

**WEST AMWELL TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
July 26, 2016**

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:33 PM by Chairman Fulper.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was summarized by Chairman Fulper: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was transmitted to the Hunterdon County Democrat and Trenton Times on February 4, 2016. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office. The meeting was recorded via digital recording system and a copy of the CD is on file in the Zoning Board of Adjustment Office.

Chairman Fulper led the Pledge of Allegiance to the American Flag.

**APPOINTMENTS/OATH OF OFFICE:**

None

**ATTENDANCE/ROLL CALL:**

Roll call on attendance: John Cronic-present, Brian Fitting-present, Joe Romano-present, Ruth Hall-present, John Ashton-present, Kevin Koveloski-present, George Fisher (*alt.#2*)-present, Robert Fulper-present

Absent: Frank Sabatino (*alt.#1*)

Professionals Present: Stewart Palilonis

**PRESENTATION OF MINUTES:**

Meeting Minutes – June 28, 2016-Motion was made by Romano with a second by Ashton to accept the minutes with minor revision as discussed. Roll call: Cronic-aye, Fitting-aye, Romano-aye, Hall-aye, Ashton-aye, Koveloski-abstain, Fulper-aye

**RESOLUTION(S) OF APPROVAL:** None

**APPLICATION(S):**

Chairman Fulper notified the public that the Generals Retreat application and the A-Z Venue Management (Brookmill Farm) application requested to be carried to the August 23 meeting (7:36 PM)

**Completeness Determination/Public Hearing: Vernor/Lubchansky (A-Z Venue Management, LLC) – Block 11 Lot 28 – 16 Mill Road – Conditional Use variance**

**Public Hearing: 1872 River Road, LLC (The Generals Retreat) – Block 26 Lot 17 - Use and Bulk Variance Application/Site Plan Application**

**Completeness Determination/Public Hearing: John & Dottie Polak - Block 22 Lot 11.01-383 Rock Road East** – Addition/Rear Yard Setback (7:37 PM)

Application, checklist, plan titled Zoning Application comprised of one sheet prepared by Sheffmaker Architecture LLC, dated July 11, 2016, Property Survey by Pinpoint Land Surveying, dated 6/17/2002 were received and distributed.

Notices of service and publication were reviewed by Attorney Palilonis and found to be in order.

The following witnesses present on behalf of the applicant were sworn in by Attorney Palilonis:

John Polak, Property owner - 383 Rock Road East, West Amwell, NJ

Dottie Polak, Property owner - 383 Rock Road East, West Amwell, NJ

Susan Sheffmaker, Architect - 262 Redmond St, New Brunswick, NJ

Dottie Polak provided an overview of the project stating that the purpose of the addition is to expand the kitchen, which is at the rear and too small, and add a family room.

The proposed addition shall be located to the south side of the existing house facing the rear of the property. The one-story addition of a family room is proposed to be 262sf.; 17'6" wide x 16'3" deep.

Adjacent to the family room addition is a proposed 195sf patio with a new roof. The porch and roof addition will be 27'4" wide x 7'1" deep. The total proposed square footage of additions will be 457sf.

The exterior base of the proposed addition will be stone clad. Above the stone will be siding to match in style to the existing house. The columns at the porch will have matching stone base piers with columns above.

Entered as *Exhibit P-1* one sheet consisting of four pictures showing rear of house where addition is to be located and showing trees to be removed.

Mrs. Polak testified that existing trees are undermining the existing foundation and will be removed.

The existing rear yard setback is 89' and proposed addition would be 79' from the rear property line, the required rear yard setback is 100'.

Entered as *Exhibit P-2 Tax Map, Survey, and Additional Survey* showing the location of well, septic, and proposed addition.

Mr. Polak stated the septic is located in the front of the house to the left of the driveway. To the back right of the house is the well.

Mrs. Polak stated the purpose of the addition is to open the existing wall and enlarge the kitchen, and adding the family room to the back of the house making it one large room.

Mrs. Polak testified to placing the addition to the front of the house would not help to enlarge the kitchen. The guest bedroom, bathroom and foyer are in the front of the house. Property to the rear of the house is farm land.

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Mrs. Polak stated that the addition will add value to the home by adding a basement to the addition, currently the home is on a slab. Increasing the size of the home to accommodate family, will also bring value up by keeping similar in nature to the neighborhood.

Mrs. Polak stated that the proposed addition will be approximately 30' from the existing pool.

Chairman Fulper opened the floor to the public (8:00 PM)

Constance Mantero – neighbor - 381 Rock Road East – Absolutely, perfectly fine with the addition and looking forward to the patio addition.

Motion was made by Fitting with a second by Koveloski to grant a rear yard setback of 79ft. Roll call: Cronce-aye, Fitting-aye, Romano-aye, Hall-aye, Ashton-aye, Koveloski-aye, Fulper-aye (8:04 PM)

Chairman Fulper advised the resolution would be adopted at the next meeting. Notice would be published in the newspaper, adding that objectors have 45 days to appeal thereafter.

