

**BOARD OF ADJUSTMENT MINUTES**  
**May 31, 2005, Special Meeting**

A complete record of this special 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, Ms Buchanan, Mr. Foster, Mr. Greenebaum, Mr. Hagen, Mr. Negri, Mr. Palomaki and Mr. Salisbury. Mr. Biba was absent. It was noted that Mrs. Dees has resigned.

Also present were Valerie Bollheimer, Esq., sitting for John T. Lynch, Esq., Board attorney; Robert Brightly, P.E., Ferriero Engineering, engineering consultant; and Carl G. Lindbloom, P.P., sitting for P. David Zimmerman, P.P., planning consultant.

1. Communications
2. Ordinance #2005-1377 - Off-Street Parking

Mr. Foster noted the communications has been received.

5. New Items

A request was made by a member of the Environmental Commission that the Board hire an environmentalist to do a study on the Weichert application. The Board will decide when the application is being heard.

6. Minutes - None

6. Vouchers

7. John T. Lynch, Esq.

1. Baird, Appl. #05-01 (escrow) \$ 276.50

- A. P. David Zimmerman, P.P.

1. Smith, Appl. #04-23 (escrow) 975.00

2. Habitat for Humanity, Appl. #04-24 (escrow) 812.50

Total \$2,064.00

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

Mr. Berman	yes	Mr. Hagen	yes
Ms Buchanan	yes	Mr. Negri	yes
Mr. Foster	yes	Mr. Palomaki	yes
Mr. Greenebaum	yes	Mr. Salisbury	yes

8. Resolutions - None

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9. Pending Applications

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

Jonathan Kleinstein, owner  
John Rubinstein, AIA, witness

Robert Hompesch, P.E., witness

Mr. Kleinstein outlined his request for an addition to his home. Exhibit A-1, a colored rendering showing the lot and the layout of the house, was submitted. The house is too close to the property line because the lot was smaller when the house was built. The applicants purchased the neighboring lot giving the house frontage on three streets. The new addition will be one story and only 14 ft. 8 in. wide to minimize the impact on neighboring properties. Mr. Kleinstein and his witnesses explained the problems with locating the addition elsewhere on the lot.

Mr. Salisbury moved approval of the application with conditions on landscaping, walls and fencing. Mr. Palomaki seconded. The roll call vote was:

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

A. #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

Mr. Salisbury stepped down as he is a neighbor. Mr. Greenebaum sat for him.

Vincent T. Bisogno, Esq. represented the applicants.  
Diana Tantleff, owner  
Adrian Humbert, P.P., applicant's planner  
Catherine Dickinson, 160 Mt. Harmony Road, neighbor  
Robert McIlwain, 230 Mt. Harmony Road, neighbor  
Regina Fielding, 246 Mt. Harmony Road, neighbor  
Patricia Duncan Sostowski, 250-1 Brook Hollow Lane, neighbor  
Richard Sostowski, 250-1 Brook Hollow Lane, neighbor

Exhibits: A-1 - copy of plot plan showing the location of the buildings and improvements around the cottage; and A-2 - copy of the real estate advertisement.

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Mr. Bisogno outlined the application, noting the detached accessory dwelling is permitted as a conditional use if it meets the standards in the ordinance. This property does meet all conditions except the requirement that the lot size be twice that of the zone or 10.044 acres. Mrs. Tantleff said the cottage is being used by her mother and will continue so - they do not intend to make it a rental although it had been one previously. Neighbors expressed concern about the removal of a large number of trees. Mrs. Tantleff explained they have qualified for a Farmland Assessment and used a Woodland Management Plan which required the removal of trees and planting of new trees.

Mr. Negri moved approval of the application with conditions concerning revised plans, annual certification of the use of the cottage and deed restrictions. Ms Buchanan seconded. The roll call vote was:

Mr. Berman	no	Mr. Hagen	yes
Ms Buchanan	yes	Mr. Negri	yes
Mr. Foster	yes	Mr. Palomaki	yes
Mr. Greenebaum	yes		

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

Mr. Hagen moved the meeting be adjourned at 10:45 p.m. and Mr. Negri seconded.

Respectfully submitted,

Joy W. Vavrek  
Administrative Officer

5-31mins.05

keywords: kleinstein-tantleff-bisogno-conditional-use-detached-dwelling-certification