

WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING AUGUST 5, 2013

The regular meeting of the Board of Adjustment was called to order at 7:02 p.m. by Chairman Cooper in the Municipal Court, 44 Mountain Blvd., Warren.

THOSE PRESENT AT ROLL CALL: John Villani, Vincent Oliva, George Dealaman, Brian Di Nardo, Richard Hewson, Fernando Castanheira, Foster Cooper, Scott Bowen, Alt. #1 and Clerio Martins, Alt. #2
Also present was Steven Warner, Attorney for the Board.

THOSE ABSENT: None

THOSE TARDY: None

ANNOUNCEMENT:

Adequate notice of this meeting has been provided by posting Public Notice on the Municipal Bulletin Board on the main floor of the Municipal Building, and sending a copy to the Courier News and Echoes Sentinel, and filing a copy with the Municipal Clerk, all on January 8, 2013. We plan to adjourn by 10:00 p.m.

FLAG SALUTE:

MINUTES: The minutes of the 7/1/13 meeting had been forwarded to members for review.

Mr. Oliva made a motion to approve, seconded by Mr. Di Nardo.
All were in favor, so moved.

COMMUNICATIONS:

May/June 2013 issue of THE NEW JERSEY PLANNER

PRIVILEGE OF THE FLOOR PORTION OF THE MEETING

Mr. Cooper asked if any member of the public wished to make a statement, which is unrelated to tonight's agenda.
There was none.
He closed that portion of the meeting.

AGENDA:

CASE NO. BA13-10 ATUL & SEEMA SETHI
 BLOCK 60.01, LOT 9
 2 MIDVALE DRIVE

Application to construct an addition to a single family dwelling...front yard setback required 75 ft, while 32 ft. is provided

Erwin Schnitzer, an Attorney, represented the applicant. He said that there is an existing 22 ft. front yard setback.

Mr. Chadwick noted that there are two dimensions. One is on the survey, and one is on The Architect's plan.

Mr. Cooper mentioned that the Zoning Officer Denial says 33.3 ft.

Mr. Chadwick said that would relate to the addition. If you look at the survey, you would see two setback distances - 32.04 (which is unaffected by this application and 33.30 (for the addition). Then, if you look at the architect's plan, the front yard shows 23.3 C-1 – first page of the Architect's plan).

Mr. Chadwick suggested that one of the experts testify so we can all get off "on the right foot".

Mr. Cooper asked that all, who intended to testify, be sworn in.

Mr. & Mrs. Sethi, Robert Hernandez, the Architect, as well as John Chadwick, Professional Planner and Christian Kastrud, Township Engineer were all sworn in.

Robert Hernandez was called to testify. He gave his background and credentials and was accepted as an expert witness in the field of Architecture. He stated that the existing front yard on Busy Bee Lane is 22 ft. They are proposing 23.3 ft. The house is not exactly parallel with the front property line.

Mr. Chadwick asked Mr. Hernandez to look at the survey. The survey shows a 40 ft. setback line from Busy Bee. It is shown differently on the reprint of the survey. The survey dated 6/27/13 is updated according to Mr. Schnitzer. The original survey is dated 5/31/13.

CASE NO. BA13-06 YAHYA SAQER
 BLOCK 78, LOT 11
 238 KING GEORGE ROAD

Application to live in an existing single family dwelling, while building a new home on the lot...use variance required...existing home will be razed upon completion of the new home

Discussion and/or approval of the Board of Adjustment 2012 ANNUAL REPORT

After discussion, the Board decided to approve the following recommendation to the Planning Board and Township Committee. It was included in the 2012 Annual Report.

"The Board had considered numerous applications over the past few years involving variances for partial or complete third floor. The ordinance permits 2 ½ story buildings in all residential zones. The Board suggests consideration of eliminating the half story. The Board does not recommend any change in height limits."

Mr. Villani made a motion to approve, seconded by Mr. Hewson.

Roll call vote was taken. "Yes" votes were received from: John Villani, Vincent Oliva, Brian Di Nardo, Richard Hewson, Fernando Castanheira, Foster Cooper and Scott Bowen. There were no negative votes. The motion carried.

Memorialization of Resolution dismissing CASE NO. BA13-03 K-9 RESORT DAYCARE & LUXURY HOTEL

Mr. Oliva made a motion to approve, seconded by Mr. Di Nardo.

Roll call vote was taken. "Yes" votes were received from: John Villani, Vincent Oliva, Brian Di Nardo, Richard Hewson and Foster Cooper. There were no negative votes. The motion carried.

Memorialization of Resolution for CASE NO. BA13-05 ALFIE'S RESTAURANT

Mr. Hewson made a motion to approve, seconded by Mr. Di Nardo.

Roll call vote was taken. "Yes" votes were received from: John Villani, Vincent Oliva, Brian Di Nardo, Richard Hewson and Foster Cooper.
There were no negative votes. The motion carried.

Mr. Oliva made a motion to adjourn, seconded by Mr. Hewson.
All were in favor, so moved.

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Kathleen M. Lynch
Clerk

COMMUNICATIONS:

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There was none.

He closed that portion of the meeting.

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