TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
REORGANIZATION MEETING
MINUTES

April 04, 2018

The Board of Adjustment of the Township of Denville held its scheduled reorganization meeting on Wednesday, April 04, 2018. The meeting was held in the Municipal Building, 1 St. Mary's Place and commenced at 7:00P.M.

Secretary Unrath read NOTICE OF PUBLIC MEETING.

ROLL CALL:
Present: Dan Napolitano, Jim Rodimer, Dan Roman, Tim Fisher, Adam Caravaglia, Krista Kussoff
Absent: Tim Wagner, Harry Fahrer, Ed Moroney,
Prof. Present: Larry Weiner, Esq., Jason Kasler, PP, John Ruschke, PE

MINUTES:
A motion to approve the minutes from 2/21/18 was made by Mbr. Fisher, seconded by Mbr. Roman and unanimously approved by all members able to vote.

ROLL CALL: Ayes – Fisher, Roman, Caravaglia, Kussoff

PURCHASING:
Motion to pay vouchers submitted by Kasler Associates subject to the availability of funds, was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by members able to vote.

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

Motion to pay vouchers submitted by Larry Wiener subject to the availability of funds, was made by Mbr. Rodimer, seconded by Mbr. Fisher and unanimously approved by members able to vote.

RESOLUTIONS

Shani Li Chen
15 Cedar Lake West
Block 60902, Lot 27
A motion to adopt this resolution of approval was made by Mbr. Caravaglia, seconded by Mbr Fisher and unanimously approved by all members able to vote.
Ayes-Caravaglia, Fisher, Roman, Kussoff

Barefoot Rehabilitation Clinic
45 Broadway/26 Bloomfield
Block 50305, Lot 207
A motion to adopt this resolution of approval was made by Mbr. Roman, seconded by Mbr Kussoff and unanimously approved by all members able to vote.
Ayes-Roman, Kussoff, Fisher,

Alton Delane
6 Austin Minor Ct
Block 20901, Lot 9.08
A motion to adopt this resolution of approval was made by Mbr. Caravaglia, seconded by Mbr Fisher and unanimously approved by all members able to vote.
A motion to adopt this resolution of denial was made by Mbr. Caravaglia, seconded by Mbr Fisher and unanimously approved by all members able to vote.  
**Ayes**: Caravaglia, Fisher, Roman, Kussoff  
**Smbat Vardazaryn**  
5 Leonard Place  
Block 60903, Lot 42

A motion to adopt this resolution of approval was made by Mbr. Caravaglia, seconded by Mbr Fisher and unanimously approved by all members able to vote.  
**Ayes**: Caravaglia, Fisher, Roman, Kussoff  
**Hope Zimmerman**  
87 Cedar Lake West  
Block 61004, Lot 216

PUBLIC HEARINGS

**Keith Clifford**  
7 Mountain Rd  
Block 40607, Lot 1

The vote was postponed till May 16, 2018 and no further notice is required.

**BA 17-26 Cedar Lake Property Owners**  
119 Cedar Lake East  
Block 60401, Lot 134

**Rodger Thomas** (Dolan and Dolan) - Attorney for the applicant. The applicant is proposing to get rid of the Porta Johns and to build permanent bathroom facilities.

**Allen Hantman** (Morris & Hantman) - Representing the neighbor directly next to the proposed property and stated that at this point Susan Ulversoy has spoken to the applicant and is in favor of this proposed plan.  

**Charles Femminella** - Sworn in and testified. Mr. Femminella is part of the Cedar Lake Board members. The applicant is proposing to have a safer and cleaner permeant bathroom facility. There was just recently a sewer line put into the property, along with electric. It was stated that the property has a slight steep slope and the setback off the property line would be 12ft. The façade of the bathrooms would resemble most of the boat houses around the property.

Open to Board Professionals

**John Ruschke, PE** - Questioned the processing of obtaining a NJ DEP permit and soil control sediment. Mr. Thomas explained that showers are not mandatory for this facility since the lake was there prior to 1920’s

**Jason Kasler, PP** - It was stated that the lighting would be residential.

Open to board Members

It was discussed that if the board members want it to be a condition to have landscaping the applicant would be accommodating.

**Mbr. Napolitano** - It was stated that there will be no new signs proposed.
April 04, 2018

Minutes

No public questions or comments

A motion to approve this application with conditions was made by Mbr. Rodimer, seconded by Mbr. Fisher and approved by all members able to vote.
AYES- Rodimer, Fisher, Roman, Caravaglia, Kussoff, Napolitano

BA 18-04 Jason Crowell
7 Indian Spring Trail
Block 40905, Lot 1639

Jason Crowell (7 Indian Spring Trail)- The applicant is seeking to bump out the corner of his living room, but to expand the wall is beyond the property line and requires a variance. The proposed wall would also be fire radiated.

Open to Board Professionals

Jason Kasler, PP- Stated that this lot is undersized.

Open to Board Members

Mbr. Caravaglia- Clarified with the application that calculations of the wall need to be adjusted there is a slight overhang.

No public/ questions or comments

A motion to approve this application as submitted was made by Mbr. Kussoff, seconded by Mbr. Roman and approved by all members able to vote.
AYES- Kussoff, Roman, Fisher, Rodimer, Caravaglia, Napolitano

BA 18-05 Chris Almeida
79 Cedar Lake East
Block 60401, Lot 173

Chris Almeida (79 Cedar Lake East)- The applicant is seeking to add a second floor and enlarge the kitchen. The addition requires an 8.4 ft side yard setback. The property is uniquely shaped and has a narrow lot size.

