeking ex-post facto relief for the detached garage. Neighboring Lakeview School, power lines and Estling Lake property. The garden shed was constructed approximately 25 years ago.

Chrs. Dankos opened to the board members.

Mbr. Spiess commented on the size of the access door and inquired about an apartment. The applicant stated there was no apartment or plumbing.
Mbr. Fisher commented on being in favor of the application.
Mbr. Richter commented on visiting the lovely property and had no problem.
Mbr. Roman inquired about the sequence of the sheds.
Mbr. Rodimer commented on the tools being in the shed and no apartment.
Mbr. Caravaglia inquired about other neighboring properties having multiple accessory structures. The applicant stated the property is large enough, no crowding of the neighbors and pleasing in appearance. Confirming there is electrical.
Mbr. Bergen had none.
Chrs. Dankos had none.

Chrs. Dankos opened to the public and seeing none, closed the public portion of the hearing.

Mbr. Spiess had no problem with the quantity and asked if the applicant no apartment as condition. Applicant agreed.

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

ROLL CALL:  Ayes – Spiess, Bergen, Fisher, Richter, Rodimer, Dankos

BA 16-02  Scott & Stacey Para
2 Wetmore Drive
Block 60506, Lot 17
The applicants, Stacey and Scott Para (2 Wetmore Drive) were present and sworn under oath. Also sworn under oath was their neighbor Joseph Whitney (4 Wetmore Drive). Scott Para testified to seeking to construct an above ground pool to be accessible from the deck. Due to having frontage on Wetmore and Frontage Way it requires relief for having two front yards, despite having the required side yard setback. Relocation of hot tub to block wall enclosure that serves to the access to the garage. Requiring variance relief for locating pool in front yard, as well as the distance of hot tub being less than 10' distance from primary structure. The applicant stated that Rock Ridge owns the property closest to the pool. The courts are located there and it contains no residential structure.

Larry I Weiner, Esq. inquired about construction vs. zoning. Stating that the board can only give relief for the zoning code and any construction codes would still apply. The applicant stated that he had spoken with the construction official and understood he would need to comply with any governmental regulations.

Mbr. Roman inquired about what was across the street. Applicant stated Cooks Pond.
Mbr. Rodimer inquired about their shed being on the property line of Rock Ridge and if the pool would be fenced. The applicant stated that they did not get a survey at the closing and this is the first time they’ve seen it. Only the stairs to the pool will be fenced but not the pool itself.
Mbr. Caravaglia inquired about the location on the concrete pad and a tree. Scott Para stated that the location lends itself to the hot tub. The concrete pad will be removed. The French doors will open to the grass.
Mbr. Bergen inquired about the shed location requiring any relief. The board attorney stated that a reference would be added to the resolution to indicate that the applicant was advised. Mbr. Bergen was in favor of application.
Mbr. Spiess commenting on liking the location.
Mbr. Fisher stated the proposed was great.
Mbr. Richter inquired about lighting and electrical. It would have normal residential and required electrical.

Chr. Dankos had questions and stated she supported the application.

Chr. Dankos opened to members of the public and seeing none, closed the public portion of the hearing.

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

ROLL CALL: Ayes – Spiess, Fisher, Bergen, Richter, Rodimer, Dankos

OLD BUSINESS
Secretary Probasco referenced Mbr. Spiess’ resignation and stated the Council has begun the process of finding a replacement.

NEW BUSINESS
Chr. Dankos referenced the annual report stating it was well done. Larry I. Wiener, Esq. concurred that it’s better than many others he has seen.

ADJOURNMENT

Motion to Adjourn at 7:34 PM.

Denean Probasco, Board Secretary Date Approved: March 16, 2016