

BOARD OF ADJUSTMENT MINUTES
July 19, 2005

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, Mr. Biba, Ms Buchanan, Mrs. Dee, Mr. Foster, Mr. Greenebaum, Mr. Hagen, Mr. Negri, Mr. Palomaki and Mrs. Shea. Mr. Salisbury was absent. Mr. Berman left at 9:30 p.m.

Also present were John T. Lynch, Esq., Board attorney; Robert Brightly, P.E., Ferriero Engineering, engineering consultant; and P. David Zimmerman, P.P., planning consultant.

1. Communications - None
2. Minutes

Mr. Biba moved the draft March 8, 2005 minutes be approved with one correction and Mr. Negri seconded. The motion was approved by voice vote.

5. Vouchers - None

7. Resolutions

- A. #05-05 Matthew & Mary Ann Connolly, 7 Liberty Road; Block 111, lot 2, R-4 Zone -
 Memorializing Resolution

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

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

- B. #05-08 Danuta Denuree, 99 Mine Mount Road; Block 36, lot 26, R-2 Zone - Memorializing
 Resolution

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

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

8. Applications

- A. #05-09 Erno Hollo, 281 Claremont Road; Block 17, lot 31, R-1 Zone; pool

side setback

baum sat for Mr. Salisbury

Esq. represented the applicant
applicant
ndes, AIA, applicant's architect
no, Esq. representing Bernhardt Estate (neighbor)
Robert Kirkpatrick, Surveyor, Bernhardt Estate

Exhibits: A-1- map/pictures of the site; 0-1 to 0-10 - pictures whose location was not specified

Mr. Brandes outlined the plans, showing on the submitted maps, the location of the new pool, noting why it would be placed there. Alternate locations were suggested and their disadvantages explained. Mr. Hollo pointed out the locations of the neighboring homes and noted whether they could see the pool location.

Mr. Inglesino said his clients were concerned about things that were happening on the site. Mr. Kirkpatrick, his witness, presented 10 pictures. However, he was unable to say exactly whose property the pictures showed: Mr. Hollo's, the Borough's or Mrs. Bernhardt's. The Board determined that since the clients' concerns were on the opposite side of the property from the pool location and since the objections had nothing to do with the pool, those concerns were not part of the application.

After a discussion, Ms Buchanan moved approval of the application and Mr. Biba seconded. The roll call vote was:

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

B. #05-10 Alberto Morante, 111 Boulderwood Drive; Block 14, lot 11.11, R-1 Zone - allow residential use while new house is being built

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left the meeting at 9:30 p.m.

baum sat for Mr. Berman

i sat for Mr. Salisbury

en, P.E., the applicant's engineer

ante, owner

tow, 101 Boulderwood Drive, neighbor

Exhibit: A-1 - colored rendering of the site plan

Mr. Madsen explained the plan for the Morante family to live in the present home while a new home is being built. Both Mr. Madsen and Mr. Morante answered questions from the Board members and professionals. There was no Shade Tree Committee report but Mr. Madsen explained that the cutting and replacement of trees had been discussed with that committee chairman. Mr. Brightly said although the dry well plans are sufficient, given the slopes and the size of the proposed house, he would recommend additional drywells. Mr. Madsen agreed.

Mr. Dustow asked if there is a limit on the length of time a builder may take. The Board decided to put a two year limit on the house with the understanding the applicant can come to the Board for an extension.

Mr. Negri moved the application be approved and Mr. Hagen seconded. The roll call vote was:

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

C. #05-12 Mary Ferrante, 8 Ann Street; Block 119, lot 19, R-4 Zone; second story addition

n stepped down
 for Ms Buchanan
 Baum sat for Mr. Berman
 i sat for Mr. Salisbury
 te, co-owner - 15 Pill Hill Road
 te, co-owner - 8 Ann Street

ture of the home

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The applicant and her brother described how they would like to expand the second story by raising part of the first level and expanding the entryway. They feel it will make the house look better and it will be more efficient. They agreed that landscaping is needed and will be added to the plans for planting after the addition is finished.

ers and professionals asked questions and discussed the plans. Mr.
 roval of the application and Mr. Hagen seconded. The roll call vote was:

Mr. Biba	yes	Mr. Hagen	yes
Mrs. Dee	yes	Mr. Negri	yes
Mr. Foster	yes	Mr. Palomaki	yes
Mr. Greenebaum	yes		

D. #05-13 James & Victoria Bailey, 19 Old Fort Road; Block 46, lot 4, R-3 zone; side addition

baum sat for Mr. Berman
 i sat for Mr. Salisbury
 ke, AIA
 y, owner
 Victoria Bailey, owner

Mr. Burke reviewed the plans, explaining the two-story addition will be to the rear where a screened-in porch exists, which will be removed. Relief is being sought from Ordinance Section 12-23.19c based on the width of the house with the addition. The Board and professionals asked questions regarding the house layout, the addition's distance from the street, a possible alternate location and why it could not be used, the exterior treatment, etc. The drainage concern of the Environmental Commission was discussed and need for the drywell decided.

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

Biba	yes	Mr. Hagen
		yes

hanan	yes	Mr. Negri	yes
ter	yes	Mr. Palomaki	yes
enebaum	yes		

9 Morrison, LLC, 9 Morrison Avenue; Block 135, lot 4, R-3 zone; demolish existing house and build new single-family house

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presented by Mr. Berman
presented by Mr. Salisbury
Considine, AIA
Fleming, Esq.

Mr. Considine and Mr. Fleming are the owners of the site. Part of the lot is in Bernards Township making the lot conforming as to size. There was a discussion about how the lot does not meet the ordinance, the proposal by the applicants and the question of wetlands on the site.

The Board asked for a wetlands report and continued the application to August 9, 2005.

9. Old Business - None
10. New Business - None

12. Comments from Members
13. Comments from Staff
14. Adjournment

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

Respectfully submitted,

Joy W. Vavrek
Administrative Officer

7-19mins.05

keywords - connolly-denuree-hollo-morante-ferrante-morrison-considine