

**STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
September 22, 2014**

MEMBERS PRESENT: Mr. Powell, Mr. Stachura, Mr. Sarni, Mr. Lippencott, Mr. Hammond, Mrs. Draghi

MEMBERS ABSENT: Mrs. Galante

ALSO PRESENT: Board Attorney Morgenstern

A REGULAR MEETING OF THE Stillwater Township Zoning Board of Adjustment was held on Monday, September 22, 2014, at 7:30 p.m. at the Municipal Building in Middleville, New Jersey. The meeting was called to order by Chairperson Powell in accordance with the Open Public Meetings Act. The flag was saluted and roll call taken.

MINUTES

Mrs. Draghi made a **motion** to approve the minutes of August 25, 2014, seconded by Mr. Lippencott.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, abstain

HEARING

Gerber, Block 2401, Lot 44.02, Cal. No. 586, application to operate a landscaping business in the R-7.5 acre zone

A letter was received from Christopher Quinn, Esq., Morris, Downing & Sherred requesting an adjournment to October 27, 2014 to allow additional time to complete the site plan.

Mr. Stachura made a **motion** to carry the hearing to October 27, 2014; further notice required, seconded by Mr. Lippencott.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

HEARING

Patrick, Block 703, Lot 1.03, Cal. No. 587, application to construct a pole barn.

Rita Patrick, 925 Hampton Road, was sworn in. All notices appeared to be in order. Ms. Patrick testified she would like to construct a 30 x 40 pole barn to house a new truck with camper mirrors, storage of two classic cars, two motorcycles, a golf cart and lawn mower. In response to Board questioning, the applicant indicated the property has woodlands that provide year round screening and the driveway will be paved to the pole building. Mr. Morgenstern clarified that according to the ordinance a garage can house no more than three vehicles. The applicant agreed to store the motorcycles in the existing garage. The structure will have two garage doors and one entry door and cannot be located on the opposite side of the house due to the septic or to the rear of the property due to slopes and wetlands. It was noted the house next door has no windows on the applicant's side of the property and the barn would not be visible. The building will have electric only, no water, and a concrete poured floor. There will be lighting over the entry door and the doors will face the house. The possibility of a 300' setback from the C-1 stream (Spring Brook) that runs through the rear of the property was discussed. Mrs. Draghi noted the Environmental Commission site survey did not indicate the barn would be within 300' of the stream. The applicant agreed to construct the building no less than 300' to the stream and no further forward than the house. Run-off would drain to the back of the property where it slopes. Due to the size of the truck and classic cars the applicant indicated she could not reduce the size of the structure.

At this point, this portion of the meeting was opened to the public at 7:48 p.m. There being no public testimony, this portion of the meeting was closed at 7:48 p.m.

Variance relief would be required for the height and size of the pole building and Mr. Morgenstern suggested the following conditions:

- The barn shall be set back further from Hampton Road than the house.
- The barn shall be constructed according to the plans.

- The applicant shall stake out the location to be inspected by the Building Inspector prior to a building permit being issued.
- As-built plan to be filed with the Board after construction.
- Building not to exceed 1,200 square feet or 15'10" in height.
- Location as shown on plan – survey dated 12/26/96, Berry Associates.
- Motorcycles are to be stored in the existing garage.
- All other standard conditions applying.

Mr. Lippencott made a **motion** to grant the variance relief to construct the pole building, seconded by Mr. Hammond.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

Mr. Stachura made a **motion** to carry the application to October 27, 2014 for memorializing resolution, seconded by Mr. Lippencott.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

Mr. Powell made a **motion** to allow the applicant to waive their right to wait for the Resolution as requested, proceeding at their own risk, seconded by Mr. Stachura.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

HEARING

Joseph Mackey, Block 703, Lot 2, Cal. No. 587, application to construct a pole barn.

Notice was not published at least 10 days prior to the hearing date. Mr. Sarni made a **motion** to carry the application to October 27, 2014, no further notice being required, seconded by Mrs. Draghi.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

BILLS:

Mrs. Draghi made a **motion** to approve the following bills, seconded by Mr. Lippencott:

<u>Guerin & Vreeland:</u>	Escrow – Martin	\$345.00
		\$210.14
Dolan & Dolan:	General – August 2014	\$ 63.20
	Escrow – Nextel	\$644.64
	Escrow – Gerber	\$158.00
	Escrow – Cellco	\$ 66.36

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

Correspondence:

-Budget Memo – CFO, through 9/17/14

OTHER BUSINESS:

Martin, Block 3305, Lot 6, Request for an Extension

A letter was received from Mrs. Martin requesting a nine-month extension of the approval for her garage memorialized on December 30, 2013. Mr. Stachura made a **motion** to grant the nine-month extension for the garage approval to June 22, 2014, seconded by Mr. Sarni.

Roll Call Vote: Mr. Hammond, yes, Mr. Lippencott, yes, Mr. Stachura, yes, Mr. Sarni, yes, Mrs. Draghi, yes, Mr. Powell, yes

At this point, this portion of the meeting was opened to the public at 7:58 p.m. There being no members of the public wishing to speak, this portion of the meeting was closed at 7:58 p.m.

Committee Liaison Report: Charles Gross

Mr. Gross expressed concern with the guiderail not being installed at the Martin property. The Board asked Mrs. Wunder to contact Mr. Vreeland and Mr. Rodman regarding the status of and timeline for installation.

Mr. Gross also expressed concern with applications being carried from month to month.

He referred to the CFO report for the Zoning Board and commented the Board is operating well within their budget.

There being no further business, Mr. Hammond made a **motion** to adjourn the meeting at 8:10 p.m., seconded by Mr. Sarni. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Board Secretary

Eric Powell, Chairperson