

**BLAIRSTOWN TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

July 14, 2009

MINUTES

The Blairstown Township Board of Adjustment met in regular session on Tuesday, July 14, 2009 at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following Board members were present: Philip Rivera, Barbara Green, Charles Anderson, Andrew Straut, Debra Waldron and Joe DiGrazia. Lois Brod, Mark Ohannesian, and Mike Repasky were 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 aloud.

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

Minutes of June 9, 2009 Regular Meeting

Action: A motion was duly made by Mrs. Green, seconded by Mr. Rivera, to approve the minutes of the June 9, 2009 meeting, as corrected. Roll call vote: Rivera, Green, Anderson, Straut, Waldron and DiGrazia – yes.

RESOLUTIONS:

ZB#02-09 Blair Academy, Block 906, Lot 7, Block 905, Lot 12/44 2 Park St., Blairstown, NJ 07825- Final major site plan

Action: A motion was duly made by Mrs. Waldron, seconded by Mr. Straut, to approve a one-year extension for Phase III of **ZB#02-09 Blair Academy**, Block 906, Lot 7, Block 905, Lot 12/44 2 Park St., Blairstown, NJ 07825- Final major site plan. Roll call vote: Rivera, Anderson, Straut, Waldron and DiGrazia – yes. Mrs. Green abstained.

COMPLETENESS:

ZB#03-09, Steven J. Poweska, Block 401, Lot 12, 67 Walnut Valley Rd., - Bulk Variance

Ted Rodman, Twp. Engineer, explained that this is a variance application for an accessory structure in the R-5 zone. The proposed building is 30' x 40', 1200 sq. ft., and less than 25 ft. in height. The principal structure is 1,265 ft. Based on the grandfathered section in the Ordinance, lots containing between 3 and 5 acres can have accessory buildings of 40% of the coverage of

BOA Minutes 7/14/09

the principal structure. The proposed structure will be 95% which is almost as large as the original structure. The number may change.

There are now 2 accessory structures on the lot. The applicant is proposing to remove one of them. He plans to keep the second one, which is a 71 sq. ft.- chicken coop. The number may go up, if that is retained.

Mr. Poweska possesses a sealed copy of a 1984 map, which he brought tonight. This map does not show the proposed buildings.

Ted Rodman recommends, on his report of 7/10/09, that Items #1, 2, 3, and 4 be waived. Regarding Item #5, he requested that the dimensions from the side line to the proposed structure be indicated before the 8/11/09 meeting. Mr. Poweska confirmed those dimensions are not on the drawing.

Ted Rodman reviewed his report of 7/10/09. Items #1 - #9 are examples of what has been done in the past, for other such applicants.

The zoning requirements are for the old R-3 zone. It is an R-5 now. Ted Rodman pointed out that since the map is old, the adjacent property owners reflected, are the property owners of 1984. An updated list is necessary for the Hearing. Mr. Poweska indicated he has obtained and submitted the current list.

A Board member pointed out that there is a disparity in the principal structure size, originally stated as 1,265 ft., it should be 1,235 ft. Ted Rodman suggested this may reduce the percentage.

Chairman DiGrazia questioned whether items waived for completeness, are expected to be submitted for final approval. Roger Thomas, Board Attorney, replied that this is a Board decision. The Board can determine if they want those items as part of the Hearing and /or as part of a condition of approval.

For the record, Ted Rodman responded that he recommends that these items be conditions of approval.

There were no further questions from the Board.

Chairman DiGrazia asked that the application information be accurate, correct, and complete.

Action: A motion was duly made by Mrs. Waldron, seconded by Mr. Rivera, to deem **ZB#03-09, Steven J. Poweska**, Block 401, Lot 12, 67 Walnut Valley Rd., - Bulk Variance, complete, with aforementioned items being provided, as a condition of approval. Roll call vote: Rivera, Green, Straut, Waldron and DiGrazia – yes. Anderson, – abstained.

PUBLIC HEARING:

None

BOA Minutes 7/14/09

CORRESPONDENCE:

Minutes from 4/20/09 Planning Board Meeting
NJ Planner May/ Jun. 2009

OTHER BUSINESS:

Darst Status – ZB#02-05

Roger Thomas informed the Board that the briefs have been submitted. A date is awaited for an oral argument before the Appellate Division.

Last Frontier – ZB#02-06

Roger Thomas pointed out that the matter has been appealed from the Superior Court Law Division to the Superior Court Appellate Division. Additional briefs will have to be filed. He said an oral argument, in all likelihood, will have to occur at the Appellate Division.

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

Roger Thomas indicated that the briefs have now been completed. He will verify the date of the oral argument in Belvidere, for interested Board members.

NEW BUSINESS:

BOA Member Packets

Chairman DiGrazia stated, in response to Sal Lascari, Deputy Mayor’s, suggestion to go paperless via computer transmittal of Board information, that it is up to this Board to decide how they want their information, and in what form. He indicated that whatever the majority indicates, that is what will be done.

Mrs. Waldron pointed out there is a great deal of copying to be done. If e-mailed, this would be an expense to the volunteer Board member for ink and paper.

A member suggested the Board members pick-up packets to defray postal expense.

The general consensus is to pick-up the packets.

Chairman DiGrazia, instructed Marion Spriggs, BOA Secretary, to prepare the Board packets, as in the past but not to mail them.

Philip Rivera, Board Member, suggested that a trial period be implemented to review how this is working. Chairman DiGrazia agreed to review this at the October meeting.

BOA Minutes 7/14/09

PUBLIC PORTION:

There were no comments from the public.

VOUCHERS: Professional services rendered.

Action: On a motion duly made by Mrs. Waldron, seconded by Mr. Anderson, escrow and general vouchers, as attached to these minutes, were approved. Roll call vote: Rivera, Green, Anderson, Straut, Waldron and DiGrazia – yes.

ADJOURNMENT:

The Chairman asked the Board for a motion to adjourn.

Action: On motion duly made by Mrs. Waldron, seconded by Mr. Straut, and unanimously carried, the meeting was adjourned at 8:21 PM.

Respectfully submitted,

Marion C. Spriggs
Board Secretary