

**BLAIRSTOWN TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
January 12, 2010**

**MINUTES**

The Blairstown Township Board of Adjustment met in regular session on Tuesday, January 12, 2010 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, and Debra Waldron. Philip Rivera was absent. Also present were: Anand Dash, Esq. representing Board Attorney, Roger Thomas, who was absent. Also present was: Board Engineer, Ted Rodman and Board Secretary, Marion Spriggs.

**SALUTE TO THE FLAG:** was recited.

**ROLL CALL:** was taken.

**THE SUNSHINE STATEMENT:** was read aloud.

**REORGANIZATION:**

Meeting was called to order by Anand Dash.

Anand Dash administered the Oaths of Office to new Board member, John Sartori, and to Mark Ohannesian, Mike Repasky and Debra Waldron.

“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)”.

At this time Anand Dash called for nominations for the position of Board Chairman. Debra Waldron was nominated as Chairwoman by Mr. Ohannesian, and seconded by Mr. Straut. The meeting was opened for other nominations and discussions. There being no other nominations or discussions:

**Action:** The nomination for Debra Waldron to serve as Chairwoman was made by Mr. Ohannesian, seconded by Mr. Straut. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

At this time, Mrs. Waldron, as Chairwoman, asked for the following nominations:

**Action:** The nomination for Philip Rivera to serve as Vice Chairman was made by Mr. Ohannesian and seconded by Mrs. Green. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

**Action:** The nomination for Roger Thomas, Esq., Dolan & Dolan, to serve as Board Attorney was made by Mrs. Waldron, seconded by Mr. Anderson. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

**Action:** The nomination for Ted Rodman, Rodman Associates, to serve as Board Engineer was made by Mrs. Green, seconded by Mr. Repasky. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

**Action:** The nomination for Marion Spriggs to serve as Board Clerk was made by Mr. Anderson, seconded by Mr. Straut. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

No nominations were made for Board Secretary, to replace Lois Brod.

Appointment of a Professional Planner was deferred.

### **Resolution Complying with the Open Public Meetings Act**

**Action:** A motion was made by Mr. Straut, seconded by Mr. Anderson to adopt the schedule of meetings and designate The New Jersey Herald and Star Ledger as official newspapers, complying with the Open Public Meetings Act. Roll call vote: Green, Ohannesian, Anderson, Straut, Waldron, Repasky, and Sartori--yes.

**MINUTES:** (As distributed prior to the meeting date).

Minutes of December 8, 2009 Regular Meeting

**Action:** A motion was duly made by Mr. Ohannesian, seconded by Mr. Repasky, to approve the minutes of the December 8, 2009 meeting, as corrected. Roll call vote: Green, Ohannesian, Anderson, Straut, Repasky, Sartori and Waldron - yes.

Minutes of December 8, 2009 Executive Session

**Action:** A motion was duly made by Mr. Repasky, seconded by Mr. Anderson, to approve the Executive Session minutes of December 8, 2009, as written. Roll call vote: Green, Ohannesian, Anderson, Straut, Repasky, Sartori and Waldron - yes.

### **RESOLUTIONS:**

**ZB #04-09 Metro PCS of NY LLC**, Block 1707, Lot 14.01, 131 Mt. Hermon Rd.-Min. Site Plan, Use Variance, Conditional Variance

**Action:** A motion was duly made by Mr. Repasky, seconded by Mr. Anderson, to approve

**ZB #04-09 Metro PCS of NY LLC**, Block 1707, Lot 14.01, 131 Mt. Hermon Rd.-Min. Site Plan, Use Variance, Conditional Variance. Roll call vote: Green, Ohannesian, Anderson, Straut and Waldron – yes.

**ZB #05-09 Todd Bertholf**, Block 102, Lot 11.02, 58 Four Corners Rd.-Bulk Variance

A Board member commented on page 1 of the Resolution. The last paragraph should read 3.1 acres. Also, the memorialization date should be 1/12/10.

**Action:** A motion was duly made by Mr. Anderson, seconded by Mr. Straut, to approve a modified resolution for **ZB #05-09 Todd Bertholf**, Block 102, Lot 11.02, 58 Four Corners Rd.-Bulk Variance. Roll call vote: Green, Ohannesian, Anderson, Straut and Waldron – yes.

**ZB#06-09 Country Kids Station**, Block 1202, Lot 3.02, 13 Stillwater Rd., - Use Variance

The memorialization date on this Resolution, needs to be changed to 2010. All members of the Board will receive modified copies. This matter will be carried until the February 9, 2010 meeting.

#### **COMPLETENESS:**

**ZB#01-10 Dominic Zukoski**, Block 902, Lot 12, 4 Cobblewood Rd. – BulkVar. & Interpretation

The attorney for this application was at a seminar thus, not present.

Ted Rodman explained that this application is for a variance for 3 existing structures and there is an Interpretation whether this is a home occupation.

