

**BOARD OF ADJUSTMENT MINUTES**  
**September 13, 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 & Roll Call
2. Statement by Presiding Officer: Adequate Notice
- 3 Roll Call

Members present were Mr. Biba, Ms Buchanan, Mr. Foster, Mr. Hagen, Mr. Negri, Mr. Salisbury and Mrs. Shea. Absent were Mr. Berman, Mrs. Dee, Mr. Greenebaum and Mr. Palomaki.

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.

4. Communications - None
5. Minutes

Mr. Salisbury moved approval of the minutes of January 4, 2005 and Mr. Negri seconded. Several items were corrected. The motion was approved by voice vote.

Mr. Negri moved approval of the minutes of August 9, 2005 and Mr. Salisbury seconded. Several items were corrected. The motion was approved by voice vote.

5. Vouchers
6. Ferriero Engineering
  1. Bedrock Realty, Appl. #04-18 (escrow), \$105.00; 2. Habitat for Humanity, Appl. #04-24 (escrow), \$263.10; 3. Baird, Appl. #05-01 (escrow), \$52.50; 4. PCJ, Appl. #05-03 (escrow), \$210.00; 5. Hollo, Appl. #05-09 (escrow), \$183.75; 6. Morante, Appl. #05-10 (escrow), \$105.00; 7. Ferrante, Appl. #05-12 (escrow), \$78.75; 8. Bailey, Appl. #05-13 (escrow), \$52.50; and 9. Morrison, Appl. #05-14 (escrow), \$105.00 for a total of \$1,155.60.

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

Mr. Biba	yes	Mr. Negri	yes
Ms Buchanan	yes	Mr. Salisbury	yes
Mr. Foster	yes	Mrs. Shea	yes
Mr. Hagen	yes		

7. Resolutions
  - A. #05-14      9 Morrison, LLC, 9 Morrison Avenue; Block 135, lot 4, R-3 Zone; Memorializing Resolution of Approval

Board members reviewed the report from ETI, an independent environmental consultant who said there are wetlands on the lot but not in the area where the new house will be built. Mrs. Shea moved approval of the draft resolution and Mr. Biba seconded. The roll call vote was:

Mr. Biba	yes	Mrs. Shea	yes
Mr. Foster	yes		

8. Applications

A. #05-15 Somerset Hills Country Club, Block 30, lot 11, R-1 Zone - move cart shed

Michael Osterman, Esq. represented the applicants  
Ronald Kennedy, P.E., Gladstone Design, applicant's engineer

Mr. Osterman explained that the Board had approved an application which includes the cart shed. After looking at the area more closely, the Club has decided to move the cart over where they will disturb no trees.

Mr. Kennedy described the changes using a copy of the submitted plans, noting they will have a regular foundation rather than the pilings and no trees will be removed. Board members had a few questions about the tree replacement plan. Mr. Brightly asked that the notation about the foundation be changed on the plans.

Mr. Biba moved approval of the application and Ms Buchanan seconded. The roll call vote was:  
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Mr. Biba	yes	Mr. Negri	yes
Ms Buchanan	yes	Mr. Salisbury	yes
Mr. Foster	yes	Mrs. Shea	yes
Mr. Hagen	yes		

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

Mr. Biba	yes	Mr. Negri	yes
Ms Buchanan	yes	Mr. Salisbury	yes
Mr. Foster	yes	Mrs. Shea	yes
Mr. Hagen	yes		

B. #05-11 Mary Chenoweth, 110 Washington Corner Road; Block 7, lot 9, R-1-10 Zone; allow a pre-existing cottage to be used as a residence

Mary Chenoweth appeared for herself. After a lengthy discussion among Board Members, Mr. Lynch and Ms Chenoweth, they agreed to a withdrawal of the application without prejudice. Ms Chenoweth may reapply in the future.

- 8. New Business
- 9. Old Business

8. Comments from Members
9. Comments from Staff
10. Adjournment

Mr. Negri moved the meeting be adjourned at 9:30 p.m. and Mr. Hagen seconded.

Respectfully submitted,

Joy W. Vavrek  
Administrative Officer

9-13mins.05