

**BLAIRSTOWN TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
October 11, 2011**

**MINUTES**

The Blairstown Township Board of Adjustment met in regular session on Tuesday, October 11, 2011 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, Andrew Smith, Mike Repasky, Philip Rivera, and Debra Waldron. John Sartori 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:**

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 days prior to meetings**. She explained this is an effort to give the Board members enough time to review the documents.

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

Minutes of August 9, 2011 Regular Meeting.

**Action:** A motion was duly made by Mr. Anderson, seconded by Mr. Straut, to approve the minutes of August 9, 2011 Regular Meeting, as written. Roll call vote: Green, Ohannesian, Anderson, Straut, Smith, Repasky, Rivera and Waldron – yes.

**RESOLUTIONS:** Incomplete

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

**Action:** A motion was duly made by Mr. Straut, seconded by Mrs. Green, to approve the resolution deeming **ZB#06-11 John Clark** - Block 801, Lot 1, Lot 2.01 – Incomplete. Roll call vote: Green, Ohannesian, Anderson, Straut, Smith, Rivera and Waldron – yes.

**COMPLETENESS:**

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

**Action:** A motion was duly made by Mr. Anderson seconded by Mr. Straut, to deem **ZB#06-11 John Clark** - Block 801, Lot 1, Lot 2.01 – complete. Roll call vote: Green, Ohannesian, Anderson, Straut, Smith, Rivera and Waldron – yes.

**PUBLIC HEARING:**

**ZB#05-11 GigaBeam Acquisition Corp.** – Block 2003, Lot 14.01 – 7 Hillview Lane – Use Var.

This application is carried until December 13, 2011.

**ZB#01-11 Frank Giambrone** - Block 1802, Lot 5.01, 1 Hoagland Rd – Bulk Variance

Mr. Straut stepped down for this application.

Mr. Santini reviewed that this applicant is seeking a bulk variance, since he is proposing a barn which is over 40% allowed. Acceptable height is 25’ – the proposed height is 26’6”.

Roger Thomas indicated for the record, the original testimony from 4/12/11 and 6/14/11, will apply.

Messrs. Robert Berry, PP, Hope, NJ, and Frank Giambrone, 1 Hoagland Rd., Blairstown, NJ, were sworn in simultaneously.

Robert Berry, Professional Planner, described the project.

The following additional exhibits were marked and described:

- A-6 Plot plan of 9/20/11 by Robert Berry, PP
- A-7 Timber Tech drawing of 8/15/11
- A-8 Aerial photo 2007 – (1” = 100’)
- A-9 Aerial photo 2007 – (1” = 50’)
- A-10 Photo #1 – Tree line east of barn
- A-11 Photo #2 – View from Lot 5.06
- A-12 Photo #3 – View from driveway abutting Hoagland Rd.
- A-13 Photo #4 – View toward barn location
- A-14 Photo #5 – View from SW corner of property
- A-15 Photo #6 – View from NW towards barn from Lots 5.02 & 5.03
- A-16 Rendered sheet #3 – Timber Tech sketch

It was pointed out that the pool was removed, and trees are larger.

Mr. Berry commented that there is a significant change in the topography revealing the drop off. The applicant wants to build a bank barn. He pointed out the Ordinance is not designed for bank barns. He explained the proposed barn will be 2 stories exposed on the downhill side, which will be a full cellar wall. The other 3 sides will be the same grade as the house, thus it will appear as a one-story building. Mr. Berry pointed out the barn will be well hidden by trees.

Mr. Berry stated there is one driveway off Hoagland Rd. and one dirt lane splitting off from it.

Mr. Berry explained he made a sketch (Exhibit A-6) to give the Board a better idea. He revealed he surveyed the property 11 yrs. ago. He had to run a line with a monument and does have the line pinned down.

Chairwoman Waldron inquired when the property was excavated. Mr. Giambrone responded, over 10-12 yrs. ago. He said it was done to reduce the water runoff towards the neighbors and it was leveled for parking miscellaneous lawnmowers etc.

Mr. Giambrone read the list of equipment which he plans to store in the proposed barn. He explained, it consists of all household and childrens' items. He declared there is nothing business related.

Mr. Giambrone stated he has no desire to store business contents. He will agree to a deed restriction prohibiting that it is not to be used for business or residential purposes.

Originally, Mr. Giambrone saw no need for electric or water. Now, he would like to wash his hands and be able to open his electric garage door.

Mr. Santini explained his client sells and repairs generators for businesses, homes and industry. He has 1 service truck in his driveway to provide service.

Mr. Giambrone pointed out that he sold his mobile home since the last meeting.

Mr. Smith, a Board member, visited the property and pointed out there is a lot of natural screening.

Ted Rodman concurs, no side yard variance is necessary, only height and coverage.

Mr. Berry pointed out the Ordinance was drafted for buildings of a different type than this. He stated, the negative criteria: that the proposed barn is larger than the allowed, (about 1 ½ ft. too high), and the impact it has on the neighbors, regarding buffering and screening.

Chairwoman Waldron explained that every application stands on its own merit. She stated that many applicants use the excuse "you did it for them" on past Board approvals. She declared that is the reason there is an Ordinance in the first place. Generally, exceptions to ordinances are given for specific reasons, i. e. for a business use, for an inherently beneficial use to the community, etc.

Mr. Repasky commented that in addition to the height variation, the Ordinance indicates 2 stories. There is a question regarding the floored-over attic, whether that is a ½ or full story. Ted Rodman responded it was agreed a variance was necessary for the height and footage. He suggested they obtain a variance for the ½ story, so there is no future issue.

Chairwoman Waldron mentioned her concern was the overall size of the building, not so much the height. She is glad that Mr. Giambrone reduced the size, though she would like it even smaller. She is grateful that Mr. Giambrone returned with drawings and maps to accompany his testimony, which is something the Board had asked him to do.

Chairwoman Waldron asked what will be stored in the attic. Mr. Giambrone responded that it would be used for items from the kids, and Christmas decorations.

This portion of the Hearing was opened to the public. There were no comments or questions from the public.

Mr. Anderson framed his motion to include water and electric, as recently proposed.

Roger Thomas suggested that if this is a motion for approval, that it include:

Opportunity for electric and water  
Stipulation for variances to include, the 2 ½ - 3 stories for height, together with the size  
Ted's report of 10/7/11 conditions #4, 5, 6, 7, 8 & 9 be included

Ted Rodman concurs.

**Action:** A motion was duly made by Mr. Anderson, as framed above, seconded by Mr. Rivera, to approve **ZB#01-11 Frank Giambrone** - Block 1802, Lot 5.01, 1 Hoagland Rd – Bulk Variance. Roll call vote: Green, Ohannesian, Anderson, Smith, Waldron, Rivera and Repasky – yes.

**CORRESPONDENCE:**

NJ Planner – August 2011

**OTHER BUSINESS:**

None

**NEW BUSINESS:**

None

**PUBLIC PORTION:**

This portion of the meeting was opened to the public for comment. There were no comments or questions from the public present at this time.

**VOUCHERS:**

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

**ADJOURNMENT:**

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

**Action:** On a motion duly made by Mr. Rivera, seconded by Mr. Ohannesian, and unanimously carried, the meeting was adjourned at 8:45 pm.

Respectfully submitted,  
Marion C. Spriggs, Board Secretary