

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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PUBLIC MEETING

DATE: October 22, 2018

Chairman McCaffrey called the meeting to order at 7:00pm.

Chairman McCaffrey led the Flag Salute.

Chairman McCaffrey read the Public Notice.

This is a public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and outside the Planning and Zoning Office and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting.

MEMBERS IN ATTENDANCE

Filus, Glaser, Lewis, Matsen, McCaffrey, Stevens, Yager

MEMBER ABSENT

Lefkus, Roberts

PROFESSIONALS/STAFF IN ATTENDANCE:

- 1) Jonathan E. Drill, Esq., Board Attorney
- 2) Tom Behrens, Jr. PP, AICP
- 3) Denise Filardo, Board Secretary

VOUCHERS

A motion was made by Mr. Matsen and seconded by Mr. Yager to approve the vouchers for payment. The vote record follows.

Roll Call: Payment of Vouchers						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Filus			X			
Lefkus						X
Glaser (Alt. 2)			X			

Lewis						X
Matsen	X		X			
McCaffrey			X			
Roberts			X			
Stevens					Abstained	
Yager (Alt. 1)		X	X			

MINUTES

1) September 24, 2018

A motion was made by Ms. Stevens and seconded by Mr. Matsen to adopt the Meeting Minutes of September 24, 2018. The vote record follows.

Roll Call: Meeting Minutes of September 24, 2018						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Filus			X			
Lefkus					X	X
Glaser (Alt. 2)			X			
Lewis					X	X
Matsen		X	X			
McCaffrey			X			
Roberts					X	X
Stevens	X		X			
Yager (Alt. 1)					X	

RESOLUTIONS

1) MANDELL

Block 34, Lot 10.02

Application No. BOA-2018-03

Resolution No. 2018-07

Dismissal of Application Without Prejudice.

A motion was made by Ms. Stevens and seconded by Mr. Matsen to adopt Resolution No. 2018-07. The vote record follows.

Roll Call: Mandell, Blk 34, Lot 10.02 Resolution No. 2018-07						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Filus					X	
Lefkus					X	X
Glaser (Alt. 2)			X			
Lewis					X	X

Matsen		X	X			
McCaffrey			X			
Roberts					X	X
Stevens	X		X			
Yager (Alt. 1)					X	

PUBLIC HEARING

1) JAMIO JUNIO

Block 13, Lot 7.09

36 Chalfonte Drive

Application No. BOA-2018-01

Applicant is seeking height and bulk variance relief to construct a two-story detached three car garage.

Jamie Junio, applicant and Tom Behrens, Board Planner were sworn by Jon Drill.

Chairman McCaffrey provided Mr. Junio with the following guidance with respect to providing his testimony:

- 1) Physically describe your application.
- 2) Recap the relief requested.
- 3) Provide the Board with rationale for granting the relief; Hardship or Positive vs. Negative criteria.

Mr. Junio’s testimony included and was limited to the following:

- He and his family moved to Clinton Township approximately one year ago and they plan to reside here for a long time. He is in the healthcare industry and has no interest in any business on the subject property.
- Seeking to construct a detached garage and install a lift to facilitate his car hobby.
- The second-floor use is intended for recreation, a gym and a bar.
- Average height is approximately 28 feet 5 inches.
- One corner of the proposed structure would encroach 11 feet into the required 100-foot setback because the house is 111 feet from the road and the proposed structure is closer to the property line than the house.
- Materials would be white clapboard and a stone veneer to match the house with a black metal roof.
- The proposed location is the best spot as it avoids the septic and a heavily wooded area to the right.

Attorney Drill referenced 165-97.b Setbacks from streets for accessory buildings and structures and explained that the 250-foot setback does not matter in this particular case and drew attention to Table 1: Accessory Building/Structure Requirements on page 3 of Tom Behrens report as this table indicates the specifics for this application.

Questions from Board Members regarding the location and height of the proposed structure.

Items of discussion included:

- The possibility of the applicant considering to move the proposed garage northwest approximately two feet to be equal distance to street as is the deck on house which would eliminate the need for the bulk variance.
- The height of the existing house, its relation to the height of the proposed garage.
- Height of the proposed garage and its relationship to slope and/or roof pitch.

The Board conducted a Straw Poll which revealed that none of the Board members were comfortable granting a variance with the magnitude of the proposed height.

The applicant is planning to continue the application at the next scheduled meeting of November 26, 2018.

Attorney Drill advised that if the applicant is going to change the location of the proposed garage, revised plans must be submitted to the Board Secretary's office 10 days prior to November 26th. It was determined that the application be carried to January 31, 2019 with no need for further notice in case the applicant and/or his architect cannot be ready for November 26th.

The following suggestions were made for the applicants' consideration prior to returning to the Board on this matter:

- Consider attaching the proposed garage to the house, perhaps with a walkway and roof.
- Provide the height of the principal structure.
- Bring an architect to the next meeting to assist with answering questions.

It was noted that there was no one in the Public and this hearing concluded at 8:08 pm.

REQUEST FOR EXTENSION OF TIME

1) SHARMA

Block 80, Lot 6

Application No. BOA-2017-01

Applicant is seeking a further Extension of the Time within which to obtain construction permits, expand the septic system, and install landscaping, all related to a proposed addition and porch.

Mr. Sharma sent a letter dated October 11, 2018 to Secretary Filardo requesting an eight (8) month extension of time. Mr. Sharma was not in attendance for this hearing. As such Board Attorney Drill read from prior Resolution No. 2017-01, noting the applicant is requesting an extension to all time limitations.

The Board took a brief recess at 8:16pm and resumed the meeting at 8:19pm.

The Board determined that they should grant a one (1) year extension of all time limitations, giving the applicant until January 23, 2020 to complete construction and obtain a final Certificate of Occupancy.

A motion was made by Mr. Glaser and seconded by Mr. Yager to grant the requested Extension of Time. The vote record follows.

Roll Call: Sharma, Blk 80, Lot 6, Extension of Time						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Filus			X			
Lefkus						X
Glaser (Alt. 2)	X		X			
Lewis						
Matsen			X			
McCaffrey			X			
Roberts						X
Stevens		X	X			
Yager (Alt. 1)			X			

ADJOURNMENT

A motion was made by Ms. Stevens and seconded by Mr. Filus to adjourn. The Board concurred unanimously and the meeting was adjourned at 8:36pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on January 28, 2019.