TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES

October 2, 2019

The Board of Adjustment of the Township of Denville held its scheduled regular meeting on Wednesday, October 2, 2019. The meeting was held in the Municipal Building, 1 St. Mary's Place and commenced at 7:00 P.M.

Secretary Unrath read NOTICE OF PUBLIC MEETING.

ROLL CALL:
Present: Tim Wagner, Tim Fisher, Ed Moroney, Christine Hong, Krista Kussoff, Dan Napolitano
Absent: Adam Caravaglia, Chris Titze, Harry Fahrer

Prof. Present: Larry Wiener, Esq., Jason Kasler, PP, Samantha Anello, PE

MINUTES:
Motion to adopt the minutes from July 10, 2019 was made by Mbr. Moroney, seconded by Mbr. Hong and unanimously approved by members able to vote.

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

RESOLUTIONS

BA 19-30  Shankar Venkateswaran
3 Bellaire Ct
Block 11501, Lot 3

A motion to approve the resolution of approval was made by Mbr. Moroney, and seconded by Mbr. Hong and approved by all members of the board.

AYES: Moroney, Hong, Fisher, Kussoff, Wagner

BA 19-31  Robert Ciminera
37 Hillcrest Drive
Block 61101, Lot 15

A motion to approve the resolution of approval was made by Mbr. Moroney, and seconded by Mbr. Hong and approved by all members of the board.

AYES: Moroney, Hong, Fisher, Kussoff, Wagner

BA 19-32  Marilyn Donahue
9 Indian Spring Trail
Block 40905, Lot 1640

A motion to approve the resolution of approval was made by Mbr. Moroney, and seconded by Mbr. Hong and approved by all members of the board.

AYES: Moroney, Hong, Fisher, Kussoff, Wagner
PUBLIC HEARINGS

BA 19-33  Amanda Jahn  
71 Sunset Trail  
Block 41103. Lot 289

Amanda Jahn (71 Sunset Trail)- Stated that she is seeking to replace an existing small deck to a larger deck. Also, under the deck would be used a storage for canoes. The current deck has very steep steps and the proposed deck would have an easier access. The deck requires a rear yard setback.

Open to Board Professionals

Samantha Anello, PE- Stated that the property is located in a NJDEP regulated area and the applicant must comply with the permit by rule conditions, which are the deck would be open and the construction of the deck would not disturb more than 2,000 sq. ft.

Jason Kasler, PP- It was clarified that the two plans submitted by the applicant show there are 2 different number of steps but it does not affect the variance being requested.

Open to Board Members

Chr. Napolitano- Questioned how this proposed deck is in characteristic with the surrounding neighbors. The applicant stated that many neighbors have similar decks. Ms. Jahn stated that the deck can't be shifted because the entrance to her basement would be in the way.

No public questions/ comments

A motion to approve this application as submitted with stipulations from the NJDEP was made by Mbr. Moroney, seconded by Mbr. Hong and approved by all members of the board.

AYES- Moroney, Hong, Fisher, Kussoff, Wagner, Napolitano

BA 19-34  Daniel Kresge  
440 Diamond Spring Rd  
Block 50803, Lot 15

Daniel & Christina Kresge (440 Diamond Spring Rd)- The applicant stated that they are proposing to build a shed in the backyard. The property has a slope therefore the applicants are proposing to construct the shed closer to their house.

Open to Board Professionals

Jason Kasler, PP- Stated the property abuts a right of way and the property has (2) front yards. Therefore, the application should be modified for the shed to request a front yard setback of 10.1 and an accessory structure to be located in the front yard.

Open to Board Members

Mbr. Kussoff- Questioned the base of the shed and it was stated the shed would be supported by a concrete slab.

Mbr. Hong- It was discussed there is a sewage pit on the property and the shed does not disturb that area.

Chr. Napolitano- Questioned the location of the proposed shed and it was stated the applicants wanted to minimize any setbacks and avoid the gas lines on the property.
It was discussed to amend the application to 5 ft front yard setback.

No public questions/comments.

A motion to approve this application with the amended setback was made by Mbr. Moroney, seconded by Mbr. Kussoff and approved by all members able to vote.

AYES- Moroney, Kussoff, Fisher, Wagner, Hong, Napolitano

BA/PSP/ FSP 19-01 (A)- Quick Chek Corporation
3150 Route 10/ 385 Franklin Rd
Block 20801, Lot 4 & 26

The application has been carried to December 4, 2019 without further notice.

NEW BUSINESS

Closed session- Outfront Media LLC Vs. Township of Denville ZBA

A motion to go into closed session was made by Mbr. Hong, seconded by Mbr. Moroney and approved by all members able to vote.

AYES- Hong, Moroney, Fisher, Kussoff, Wagner, Napolitano

Minutes to be released after litigation is over.

A motion to come out of Closed session was made by Mbr. Hong, seconded by Mbr. Kussoff and approved by all members able to vote.

OLD BUSINESS- NONE

Meeting adjourned at 7:53 PM

Minutes Approved: October 16, 2019   Melissa Unrath, Board Secretary.