

8. Resolutions

A. #04-24 Habitat for Humanity, 143 Mine Brook Road; Block 80, lot 62, R-4 Zone - Memorializing Resolution of Approval

Mr. Lynch read a draft resolution. Several conditions were noted. Mr. Negri moved approval of the resolution and Mr. Palomaki seconded. The roll call vote was:

Ms. Buchanan	yes	Mr. Negri	yes
Mr. Foster	yes	Mr. Palomaki	yes

A. #04-15A Verizon Wireless, Block 141, lot 1, C-1 & R-3 Zones - Memorializing Resolution of Agreement

Mr. Lynch read a draft resolution. There was a discussion. Mr. Negri moved approval of the draft resolution and Ms Buchanan seconded. The roll call vote was:

Ms. Buchanan	yes	Mr. Negri	yes
Mr. Foster	yes		

9. Pending Applications

A. #05-03 PCJ Associates, LLC, 79 Bernards Avenue; Block 100, lot 2.01, I-2 Zone - allow continued use as storage facility (established non-conforming use) - in use since 1945

Vincent T. Bisogno, Esq. represented the applicants.

Michael Ferrante, owner, witness

Frank Ansele, 25-27 Haas Road, Basking Ridge, former neighbor, witness

Sue Rankin, 15-21 Pine Street, objector

Mary Ann Streiter (Tulanowski), 15-09 Pine Street, objector

Dina Priovolos, 15-17 Pine Street, objector

Exhibits submitted:

A-1: Picture; A-2: picture; A-3: lease with Bernardsville Quarry; A-4, A-5, A-6, A-7, A-8, A-9: leases with various tenants; A-10: 1950 zoning ordinance; A-11: 1961 zoning ordinance; and A-12, 1996 subdivision map.

Mr. Bisogno and witness Michael Ferrante outlined the history of the subject site and how it has been used over the years. The application is for a use variance - a valid non-conforming use: that the prior use continues although less intense. No other use has

ever been on the site. If the Board agrees, the applicants will submit a site plan (bifurcation of the application).

Complaints were filed by the Borough against the applicants: (1) PCJ has not obtained c.o.s or c.c.o.s for the use of the property (there are no buildings on the site, only portables); (2) no site plan was filed although there are no structures on site; and (3) the Borough does not know if the use is a permitted use in the zone (grandfathered).

Questions to Mr. Ferrante by neighbors expanded on the prior testimony.

Mr. Ansele supported much of Mr. Ferrante's testimony as a neighboring business and a friend for many years.

Due to the hour, it was decided not to start the next witness, a planner. The matter was carried to a special meeting on June 8, 2005. [At the next meeting (May 31, 2005), Mr. Bisogno asked to carry the matter to July 26, as the planner could not come the 8th.]

- B. #05-04 Gary & Diana Tantleff, 180 Mt. Harmony Road; Block 29, lot 4, R-1 Zone - approval for an existing detached accessory residence - conditional use

Held to May 31, 2005

10. Old Business - None
11. New Business - None
12. Comments from Members
13. Comments from Staff
14. Adjournment

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

Respectfully submitted,

Joy W. Vavrek
Administrative Officer

5-24mins.05

keywords: sub-committee-habitat-verizon-PCJ-non-conforming-ferrante-tantleff