The Board of Adjustment of the Township of Denville held a scheduled regular meeting on Wednesday, October 04, 2017. The meeting was held in the Municipal Building, 1 St Mary’s Place and commenced at 7:00pm. Chr. Napolitano presided.

Ms. Unrath read NOTICE OF PUBLIC MEETING

ROLL CALL:
Present: Adam Caravaglia, Daniel Napolitano, Tim Fisher, Jim Rodimer, Harold Fahrer, Brian Bergen, Ed Moroney, Timothy Wagner
Absent: Dan Roman
Prf. Present: John Ruschke, PE, Jason Kasler PP, Larry Wiener, Esq

Meeting Minutes
Motion to approve the minutes for September 27th was made by Mbr. Moroney, seconded by Mbr. Caravaglia and unanimously approved by members able to vote.

PURCHASING
Motion to pay vouchers submitted by Mott MacDonald subject to the availability of funds, was made by Mbr. Rodimer, seconded by Mbr. Moroney and unanimously approved by members able to vote.

RESOLUTIONS
None

PUBLIC HEARINGS

**BA 17-15**

Sam Astorino
69 Hinchman Ave
Block 50404, Lot 19

Sam & Christina Astorino (69 Hinchman Ave) – Sworn in and are the homeowners of this property. Applicant is seeking to add an addition over an existing sunroom. The property is located between Hinchman Ave/ Riverside Dr. and is a corner lot. The location of the house is a non-conforming lot.

Bill Hidlay (Hidlay Architecture) - Sworn in and testified as a professional architect. The variances being requested are for front-yard setback.

Open to board professionals

Mr. Ruschke, PE- Discussed the substantial improvement on this property. If the board should approve this application there should be conditions to comply with FEMA and DEP.

Mr. Kasler, PP- Stated that the applicant is only going up on their addition and not encroaching on to the front yard. Mr. Kasler’ stated that has a planner’s perspective he does not see anything detrimental from this application.

Open to board members

Mbr. Bergen/ Mr. Fisher had no comments on this application
October 4, 2017

**Mbr. Rodimer**- Clarified with Mr. Ruschke that the substantial improvement are based on the value of the house vs value of the improvements.

**Mbr. Wagner**- Questioned Mr. Kasler how many parking spots are needed for this property. Mr. Astorino showed Exhibit A-1 which is a picture of his current driveway that can fit 3 cars. Mr. Hidlay stated that since this house is a corner lot they are allowed to park on the street. Mr. Kasler clarified that for a 5bdr house, 3 parking spots are needed.

**Mbr. Fahrer**- no comments

**Mbr. Caravaglia**- Clarified with Mr. Hidlay that there are no additional overhangs that need to be calculated.

**Mbr. Moroney**- No comments.

**Chr. Napolitano**- No comments.

No public comments/questions

A motion to approve this application with the conditions made by Mbr. Ruschke was made by Mbr. Rodimer, seconded by Mbr. Fisher and approved by board members able to vote.

**AYES**- Rodimer, Fisher, Bergen, Caravaglia, Moroney, Fahrer, Napolitano

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<tr>
<th>BA 17-18</th>
<th>Nitesh Patel</th>
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<tr>
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<td>34 Magnolia Ave</td>
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<td>Block 30302, Lot 13</td>
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**Nitesh Patel** (34 Magnolia Ave)- Sworn in and is the applicant for this application. Stated that he rebuilt an existing shed, but Sal Poli the Construction Official gave him a violation for building beyond the setbacks.

Open to board professionals

**Mr. Ruschke, PE** - Stated that since the building has already taken place that Mr. Patel should get the building permits within 30 days. Mr. Ruschke does also bring up the issue of the pool fence and it does not comply with the building codes. If the board should approve this application fixing the pool fence should be a condition. The sewer easement was also discussed, but that stated that it is up to Mr. Polis’ discretion.

**Mr. Kasler, PP**- Clarified that the variances being requested are for RYS and FYS. Mr. Kasler also stated that the deteriorating deck must be taken down within a year and should be a condition of approval.

Open to board professionals

**Mbr. Bergen/Mbr. Napolitano**- no comments

**Mbr. Rodimer**- Clarified that a ladder can be accessed to the shed.

**Mbr. Wagner**- No comments

**Mbr. Fahrer**- Clarified that the application should be amended to show both RYS & FYS. Mr. Patel has no objection to that.

**Mbr. Caravaglia**- No comments

**Mbr. Moroney**- Clarified that electric and building would need to be approved before a permit would be issued.

**Mbr. Napolitano**- Clarified with the applicant the building permit must be obtained within 30 days and the fence must be taken down in a year. Mr. Patel agreed to all the conditions.

**Larry Wiener, Esq**- Showed exhibit A1- A3 of the deteriorating deck.

No public comments/questions
October 4, 2017

A motion to approve this application with the conditions was made by Mbr. Fisher, seconded by Mbr. Caravaglia and approved by board members able to vote. **AYES-** Fisher, Caravaglia, Rodimer Bergen, Moroney, Fahrer, Napolitano

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<tr>
<th>BA 17-25</th>
<th>Sean Cashman</th>
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<td>5 Birchrun Ave</td>
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<td>Block 30201, Lot 9</td>
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**Sean Cashman (5 Birchrun Ave)**- Sworn in and is the owner of this property. Applicant is looking to add a new stoop to the front of the property. There currently was an existing stoop, but after trying to renovate the scoop it was discovered that it was out of compliance.

Board Professionals have no comments.

**Mbr. Wagner/ Mbr. Fahrer**- No comments

**Mbr. Caravaglia**- Clarified the length & width of the steps.

No other board members had any other comments

No public comments or questions

A motion to approve this application as is was made by Mbr. Bergen, seconded by Mbr. Rodimer and approved by board members able to vote. **AYES-** Bergen, Rodimer, Fisher, Caravaglia, Moroney, Fahrer, Napolitano

**OLD BUSINESS**
None

**NEW BUSINESS**
None

Meeting adjourned at 7:52 PM

Minutes Approved October 18, 2017  Melissa Unrath, Board Secretary.