TOWNSHIP OF DENVILLE
BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES

May 15, 2019

The Board of Adjustment of the Township of Denville held its scheduled regular meeting on Wednesday, May 15, 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: Dan Napolitano, Tim Fisher, Ed Moroney, Adam Caravaglia, Krista Kussoff, Ed Moroney, Christine Hong, Chris Titze, Tim Wagner
Absent: Harry Fahrer

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

MINUTES: None

PURCHASING: None

RESOLUTIONS:

BA/PSP/FSP 19-02 St. Francis Residential Community
122 Diamond Spring Rd
Block 50002, Lot 1.03

A motion to approve the resolution of approval was made by Mbr. Fisher, and seconded by Mbr. Moroney and approved by all members of the board.
AYES: Fisher, Moroney, Kussoff, Caravaglia, Napolitano

BA/PSP/FSP 18-20 Outfront Media LLC
2980 Route 10
Block 31501, Lot 18

Voting will be carried to June 5, 2019

BA 18-19 Sylvia Banga
91 Parks Rd
Block 31108, Lot 2

A motion to approve the resolution of approval was made by Mbr. Moroney, and seconded by Mbr. Kussoff and approved by all members of the board.
AYES: Moroney, Kussoff, Caravaglia, Wagner, Napolitano

PUBLIC HEARINGS

BA/PSP/FSP 16-17 Ringo Supply Company
17-19 Hornbeck RD
Block 50108, Lot 1, 77, 78 Block 50105 Lot 2

Joseph O'Neil, Esq.- Attorney for the applicant. This is a re-mand hearing from the supreme court from Judge Minkowitz. The applicant is presenting the original application showing the storage of containers
with no landscaping business being proposed. The applicant stated at the original hearing that they would change trailers to flatbed trucks.

**Larry Wiener, Esq** - Questioned if the applicant would be willing to revisit the plans submitted on Aug 13th, 2018.

All board members are in agreement to be in support of the January 2018 plan with conditions.

**Mbr. Fisher** - Discussed possibly asking for an easement of the Zeris lot to allow for trailer access through there rather than through Hornbeck Rd. It was stated that the applicant would not be willing to do that and it's not within the board jurisdiction to grant that as a condition.

Chr. Napolitano stated all the conditions that were mentioned at the last meeting.

a. Limit trucks and storage to existing proposed plan; no additional trucks permitted
b. No landscaping business nor business other than Ringo shall operate on site
c. No leased parking spaces or storage to outside companies
d. No storage of vehicles other than those related to Ringo
e. Details for the storage bin should be added to the plans
f. The storage bins shall not exceed 8 feet in height
g. The stock pile area is limited to 10 feet in height
h. No paving in the residential zone in lot 77 & 79
i. All pick-up and delivery to the site will be by appointment only (for off-site hours)
j. There shall be no idling of vehicles on Hornbeck Road
k. Applicant shall limit the hours of operation to Monday through Saturday, 7 am to 5 pm
l. No overnight parking on site except for Ringo designated vehicles
m. All large pipes will be stored in the B-2 zone
n. Applicant shall comply with the noise ordinance

Mr. O’Neil confirmed with his applicant that he is willing to comply with all the mentioned conditions with a few changes. Mr. O’Neil stated that it would be a challenge to designate a particular area for the storage containers. Mr. O’Neil is in favor of designating a general area for storage. This would also be the same for vehicles.

**Peter Korzen, PE** (26 Birch tree St) - Discussed the plan from January 2018. All stock piles would a limit of 10ft high and all equipment has been moved from the residential site.

Open to Board Professionals

**Samantha Anello, PE** - Confirmed with Mr. Korzen that the wetland calculations would be a condition of approval.

**Jason Kasler, PP** - It was confirmed that there would be 6 storage bins on site.

Open to Board Members

**Mbr. Fahrer** - It was confirmed that the storage bins shown on the plans is what the applicant is proposing.

**Mbr. Kussoff** - It was clarified that the pipes are destined in the B-2 Zone because those are the loudest materials that would be moved on site.

**Jason Kasler, PP** - Recommended putting a “no idling” sign on the entrance gates.

Open to the public for questions
Janice Blinder (8 Walnut St) - Questioned the process of the remand and what the outcome would be for the application. Mr. Wiener explained that the judge said the board was wrong in denying the application and that they need to come to a resolution that approves the application. Mr. Wiener explained the application still needs to be heard by Mt. Lakes.

Jack Young (9 Walnut St) - Questioned the applicant of coming in through the Zeris Inn, but Mr. O’Neil stated the applicant is not willing to buy additional property. Mr. Young expressed concern for the additional noise coming from the property and the idling of trucks.

Janice Blinder (8 Walnut St) Expressed concern for the children walking to the bus stop while tractor trailers are traveling down the road. Ms. Blinder does not understand why tractor trailers are allowed on residential streets. She also mentioned that while trucks are waiting to enter the property it is challenging for other vehicles such as fire trucks and ambulances to get through.

A motion to approve this application with the conditions mentioned throughout the hearing was made by Mbr. Moroney, seconded by Mbr. Caravaglia and approved by all board members able to vote.

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

Break 8:25-8:31

William Newton and Laurie Newton (51 Entrance Way)- Mr. Newton explained that the property is located by the Rock Ridge Community Club and no other neighbors. It was more cost affect to go to a garage distributor rather than to build one. The garages come pre-fixed and you have to pick a certain size and the applicants are looking to purchase a garage with storage on top. However, this exceeds the height requirement in a R-2 Zone. Mr. Newton stated that the construction of this garage would not disrupt the view to any surrounding neighbors.

Open to Board Professionals

Samantha Anello, PE- Confirmed with the applicant that they are aware that they are located in a riparian zone and would need to comply with NJ DEP requirements for permit- by rule.

Jason Kasler, PP- Confirmed with the applicant that all lighting would be residential and there would be no living in the storage space.

Open to Board Members

Mbr. Hong- Confirmed with the applicant there would only be storage on the second level of the garage.

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

AYES- Fisher, Moroney, Kussoff, Caravaglia, Wagner, Hong, Napolitano
Sheri Data and Michael Rapiejko (21 Front St)- Applicant is seeking to construct an addition for a bathroom, laundry room and storage. The property is uniquely shaped because it is a narrow lot but 2 acres long. Mr. Rapiejko stated that most of the house on 21 Front St are pre-existing non-conforming and that the property line for 21 Front St is located on his front porch. The location of the addition is a problem for the applicant. The addition can’t be built to the side of the house because it is too close to the garage. The addition can not be located on the other side of the house because of an existing HVAC unit. The proposed location for the addition is the less intrusive and aesthetically pleasing.

Open to Board Professionals

Samantha Anello, PE- Discussed the water runoff from the proposed addition and to make sure it does not disrupt any surrounding neighbors. Mr. Rapiejko stated that they are proposing to have water run come for the north east corner and enter into their backyard. The applicant stated that they are proposing to put gravel in between his property and his neighbor’s property which slopes down.

Jason Kasler, PP- Confirmed all lighting would be residential.

Open to Board Members

No questions

A motion to approve this application was made by Mbr. Hong, seconded by Mbr. Moroney and approved by all members able to vote.

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

OLD BUSINESS- NONE
NEW BUSINESS- NONE

Meeting adjourned at 9:05 PM

Minutes Approved: June 5, 2019 Melissa Unrath, Board Secretary.