

# BOARD OF ADJUSTMENT MINUTES

May 10, 2005

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.

1. Call to Order
2. Statement by Presiding Officer: Adequate Notice
3. Roll Call

Members present : Mr. Berman, Mr. Biba, Ms Buchanan, Mr. Foster, Mr. Hagen, Mr. Negri and Mr. Salisbury. Mrs. Tafaro was absent. Mrs. Dees arrived at 7:40 p.m. and Mr. Greenebaum and Mr. Palomaki arrived at 7:42 p.m.

Also present: John T. Lynch, Esq., Board attorney; Robert Brightly, P.E., Fernier Engineering, engineering consultant; Carl Lindbloom, P.P. (for P. David Zimmerman, P.P., planning consultant).

1. Communications - None

1. Other items

- A. E-mail Communications

A discussion was held on problems various members are having with receiving e-mails from the Board office.

- A. Revised format for minutes

A discussion was held on the revised format for minutes and accepted.

6. Minutes - April 26, 2005

Ms Buchanan moved approval of the minutes of April 26, 2005 and Mr. Negri seconded. The minutes were approved by voice vote.

1. Vouchers - None

8. Resolutions

William & Tresa Baird, 39 Washington Avenue; Block 137, lot 1, R-3 Zone - Memorializing Resolution of Approval

Mr. Lynch read a draft resolution. Several additions were made. Ms. Buchanan moved approval of the amended resolution and Mr. Negri seconded. The roll call vote was:

BOARD OF ADJUSTMENT MINUTES p. 2 May 10, 2005

Mr. Berman	yes	Mr. Foster	yes
Mr. Biba	yes	Mr. Hagen	yes
Ms Buchanan	yes	Mr. Negri	yes

9. Pending Applications

- A. #00-01A Michael Logerfo, 137 Stone Fence Road; change resolution Mr.

Michael Logerfo, the applicant, was sworn by the court stenographer. Mr. Lynch explained what he had found upon review and read a draft resolution of amendment. Mr. Negri moved approval of the resolution and Mr. Salisbury seconded. The roll call vote was:

Mr. Berman	yes	Mr. Hagen	yes
Mr. Biba	yes	Mr. Negri	yes
Ms Buchanan	no	Mr. Salisbury	yes
Mr. Foster	yes		

- A. #04-23 Mary Smith, 211 Finley Avenue; Block 140, lot 10, R-3 Zone; allow business use in R-3 Zone - continuation from April 26, 2005 - withdrawn

This application was withdrawn by the applicant.

- A. #05-02 Jonathan & Mary Kleinstein, 6 Oak Ridge Road; Block 51, lot 6, R-2 Zone - addition on side

Jonathan Kleinstein, the applicant, and Robert Hompesch, AIA, an architect, were sworn by the court stenographer. After a short discussion, the Board decided to carry the matter to a special meeting on May 31, 2005.

- A. #04-24 Habitat for Humanity, 143 Mine Brook Road; Block 80, lot 62, R-4 Zone - subdivision, 4 single family homes on two lots

Vincent T. Bisogno, Esq. represented the applicant  
Richard Carr, witness, Raritan Valley Habitat for Humanity  
William Hollows, P.E., witness, applicant's engineer  
Mark Andrews, AIA, witness, applicant's architect  
Adrian Humbert, P.P., witness, applicant's planner  
Gary Taylor, 12 Laurel Lane, neighbor

Mr. Bisogno outlined the application. Mr. Carr explained the mission of Habitat of Humanity and answered questions from the Board, including how buyers are chosen and who is involved in the actual building. Mr. Hollows described the site and answered

BOARD OF ADJUSTMENT MINUTES p. 3 May 10, 2005

questions from the Board, its professionals and Mr. Taylor on the physical constraints on the site and the location of the proposed structures. Mr. Andrews described the proposed structures, explaining to the Board why attached homes are desired and the sizes of the various rooms. He also explained how the terrain of the lot affected the choices made. Mr. Humbert reviewed the purposes of Habitat for Humanity and how they fit into the planning structure of the Borough.

Mr. Negri moved approval of the application with the understanding that Mr. Brightly will receive answers to the questions posed and then sign off on an amended plan. Mr. Biba seconded the motion. The roll call vote was:

Mr. Berman	yes	Mr. Hagen	yes
Mr. Biba	yes	Mr. Negri	yes
Ms Buchanan	yes	Mr. Palomaki	yes
Mr. Foster	yes		

10. Old Business

A. Verizon litigation

Gregory Czura, Esq. represented the applicant  
Anthony Succo, P.E., witness  
Kathleen Kurylo-Dicks, 12 Tysley Street, objector

Mr. Lynch reviewed the legal situation. Mr. Czura reviewed the amended application and listed the variances still required. Mr. Succo explained the amended plans showing the new location of the proposed equipment shed (in the C-1 Zone). Mrs. Kurylo-Dicks explained her continued objections to the installation of the antennae.

Mr. Hagen moved approval of the amended plans and Mr. Negri seconded. The roll call vote was:

Mr. Berman	no	Mr. Foster	yes
Mr. Biba	yes	Mr. Hagen	yes
Ms Buchanan	yes	Mr. Negri	yes

11. New Business

A. Reserve a special meeting date (should one be needed)

The Board set a special meeting for May 31, 2005 for Appl. #05-02 and any applications not handled at the May 24, 2005 meeting.

12. Comments from Members

13. Comments from Staff

BOARD OF ADJUSTMENT MINUTES p. 4 May 10, 2005

13. Adjournment

Mr. Berman moved the meeting be adjourned at 11:00 p.m. and Mr. Negri seconded.

Respectfully submitted,

Joy W. Vavrek  
Administrative Officer

5-10mins.05

keywords: minutes-e-mail-resolution-withdrawn-habitat-verizon