The Board of Adjustment of the Township of Denville held a scheduled regular meeting on Wednesday, October 19, 2016. The meeting was held in the Municipal Building, 1 St Mary's Place and commenced at 7:00 pm Chr. Dankos presided.

Secretary Unrath read NOTICE OF PUBLIC MEETING

ROLL CALL:
Present: Brian Bergen, Adam Caravaglia, Daniel Napolitano, Harold Fahrer, Sally Dankos, Dan Roman, James Rodimer,
Abs: Tim Fisher, Ed Moroney,
Prf. Present: Larry Weiner, Esq., Jason Kasler, AICP, PP,

Meeting Minutes

A motion to adopt the April 20, 2016 minutes was made by Mbr Napolitano, seconded by Mbr Bergen and unanimously approved by all members able to vote.

A motion to adopt the May 4, 2016 minutes was made by Mbr Rodimer, seconded by Mbr Bergen and unanimously approved by all members able to vote.

A motion to adopt the October 5, 2016 minutes was made by Mbr Napolitano, seconded by Mbr Bergen and unanimously approved by all members able to vote.

PURCHASING
A motion to pay vouchers for Larry Wiener was made by Mbr Rodimer, seconded by Mbr Napolitano and unanimously approved by all member able to vote.

CORRESPONDENCE
None

RESOLUTIONS

BA 16-27 Kurt Albert
18 Spring Rd
Block 61401, Lot 543
A motion to adopt this resolution of approval was made by Mbr. Napolitano, seconded by Mbr. Caravaglia and unanimously approved by all members able to vote.
ROLL CALL: Napolitano, Caravaglia, Bergen, Fahrer, Dankos

BA 16-30 Chris Tarantino and Liana Iglesias
172 Morris Ave
Block 60801, Lot 34
A motion to adopt this resolution of denial was made by Mbr. Napolitano, seconded by Mbr. Caravaglia and unanimously approved by all members able to vote.
ROLL CALL: Napolitano, Caravaglia, Fahrer, Dankos

Public Hearings
Elaine Gallagher (490 Diamond Spring Rd) - Sworn in under oath. Applicant is seeking to add
an addition to their kitchen. There is a pre-existing deck off the kitchen, the deck will be knocked down
and the addition will be the length of the deck. The kitchen is too small for the applicant and there will be
no impact on the neighbors with the addition. The deck on left side of the property will also be knocked
down, giving the applicants more space.

Jason Kasler, PP - States the applicants lot size is currently under sized and going straight back is an
appropriate addition.

Open to the Board Members

Mbr Napolitano- No questions
Mbr Fahrer- Inquired about the existing deck on the side of the house. Applicant states that deck will be
taken down.
Mbr Rodimer- No questions
Mbr Caravaglia- Inquired about the overhang off the house. Applicant states nothing changes to the
rooftop.
Mbr. Roman- No questions
Mbr. Bergen- No questions
Chr. Dankos- No questions

No public testimonies

A motion to approve this application was made by Mbr. Rodimer, seconded by Mbr. Napolitano and
approved by all members able to vote.
Roll Call - Rodimer, Napolitano, Bergen, Roman, Caravaglia, Fahrer, Dankos

Ursula Leo- (Laddey, Clark and Ryan LLC-) Sworn in under oath. Applicant is seeking preliminary/ final
site plan and variance relief. Infiniti is requesting upgrading of signage and addition to the property. There
will also be adjustments to parking.

Michael Salerno (3 Redman Farm Rd, Mendham) - Exhibit Sp3- Addition for service department with an
express entrance. There will also be an addition to the office space and extra parking spaces within the
parking deck. The dumpster will be shared with Gateway Kia. There are currently 4 signs on the property,
but it is now proposed for 6 signs, requiring variance relief. Exhibit A-2 shows the proposed signage for
this building. Most Infiniti dealerships do require an upgrade to their dealerships.

Open to the Professionals

Open to the Board Members

Mbr. Caravaglia- No questions
Mbr. Roman- No questions
Mbr. Bergen- No questions
Mbr. Napolitano- Inquired about the additional flow the express department will bring to this dealership.
The applicant states he does not have an accurate number, but is not concerned with traffic issues.
Mbr. Fahrer- Inquired about the egress, applicant states no changes will be made.
Mbr. Rodimer- Inquired about the illuminating sign, and the applicant states the location/illumination of the sign will not affect surrounding neighbors.

