

BOARD OF ADJUSTMENT MINUTES

April 17, 2006

A complete record of this meeting is contained on the audio tape of the meeting which may be listened to at the Bernardsville Municipal Building. Information on how to obtain a transcript can be had by contacting the Administrative Officer of the Zoning Board of Adjustment.

Call to Order

Statement by Presiding Officer: Adequate Notice

Roll Call: Members present were Mr. Biba, Ms Buchanan, Mrs. Dee, Mr. Fell (arrived at 7:45 p.m.), Mr. Foster, Mr. Greenebaum, Mr. Negri and Mrs. Shea. Members absent were Mr. Berman, Mr. Hagen and Mr. Salisbury.

Also present were Scott Parente, Esq., sitting for John T. Lynch, Esq., Board attorney; Carl Lindblum, P.P., sitting for P. David Zimmerman, P.P., Board planning consultant; Doug Kimball, P.P., cell tower planner for the Board; and Robert Brightly, P. E.,

Communications - None

5. Minutes - None

Vouchers

John T. Lynch, Esq.: Saliou/Beeton, Appl. #05-20 (escrow) \$305.50; Miana, Appl. #05-23 (escrow) \$175.00; and Ferriero Engineering: PCJ, Appl. #05-03 (escrow) \$210.00; Morante, Appl. #05-10 (escrow) \$367.50; Arendas, Appl. #05-18 (escrow) \$157.50; and Daibes, Appl. #05-24 (escrow) \$525.00; and P. David Zimmerman, P.P.: PCJ, Appl. #05-03 (escrow) \$250.00 for a total of **\$1,990.50**.

Ms Buchanan moved the vouchers be sent to the Council for payment from the escrow accounts. Mr. Negri seconded. The roll call vote was:

Mr. Biba yes Mr. Greenebaum yes

Ms Buchanan yes Mr. Negri yes

Mrs. Dee yes Mrs. Shea yes

Mr. Foster yes

7. Resolutions - None

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Pending Applications

#05-25 Fehnel, 11 Old Army Road; Block 52, lot 10, R-5 Zone - porch, setbacks - carried from March 20, 2006

Vincent t. Bisogno, Esq., applicants' attorney

Peter Fehnel, applicant

Yvette Fehnel, applicant

Daniel Lincoln, AIA, applicant's architect

Exhibits: A-27 - revised elevations (4-17-06); A-28 & A-29 - enlarged pictures of nearby homes; A-30

- elevation (revised Sheet A-6); A-31- plan (revised Sheet S-1); A-32 - revised Sheet A-1); A-33 - revised Sheet A-4; A-34 - revised Sheet A-7; A-35 through A-37 - pictures of houses in area; A-38 - A-39 - definitions in ordinance; A-40 through A-58 - pictures; A-59 - Resolution #04-04

Mr. Bisogno said the plans have been changed since the presentation in march. Mr. Fehnel and Mr. Lincoln explained the changes in the plans. Board members asked questions and made suggestions for changes. The matter was held to June 19, 2006.

#03-22 Omnipoint, Stirling Road; Block 100, lot 2.16, R-4 Zone - use variance - taller cell tower, equipment - revised plans: 100 ft. tower (use), new cabinets, etc. Carried from August 16, 2005 and scheduled for October 18, 2005 and January 10, 2006 but canceled

Gregory Czura, Esq., applicants'' attorney

Christopher Nevill, P.E., applicants'' engineer

Timothy M. Kronk, P.P., applicants'' planner

John Palomaki, 39 Sterling Road, neighbor

Lois Palomaki, 39 Sterling Road, neighbor

James Riley, 26 Sterling Road, neighbor

Kathy Pierce, 7 Holly Ridge Court, neighbor

Exhibits: A-4/17/06 - 1 and A-4/17/06-2 - construction drawings by Mr. Nevill

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Mr. Czura questioned Mr. Nevill and Mr. Kronk about the placement of the proposed new tower and the reasoning behind it, i.e., the need to support 4 sets of antennae. Board members and members of the public also asked questions. The matter was then held to July 17, 2006.

(Attached is transcript of the proceedings as prepared by Precision Reporting Service.)

Old Business - None

New Business - None

11. Comments from Members - None

Comments from Staff - None

Adjournment

Mr. Negri moved the meeting be adjourned at 11:15 p.m. and Ms Buchanan seconded. The motion was approved and the meeting ended.

Respectfully submitted,

Joy W. Vavrek

Administrative Officer

keywords - fehnel-omnipoint-sterling

4-17mins