Open to board professionals

John Ruschke, PE- It was suggested to perhaps relocated the stairs that are approaching onto the neighbor’s property. It is stated that the board did not approve anything for the steps for any future reference.

Open to Board Members

Mbr. Caravaglia- Questioned the height of the house and how it affects the rest of the neighbors. Mr. Almeida explained that the houses are staggered and it would not affect the surrounding neighbors.

All other board members are in favor of this application.

No public questions or comments.

A motion to approve this application as submitted was made by Mbr. Fisher, seconded by Mbr. Rodimer and approved by the rest of the board members
AYES- Fisher, Rodimer, Roman, Caravaglia, Kussoff, Napolitano
Robert & Michelle Wood  
25 Foxhill Rd  
Block 31402, Lot 3  

Jason Rittie (165 E Main St) - Attorney for the applicant. The applicant is seeking to subdivide the property to build a single-family home and keep the other lot as an apartment/ work building. The building that remains will be re-created into the applicants engraving company and 2 apartments on top.

Robert Wood (2 Eldorado Dr) - The applicant is looking to move his business to Denville and make an apartment for his daughter. The business is an engraving company that is basically 80% wholesale and 20% public selling. The applicant showed exhibit A-1 of what an example plaque looks like by the applicant. The garage is needed for parking and any materials that cannot be stored inside the store. The store hours are 8-4:30pm and closed on the weekends. The applicant showed Exhibit A-2 as the laser the company uses, Exhibit A-3 is the printer, and exhibit A-4 is the engraver.

Open to Board Professionals

John Ruschke, PE - Recommended making the business more residential. It was also stated to reduce the size of the sign.

Jason Kasler, PP - Clarified that there would be no outside smoke coming from the business.

Open to Board Members

Mbr. Caravaglia - Questioned about the oil tank company located and it was stated that this property is located in a B-3 zone.

Mbr. Kussoff - Stated she is in favor of reducing the sign size and make the outside more residential.

Mbr. Napolitano - Questioned the layout of the building. Mr. Wood explained the first floor would be his business and the next two levels would be apartments.

Open to the public

Jim Putnam (35 Foxhill Rd) - Questioned the process of wholesale vs retail sale. Mr. Wood explained that his business is mostly whole sale, and that it’s not a constant flow up people coming into the business.

Public portion closed

Kenneth Fox (546 Rt 10, Ledgewood) - Sworn in and testified as professional architect. Stated this is an oversize lot of 46,616sq ft. Showed Exhibit A-5 and the subdivision of the 2 lots of approx. 23,200 sq. ft. The applicant is proposing to push the single-family dwelling back on the property and requiring no variances. The current 3 family house apartment would propose 2 apartments and, on the ground, level would be the applicants engraving business. The basement would not be utilized. The driveway would be widen and have 3 car parking if front of the garage. The garage would be 1400sq ft and lower the height to making it non-conforming. The lighting proposed would be residential. The monument sign is proposed 2ft, but the applicant is willing to reduce the size. Exhibits A-6 shows the zone lines and Mr. Fox stated that this application is a good buffer zone and fits within the neighborhood.

Break from 9:04-9:12
Open to Board Professionals
John Ruschke, PE- It was stated that there be there must be a ADA compliant stall and recommended to lower the driveway width to 18ft. Mr. Ruschke also recommends to make everything as residential as possible.

Jason Kasler, PP- Discussed there would be residential lighting and the basement level would not be occupied.

Open to Board Professionals

Mbr. Caravaglia- It was stated all venting systems are residential and their would-be conditions for any new business that would run out of this property.

The board members also discussed the garage and driveway size. It was also stated by the board to have residential lighting. There would also be no shed or dumpsters on the site.

Open to the public

Jim Putnam (35 Foxhill Rd)- Discuss that the appropriate shrubbery would be placed around the property.

Public portion closed

Thomas Graham (Dykstra Walker)- Sworn in as a professional engineer. It was stated that the applicant would comply with John R memorandum and would have the appropriate drywells. The proposed properties would connect to public water and sewer system and would comply with all road opening permits.

No questions from the Board Professionals, Board Members or public

Kenneth Fox (546 Rt 10, Ledgewood)- Sworn in as a professional planner. Stated building these properties would make it conforming lots. This application would be good for the general welfare and preservation of the neighborhood. Mr. Fox stated there is no detriment to the public good. There is adequate parking and storage does require of the variance for the garage.

Open to Board Professionals

John Ruschke, PE- Questioned Mr. Fox testimony about a conforming lot on this property. Mr. Fox explained that single family house would not be conforming.

Jason Kasler, PP- It was clarified that there is a variance required for the garage, but not for the driveway.

Open to Board Members

Mbr. Caravaglia- Questioned if the applicant could find a property that is suitable and would not require a variance. Mr. Fox explained that suitability is not part of the land use laws.

Open to public for questions/comments

Frank Lepre (24 Manor Rd)- Expressed concern for the car lights that shine directly into his property. Mr. Lepre stated he would like to create a buffer to separate the two properties and to have privacy onto his property.

Public portion closed.
A motion to approve this application with conditions was made by Mbr. Rodimer, seconded by Mbr. Roman and approved by members able to vote.

AYES - Rodimer, Roman, Fisher, Kussoff, Napolitano
NAYES - Caravaglia

OLD BUISNESS/ NEW BUISNESS
NONE

Meeting adjourned at 10:31 PM

Minutes Approved: April 18, 2018

Melissa Unrath, Board Secretary.