

**WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING March 7, 2016**

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, George Dealaman, Richard Hewson, Fernando Castanheira, Frank Rica, Donald Huber, Foster Cooper, Scott Bowen, Alt. #1 and Clerio Martins, Alt. #2

Also present was Steven Warner, Attorney for the Board.

**THOSE ABSENT:** 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 15, 2016.

**FLAG SALUTE:**

**MINUTES:** The minutes of the 2/1/16 meeting had been forwarded to members for review.

Mr. Castanheira made a motion to approve, seconded by Mr. Martins. All were in favor, so moved.

**COMMUNICATIONS:**

Letter dated 3/3/16 from Dr. David Schlingloff requesting an additional extension on his approval (CASE NO. BA14-01)

Letter dated 3/4/15 from Maryellen Vautin, acting Bd. of Adjustment Clerk, stating that the one year limitation for the approval begins June 30, 2015

**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. BA14-01	DAVID SCHLINGLOFF BLOCK 107, LOT 3.01 96 REINMAN ROAD
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Donald Heber, whose home is close to the applicant's, recused himself from the hearing.

Based on the two letters included in the Communications packet, the Board addressed Mr. Schlingloff's request for an extension for another year. His application involved use and bulk variances to expand a kitchen and add a new deck to the rear of the residential portion of his home. A floor area ratio variance was required. The application was approved in March of 2014 and the Resolution adopted on April 7, 2015.

In March of 2016 Mr. Schlingloff contacted the Board requesting an extension to June 30, 2017, because a number of family health issues prevented him from going forward with the project.

In response, on March 4, 2016, Maryellen Vautin, acting Board of Adjustment Clerk advised him that "the extension of time for his approval is not required. The New Jersey Extension Act carries his approval to June, 30, 2015. Thereafter, the one year limitation for your approval begins on June 30, 2015".

Mr. Warner read a Draft Resolution. In it, he opined that the approval did not expire until June 30, 2015. The Board is satisfied that the applicant has proceeded diligently, and that, for the reasons cited by the applicant, it would be appropriate to grant the applicant an extension for a period of one year commencing on June 30, 2015 and continuing until June 30, 2016.

Mr. Warner explained that an extension can only be granted for one year at a time. If necessary, the applicant must request another extension upon expiration of this one.

Mr. Rica made a motion to approve, seconded by Mr. Dealaman.

Roll call vote was taken. "Yes" votes were received from: George Dealaman, Fernando Castanheira, Richard Hewson, Foster Cooper, Scott Bowen and Clerio Martins. There were no negative votes. The motion carried.

Discussion concerning a Resolution requested by Mr. Chadwick

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

Mr. Dealaman recused himself from the hearing.

Mr. Saqer received approval from the Board to live in an existing single family dwelling while constructing a new home on the same lot with the understanding that the existing home would be razed upon completion of the new home. His approval included a variance for lot size and front yard setback, a variance for lot coverage, a variance for floor area ratio of 0.147 (vs 0.125 permitted) and a variance temporarily permitting two single family detached dwellings on one lot in a residential zone.

Mr. Chadwick spoke for Mr. Saqer. He said that the plan showed a two car garage and a basement. Mr. Saqer wants to put the garage in the basement and construct another room above it. It would increase the family's living space. The project would not violate the floor area ratio. The front doors on the garage would be moved to the back. This will result in several modifications. He will have to make adjustments to the plans.

Mr. Chadwick said that he would not stop the building permit process. Originally, he told the applicant would have to come back to the Board. He has changed his mind.

Mr. Warner noted that this is not an applicant for development. This is a post approval phase. Nothing needs to be done.

Mr. Bowen noted that the plans have to be modified to show the drive out and turn around.

Mr. Warner noted that Mr. Chadwick had not been sworn in.



**DELIBERATIONS:**

None of the Board members had any negative comments concerning the application.

Mr. Hewson suggested that they don't do it again.

Mr. Cooper thought it was admirable that they came to the Board to make it right.

Mr. Warner read a Draft Motion.

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

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Richard Hewson, Fernando Castanheira, Frank Rica, Donald Huber and Foster Cooper.

There were no negative votes. The motion carried.

Memorialization of Resolution CASE NO. BA15-05 OLGA FERREIRA

Mr. Villani made a motion to approve seconded by Mr. Castanheira.

Roll call was taken. "Yes votes were received from: John Villani, George Dealaman, Fernando Castanheira, Foster Cooper and Scott Bowen.

There were no negative votes. The motion carried.

Memorialization of Resolution CASE NO. BA16-01 NALIN RANASINGHE

Mr. Castanheira made a motion to approve, seconded by Mr. Dealaman.

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Fernando Castanheira, Foster Cooper and Scott Bowen.

There were no negative votes. The motion carried.

Mr. Villani made a motion to adjourn, seconded by Mr. Bowen.

All were in favor, so moved.

There being no further business, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Kathleen M. Lynch  
Clerk

CASE NO. BA16-02            STEVEN & TRISTIN GOODE  
   BLOCK 24.06, LOT 15  
   10 HAZELWOOD COURT

Application for a variance to permit a 10x16 ft. shed located approximately 1 ½ ft. from the property line to remain where it is...property backs up to Township owned open space

Mr. Dealaman noted that the file is in order.

Memorialization of Resolution CASE NO. BA150-05 OLGA FERREIRA

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

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Fernando Castanheira, Foster Cooper and Scott Bowen.  
There were no negative votes. The motion carried.

Memorialization of Resolution CASE NO. BA16-01 NALIN RANASINGHE

Mr. Castanheira made a motion to approve, seconded by Mr. Dealaman.

Roll call vote was taken. "Yes" votes were received from: John Villani, George Dealaman, Fernando Castanheira, Foster Cooper and Scott Bowen.  
There were no negative votes. The motion carried.

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

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