

**BLAIRSTOWN TOWNSHIP
ZONING BOARD OF ADJUSTMENT
April 10, 2012**

MINUTES

The Blairstown Township Board of Adjustment met in regular session on Tuesday, April 10, 2012 at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following Board members were present: Barbara Green, Mark Ohannesian, Charles Anderson, Andrew Straut, Mike Repasky, John Sartori, Philip Rivera, and Debra Waldron. Andrew Smith was absent. Also present were: Board Attorney, Roger Thomas, Board Engineer, Ted Rodman, and Board Secretary, Marion Spriggs.

SALUTE TO THE FLAG: was recited.

ROLL CALL: was taken.

THE SUNSHINE STATEMENT: was read.

Chairwoman Waldron read the following statement:

“Adequate notice of this meeting of the Blairstown Township Zoning Board of Adjustment has been provided in accordance with the Open Public Meetings Act (Chapter 231.P.L. 1975)”.

BOA DEADLINE DATES:

Chairwoman Waldron declared that submission of information supporting applications must arrive at Town Hall **10 calendar days prior to meetings**. She explained this is an effort to give the Board members enough time to review the documents and requested this notice be read at each meeting.

MINUTES OF PREVIOUS MEETING: (As distributed prior to the meeting date).

Minutes of March 13, 2012 Regular Meeting.

Action: A motion was duly made by Mr. Straut, seconded by Mr. Ohannesian, to approve the minutes of March 13, 2012 Regular Meeting, as written. Roll call vote: Green, Ohannesian, Straut, Waldron, Repasky and Sartori – yes. Anderson and Rivera abstained.

RESOLUTIONS:

ZB#05-10 Stewart Roberts – Block 1707, Lot 14.01, 131 Mt. Hermon Rd. – Min. Sub & Use Var. – Ext.

Action: A motion was duly made by Mr. Straut seconded by Mr. Sartori, to approve a resolution for 60 day extension for **ZB#05-10 Stewart Roberts** – Block 1707, Lot 14.01, 131 Mt. Hermon Rd. – Min. Sub & Use Var. – Ext. Roll call vote: Green, Straut, Sartori and Waldron – yes. Ohannesian, Anderson, Rivera, and Repasky - abstained.

ZB#03-10 Montage Enterprises - Block 702, Lot 18.01, 140 Rt. 94 – Prel & Fin. Major Site Plan

Action: A motion was duly made by Mr. Repasky seconded by Mr. Ohannesian, to approve a resolution for 1 year extension for **ZB#03-10 Montage Enterprises** - Block 702, Lot 18.01, 140 Rt. 94 – Prel & Fin. Major Site Plan. Roll call vote: Green, Ohannesian, Straut, Repasky, Sartori and Waldron – yes. Anderson, and Rivera - abstained.

COMPLETENESS:

None

PUBLIC HEARING:

ZB#06-11 John Clark - Block 801, Lot 1, Lot 2.01 – no road frontage – Permit (40:55 D-34&35) – **carried.**

This matter was carried until 5/8/12.

ZB#01-12 Dominic Zukoski – Block 902, Lot 12 – Bulk vars.

Mr. Anderson stepped down for this application.

Bill Gold, attorney for the applicant, requested having the following professionals sworn in simultaneously. They were: Gerald DeGroat, L.S., P. P., of Schooley’s Mountain, Richard Spitzli, General Contractor, Montague.

Mr. DeGroat indicated he will build a 26’ x 28’, 2 car garage, for residential use only.

5 photos were marked as exhibits A-1 through A-5, showing the property as it exists currently.

Mr. Zukoski, explained that there will be 1 door for 2 cars. There will not be a 2nd story. Same siding and shutters will be used as those existing on the house. He stated in the deed description there wasn’t a close figure. Each line was researched to ensure that it was properly reproduced in concern for the neighbors. He said the neighbors’ deeds enabled a determination of the exact boundary of the Applicant’s property.

Mr. Gold explained that the applicant is seeking a variance for total aggregate coverage. The existing is at 109.7%, the proposed is 159%. The ratio between accessory structures and principal structure exceeds what the Ordinance permits.

Exhibit A-6 Total Lot Coverage and Coverage of All Buildings, was marked.

There is a difference of 1/10th of a foot between buildings shown on the current site plan, vs. one submitted on a previous application.