**Completeness Determination/Public Hearing: Paul King - Block 32 Lot 19 - 30 Barry Road**  
- Accessory Apartment (8:06 PM)

Application and checklist were received and distributed

Notices of service and publication were reviewed by Attorney Palilonis and found to be in order.

The following witnesses present on behalf of the applicant were sworn in by Attorney Palilonis:

Paul King – property owner – 30 Barry Road

Sally Hueber– property owner – 30 Barry Road

Mr. King provided an overview of the application stating that they purchased the property in February. Adding that there is an existing space above the garage, expecting to use the space as additional living space for relatives.

In response to Chairman Fulper's questioning, Mr. King stated by visiting the Construction Dept. he found out the space was for storage only and had outstanding open permits; one since 1995 and another from 2005. Mr. King stated they wanted to close out the old permits, making the property in compliance. Adding that the recent purchase was through a foreclosure, they liked the property and didn't want to walk away from it.

Mr. Palilonis asked for clarification on what the intended use will be. Mr. King stated they propose to use it for family, stating they have three bedrooms with two boys at home; having nowhere for guests to stay. They intend to use it for guests. Stating they are not intending to use it as a rental unit.

Entered as *Exhibit K-1 Picture and Exhibit K-2 Aerial Photo*. Mr. King stated that directly behind the house is the garage in Exhibit K-2. Entered as *Exhibit K-3 black & white set of pictures*.

Mr. King stated the upstairs of the garage is finished, consisting of a living room, kitchen, bathroom, bedroom. The space is carpeted with electricity. No heat or water is connected.

Mr. King stated the outstanding permit states "For Storage Space Only" and is on file in the Construction Office.

Member Cronce questioned the current septic capacity and if this space is approved as living space, is the septic designed for the additional living space. Mr. King stated that he just had a new septic system designed and installed to include the additional living space.

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Mr. Cronic requested documentation on the new septic system.

Attorney Palilonis stated the height of the garage appears to be too high. Adding that relief will be required.

Chairman Fulper requested Secretary Hall to obtain copies from the Construction Dept. and Zoning Dept. of all files relating to this block and lot. Adding that Mr. King is to submit septic file to Secretary Hall within 10 days of the August 23 meeting.

Chairman Fulper suggested the applicant return to the Zoning Officer stating what they are suggesting the structure be used for and also providing the existing setbacks, adding that the Zoning Officer needs to identify the short comings.

Mr. King stated that he would visit Mr. Rose to determine the proper use.

Chairman Fulper related that the applicant would be carried to the August 23 meeting without additional notice. (8:42 PM)

#### **CORRESPONDENCE:**

The following items were received and distributed as correspondence:

Attorney Winget - email re: **Mostofizdeh - Blk 21 Lot 12** - Secretary Hall to follow up by email advising Mr. Winget it is necessary for the project professionals to appear with updated plans on the current project.

Zoning denial: **Blk 30 Lot 10.01 639 Brunswick Pike** - Use/bulk variances (cabinet shop/new building)

Zoning denial: **Blk 8 Lot 52.02 1410 Hwy 179** - abandonment of commercial space back to residential space / RR-5-zone

Construction - Violation packet re: **Blk 11 Lot 28 16 Mill Rd** dated July 11, 2016

Clerk Olsen – email 6/30/2016 - **draft parking contract with ESC school**

Construction – multiple forwarded emails from state re: **Blk 11 Lot 28 16 Mill Rd** classification as a B&B.

#### **May/June Planner**

Zoning Violation – **Blk 8 Lot 52.02 1410 Hwy 179** - multi family dwelling in RR5

Zoning Violation **Blk 13 Lot 65, 330 Mt Airy Harborton Rd**, in-ground pool w/o required fencing

#### **Approval of Bill List 7/26/16:**

A motion by Cronic seconded by Ashton to approve the vouchers for payment as listed on the 7/26/16 bill list was unanimously approved by voice vote – all ayes.

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**DISCUSSION:**

Secretary Hall presented a **revised *Application Packet*** to reflect fourteen copies of all necessary forms included on the *Checklist*. Distribution list will include the Fire Safety Official and Fire Chief for reviews of applications when site plans are included.

Motion to approve the *Application Packet* as revised was made by Koveloski with a second by Fisher. Roll call: Cronce-aye, Fitting-aye, Romano-aye, Hall-aye, Ashton-aye, Koveloski-aye, Fulper-aye. (9:08 PM)

**OPEN TO PUBLIC:**

The floor was opened to the public. Hearing no comments/questions, the floor was closed. (9:08 PM)

**ADJOURNMENT:**

All members voted in favor of adjournment at 9:08 PM

Respectfully submitted,

Ruth J. Hall