Chr. Dankos- No questions

No public testimonies

Paul Anderson (40 Miller Drive, Boonton)- Sworn in as a professional engineer. Exhibit A-4 & Exhibit A-5 shows the colored site plans. This is an existing non-conforming property and are proposing 3 additions to the building. The total square footage of all 3 additions is 4,928 Sq ft. The current parking deck will have no change. There are slight modifications to the parking and service entry ways. How to enter and exit the dealership will have no change. The past application took care of all storm water and drainage concerns, the only change will be a drywell under the parking deck. All lighting on the property will be upgraded to LED lights and kept within what the ordinance allows. The new signs proposed are express and service signs, 3 new Infiniti signs and a pile on sign. Exhibit A-6 shows the Stormwater Compliance Solutions. Mr. Anderson complies and comments on Mr. Ruschke memorandum from July 29th

Open to the Professionals

Jason Kasler, PP- Inquired about the easement approaching on to route 10 parking with the charging station. Mr. Anderson stated he will look into moving that particular charging station. Also clarifies with the applicant that there will be no change in unloading of cars in the right of way.

Open to the Board Members

Mbr. Napolitano- Inquired about the height restrictions of the signs. Mr. Anderson states the sign height restrictions are given by Infiniti.

Mbr. Fahrer- Inquired about the construction access points. Mr. Anderson states each construction access point will be stated on the plans.

Mbr. Rodimer- Inquired about the pole mounted lights on the property. Mr. Anderson states there are currently 10 on the property and the new proposed plans require 7 light poles. Mr. Rodimer expresses concern that the lighting could affect surrounding neighbors. Mr. Anderson states the lights could be lowered to be smaller than the burm. Mr. Rodimer inquired about the new pile on sign and the height. Mr. Anderson states the new pile on sign is 20ft in height and it does comply. Member Rodimer expresses concern that this might be too high for Route 10.

Mbr. Caravaglia- Inquired about the new Infiniti signage on the building. Mr. Anderson clarifies that Infiniti puts the standards on signage.

Mbr. Roman- Inquired about the lighting proposed for the deck. Mr. Anderson states all the lighting fixtures are pointing down.

Mbr. Bergen- Inquired about the pile on sign and what the ordinance requires. Mr. Anderson states 19-5-906d states that no pile on sign should exceed 20ft in height. The applicant is requesting variance relief because of the distance from the sign to the building.

Mbr. Dankos- Inquired about the Disability Act and the curb ramp that is proposed. Mr. Anderson states that they are compliant with the Disability Act.

Open to the public

Thomas Marshall (33 Mt. Pleasant Turnpike)- Sworn in and testified. Expresses concern for the lighting and the time of day the construction would be occurring. Mike Salerno states the construction will comply with the appropriate business hours. Mr. Marshall also expresses concern for any idling of construction cars on Hill Rd and the delivery of cars.

Closed Open public session

Tanya Marione- (296 Varick Street, Jersey City)- Sworn in as a professional planner. States this applicant is a D-2 variance of an existing non-conforming use and bulk variances. Exhibit A-7 are aerial photos of the property to show signage and burms. The use variance is visually compatible and improvements for an existing non-conforming use. The Master Plans also complies with the requested variances. The bulk
variances are compatible with surrounding signage of other properties and most signs are conforming with the property.

**Larry Wiener, Esq**- Inquired about this application being a D-2 or D-1 variance and explains do car dealerships have the right to modernize their properties with involving uses. Ms. Marione explains that legally existing use properties can have a hardship.

Open to Professionals
**Jason Kasler, PP**- States this applicant is requesting appropriate sized expansions and modern day requests. Inquired if the pile sign is illuminated and Mr. Anderson states it will be within the ordinance.

Open to Board Members
**Mbr. Napolitano**- No questions
**Mbr. Fahrer**- No questions
**Mbr. Rodimer**- Expresses concern about the 20ft pile on sign and requests it be brought down to 15 ft.
**Mbr. Caravaglia**- Inquired about the number of signs and the height percentages.
**Mbr. Roman**- No questions
**Mbr. Bergen**- States the signs comply with the ordinance and feels it should not be lowered.
**Chr. Dankos**- No questions

No public testimonies

A motion was made to approve this application with two conditions that the decks lights will be lowered and the pile on sign be brought down to 15ft in height.

A motion to approve this application was made by Mbr. Rodimer, seconded by Mbr. Napolitano and approved by selected members.
**Aye**- Rodimer, Napolitano, Bergen, Roman, Caravaglia, Dankos
**Naye**- Fahrer

**Old Business**
None

Meeting Adjourned 9:12 PM