Mr. DeGroat noted that the purpose of creating a desirable visual environment outweighs any detriment.

Mr. DeGroat pointed out that there would be no impact as to negative criteria since the proposed garage would be on a private lane. He considers it not to be detrimental to the neighborhood, nor is there a detrimental aspect to the purpose and intent of the Zoning Plan.

Roger Thomas clarified one variance pertains to the extent of the accessory building coverage vs. the extent of the main building coverage.

He said the Board should also consider a front yard variance for the area along Hickory Hollow Lane, which is not a through road but services up to 6 individuals.

Mr. Gold stated they would like to locate the garage at least 15 feet off Hickory Lane, and it will be buffered.

Ted Rodman suggested that as per his report of 3/9/12, Item #3 be listed as a condition in the Resolution. This would deed restrict usage for residential use only. It is not to be used for storage for the machine shop.

The applicant agreed to this deed restriction.

Ted Rodman also recommended as conditions: that the drawing be revised to reflect correct coverages, also the proposed buffering should be shown. The setback should be at no less than 15 feet.

This portion of the Hearing was opened to the public.

Andrew Korosec, Hickory Hollow Ln., was sworn in. He stated that his property adjoins the applicant's property. He and his wife have no objections.

John Young, Cobblewood Rd., was sworn in. He indicated his property looks across the applicant's property and he has no problem.

Hearing no further comments or questions, this section was closed to the public.

Mr. Zukoski admitted his business has increased since past approval. He confirmed the garage will not be used for business purposes.

Roger Thomas recommended the following conditions in framing a motion:

1. Deed restriction for residential use only. There would be no commercial activity including the workshop activity.
2. The garage exterior matches the house including color, roof structure, and shutters.
3. Placement of a buffer along Hickory Hollow Ln., subject to review of Twp. Engineer.
4. Map be amended to reflect that there is no lot coverage variance.
5. There be a requirement, that the map also be revised to show, there be a minimum front yard setback along Hickory Hollow of 15 feet.
6. A corrective deed be filed to show the revised deed description and the various conditions.

Action: A motion was duly made by Mr. Rivera seconded by Mr. Straut, to approve **ZB#01-12 Dominic Zukoski** – Block 902, Lot 12 – Bulk vars. with the aforementioned conditions.
Roll call vote: Green, Ohannesian, Straut, Rivera, Repasky, Sartori and Waldron – yes.

Roger Thomas will prepare the Resolution. He noted if there is a combined board, he assumes one or more members of the Zoning Board would be a member of the new entity. If that is the case, he declared, he would be comfortable advising those members who are part of the new Land Use Board, and heard the application, to memorialize the Resolution.

CORRESPONDENCE:

PB Minutes 3/19/12

Ltr. 3/8/12 re: ZONING EXEMPTION REQUEST – T-Mobile ZB04-09, 131 Mt. Hermon Rd.

Ltr. 3/23/12 Wrn.Cty.Plan Dept. Re: ZB03-11 Balbi increase in tonnage from 1 to 50 tons per month

Roger Thomas indicated the concern with this Board, is not the number of tons, but rather the nature of recycling materials it is accepting.

OTHER BUSINESS:

BOA 2011 Annual Report

There was a discussion about 40% of the principal structure lot coverage allowed for accessory structures indicated in Blirstown's Ordinance.

Roger Thomas admitted the reason he brought this up is that these are the kinds of variances with which the BOA has been dealing.

Single Land Use Board

Chairwoman reminded the Board of the Township Committee's regular meeting tomorrow at which the Hearing for a single Land Use Board will occur.

NEW BUSINESS:

None

PUBLIC PORTION:

Mary Flynn, Conrad Ct., Blirstown, mentioned her great respect for all the members of BOA & Planning Board. She disagrees with the formation of a Land Use Board.

Phil Rivera, Vice Chm. mentioned how he enjoyed working with all the members. He commended Debra Waldron, on being honest and doing such a good job as BOA Chairwoman.

Debra Waldron stated how proud she was of every Board member and thanked them for their efforts.

VOUCHERS:

There were no vouchers for approval.

ADJOURNMENT:

The Chairwoman Waldron asked the Board for a motion to adjourn.

Action: On a motion duly made by Mr. Straut, seconded by Mr. Sartori, and unanimously carried, the meeting was adjourned at 9:12 pm.

Respectfully submitted,

Marion C. Spriggs, Board Secretary