Regarding Completeness, Ted Rodman stated that Item #4, location of existing structures, is not shown on the drawing. He pointed out that some of the sheds have no dimensions, and the side lines are uncertain. This will make a difference as to whether there is another variance required.

Ted Rodman recommends that the Board find this application Incomplete for Item #4, with the understanding that both Completeness and Hearing be held at the next meeting.

A Board member suggested that the outside dimensions of the buildings should be provided. He commented that the drawing submitted is not a Site Plan. It indicates “Percentage of Structural Coverage”. A Site Plan needs to be provided with a graphic scale. Ted Rodman pointed out that Item #4 on his 1/8/10 report addresses that numerical dimensions need to be shown.

**Action:** A motion was duly made by Mr. Repasky, seconded by Mr. Straut, to deem **ZB#01-10 Dominic Zukoski**, Block 902, Lot 12, 4 Cobblewood Rd. – BulkVar. & Interpretation Incomplete for Item 4 in Ted Rodman’s report of 1/8/10. Roll call vote: Green, Ohannesian, Straut, Repasky, Sartori and Waldron – yes. Anderson – abstained.

**ZB#02-10 Blirstown Ambulance Corps.,** Block 904, Lot 8.04, 106 Rt. 94.,-Prel. & Final Major Site Plan

Ted Rodman referred to his report of 1/8/10. There is a question regarding fees, Item #1. He explained that this will be resolved by the next meeting. He recommended if this application is deemed Incomplete at this meeting, the Completeness and Hearing will both occur at the next meeting.

He revealed that a site plan requires an EIS (Environmental Impact Statement), Item #10. A waiver has been requested. Ted recommended that this application be distributed to the Environmental Committee for their comments. He pointed out that if the EIS is waived for Completeness, it does not mean that it will not have to be provided. The Board can still request it later.

He announced that the other items can be waived for Completeness.

Joe DiGrazia, President of the Blirstown Ambulance Corps., indicated there will be a sign on the face of the building to identify the organization. There will not be a sign out front.

Regarding Item #9, there is a question about the lease line. The drawing doesn't show the area leased from the Town. This will be resolved by the next meeting. Ted Rodman suggests this be waived for Completeness.

Ted Rodman reviewed that originally a variance portion for Blirstown Ambulance Corps. was heard earlier. They've changed the building from 2 story to 1 story. They've relocated and rotated in the same general area but have caused somewhat of a problem with going over the lease lines. He stated that now that it is known where exactly the building is going, new lease lines and a new description should be easily provided.

Joseph Di Grazia, Blirstown resident, was sworn in.

Mr. DiGrazia indicated while negotiating the lease, the Township Committee requested a detailed description, metes and bounds, of where the building was going to be. There was a reference to 2.874 acres based on the metes and bounds. He revealed initially the building was to be 80' x 80', 6400 sq. ft. building, dug into the side of the mountain with 1 parking lot on the bottom and 1 parking lot on the top. It would look like a 2 story structure. The cost of the excavation was prohibitive. They then decided on a 1 story, L – shaped building at the top of the hill, which got a little bit bigger.

Mr. Di Grazia pointed out that the building envelope shown on the plans submitted here, indicated 2.8 acres but it is a slightly different 2.8 acres. For historical purposes, the lease should reflect the building that is desired now on the correct 2.8 acres. He stated the variance and building envelope were correct at that time but there has been a context switch and a different-type building. He confirmed that those corrections will be made.

**Action:** A motion was duly made by Mr. Anderson, seconded by Mr. Repasky, to deem  
BOA Minutes 1/12/10

**ZB#02-10 Blirstown Ambulance Corps.**, Block 904, Lot 8.04 Incomplete for Items 1 & 9. The other 8 items will be waived. Roll call vote: Green, Ohannesian, Anderson, Straut, Repasky, Sartori and Waldron - yes.

**PUBLIC HEARING:**

None

**CORRESPONDENCE:**

None

**OTHER BUSINESS:**

**Darst Status – ZB#02-05**

Anand Dash stated that this matter has been effectively concluded by decision of the Appellate Division in favor of the Township.

**Last Frontier – ZB#02-06**

Mr. Dash stated that this matter is before the Appellate Division and the argument is to be heard in February.

**Verizon/All Walnut Valley – ZB#05-08 aka /“Cellco”**

Mr. Dash revealed that a possible settlement may be effective in this case.

**NEW BUSINESS:**

None

**PUBLIC PORTION:**

There were no comments from the public, the audience was empty.

**VOUCHERS:**

**Action:** On a motion duly made by Mr. Anderson, seconded by Mr. Repasky, escrow and general vouchers, as attached to these minutes, were approved. Roll call vote: Green, Ohannesian, Anderson, Straut, Repasky, Sartori and Waldron - yes.

**ADJOURNMENT:**

The Chairman asked the Board for a motion to adjourn.

**Action:** On motion duly made by Mr. Repasky, seconded by Mr. Straut, and unanimously carried, the meeting was adjourned at 8:24 pm.

Respectfully submitted,

Marion C. Spriggs  
Board Secretary