

**BOARD OF ADJUSTMENT
BOROUGH OF BERNARDSVILLE
October 18, 2010 Minutes
7:30 PM PUBLIC MEETING**

1. Adequate Meeting Notice: Read into the record my Vice Chairman Biba.

2. Roll Call: Present: Vice Chairman Biba, Members: Peterson, Greenebaum, Dee, Negri, Omlor, English, Lincoln and Sailliard. Members absent: Chairwoman Desjourdy and Ms. Robertson.

Professionals Present: Attorney John Lynch, Engineer Robert Brightly and Planner P. David Zimmerman.

3. Approval of Minutes: October 4, 2010

Not all members received email transmission, therefore the Minutes were carried to November 1 meeting

4. Communications: None

5. Resolutions: None

6. New Applications: Board agreed to entertain this small application before the continuation of the Nixon Hearing.

Application 10-8: Meskill Residence, 22 Old Army Road, B: 44 L: 18 R-5 Zone. The time is 7:35PM

Applicant Ms. Judith Meskill was acknowledged and accepted as a witness for this application. Ms. Meskill provided a brief summary of the application and her intent to add an open air front porch to her home to keep in character with the neighborhood and provide an outdoor improvement to her home. Ms. Lincoln questioned if Ms. Meskill had any intention to enclose the porch, which she responded no. There was discussion to determine if prohibition to enclose the porch should be a condition to the Resolution. Afterwards the Board agreed not to impose any such condition. No questions were raised by the public. Time is 7:40 PM

Motion to grant variance for the addition of front porch: Mr. Negri
Second: Mr. Greenebaum
Roll Call: Aye: Biba, Peterson, Greenebaum, Dee, Negri, Omlor,
English, Lincoln and Sailliard.

Nay: None

7. Pending Applications: Application 10-6: Nixon Residence, 161
Campbell Road, B: 9 L: 8, Carried 7/6/10. . Time is 7:40 PM

Before the start of the hearing, Mr. Biba announced that he was absent for the last hearing, but he read the transcripts and submitted his Certification Statement to the Administrative Officer.

Transcripts will be on file in the office of the Administrative Officer. Upon conclusion of the hearing it was announced that this hearing will be continued without further notice to December 6, 2010. Mr. Bisogno filed an Extension of Time Certificate with the Administrative Officer to and including December 31, 2010. The time is 9:10 PM

8. Old Business:

Mr. Lynch reported that he had discussion with Borough Counsel Jack Pigeon regarding recent escrow concerns. Various measures were presented to insure Professionals don't get stuck by an applicant, however the best practice is for the CFO to best monitor the balances in the accounts and once it reaches a low number to solicit more funds from the applicant.

Later the Board requested that either Mr. Zimmerman and/or Mr. Lynch communicate to the Governing Body the Board's request to double application fees and escrow amounts. The fees are low compared to other communities and the increase will improve payment schedules to Board Professionals.

9. New Business: None

10. Bill List: None

11. Comments from Members: None

12. Comments from Staff: None

13. Adjournment: The time is 9:25PM

Motion to adjourn: Mr. Peterson

Second: Ms. Lincoln

Voice Vote: All members present voted in the affirmative.

Respectfully submitted,

Teresa Lyons, Administrative Officer

Minutes approved: November 1, 2010

keywords: minutes-board-of-adjustment-meskill-22-old-army-road-nixon-161-campbell-road

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October 18, 2010 Agenda Items

October 4, 2010 Minutes: Emailed under separate cover

Application 10-6: Nixon Residence

- Robert Brightly's Report dated August 12, 2010
- Report from Fire Prevention Bureau dated August 16, 2010
- James J. Mantz, PE&LS October 7 letter with revised plans
- Michael Mondok's Addendum to Zoning Rpt dated October 12, 2010
- **October 14, 2010 letter from Robert Brightly, PE**

Application 10-08: Meskill Residence

- **Application received July 15, 2010**
- **First Floor Plan received July 15, 2010**
- **August 4, 2010 zoning report from Mike Mondok**
- **August 16 letter from J. Arthur Johnson, AIA**
- **August 18, 2010 letter from Mr. Zimmerman deeming application complete**
- **August 18, 2010 received Key Map noting property location.**
- **October 12, 2010 email from Shade Tree Committee**
- **October 13, 2010 report from Mr. Zimmerman**
- **October 14, 2010 response from Environmental Commission**

