

**WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
7:30pm
June 26, 2018**

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:34 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 1, 2018. 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.

ATTENDANCE/ROLL CALL:

Roll call on attendance: John Cronce-present, Joe Romano - present, Brian Fitting -present, Robert Fulper-present, John Ashton-present, Frank Sabatino - present, Michael Rassweiler (alt. #2)-present

Absent: George Fisher and Marvin Hartpence (Alt. 1) were absent.

Professionals Present: Stewart Palilonis, Board Attorney

PRESENTATION OF MINUTES:

Regular Meeting Minutes May 22, 2018- Mr. Fitting made a motion, seconded by Mr. Cronce to approve the May 22, 2018 regular meeting minutes with two typographical corrections.

Roll call vote: Cronce-aye, Fitting – yes, Romano-abstain, Sabatino-abstain, Ashton-aye, Rassweiler-aye, Fulper-aye

RESOLUTION(S) OF APPROVAL:

There were no resolutions on the agenda tonight.

APPLICATION(S):

1. Public Hearing: MaryAnn Kollmer – Blcok 20 L 14 – C Variance –(7:39pm)

The following were provided to the Board Members, Attorney, and Engineer previous to the meeting:

Drawing of layout of dwelling completed by George Hettman.

It was noted for the record that Ms. Kollmer was sworn in at the previous meeting.

Chairman Fulper said the application is for a bulk variance for side and front setbacks. The home has been used for years as a two family home. Attorney Palilonis said he believes it falls within the definition

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of an accessory dwelling. Attorney Palilonis said the front setback is an existing condition and not changing so the focus is on the side setback.

Ms. Kollmer explained that her daughter and husband moved in and are taking over the original space, she is adding an addition for herself. Attorney Palilonis said she was told she needed a variance when she applied for a zoning permit.

Chairman Fulper went over the pictures that were submitted with the application.

Exhibit K-1 was marked into record as a photo of the back view of the home.

The Board members commented on the distance the addition will be from the property line as it is on an angle and will vary. Fifty feet is required. The front yard setback won't change as it is an existing condition.

Exhibit K-2, a survey dated May 7, 2018, was marked into evidence.

Ms. Kollmar explained that she cannot afford to stay in the home unless her daughter moves in. She explained which portion of the house she will be using. The Board went over the floor plan with her. There is no entry on the ground level between the spaces. On the second level there is a door that separates them.

Exhibit K-3, a floor plan drawing by George Hettman dated June 1, 2018, was entered into record.

Ms. Kollmer said the neighbors to the left are across a field a least one hundred yards away. Board members further went over the layout of the dwelling. The basement will not be extended. Behind the dwelling it is 236 feet to the barn. Ms. Kollmar said there will be no changes with the septic as the addition will only be a living room, there will not be any additional bedrooms or bathrooms.

Mr. Ashton made a motion to grant sideyard relief of no less than forty-two (42) feet from the building to the side property line with the condition that the present single family use be continue and the dwelling not be used as a multi-family dwelling recognizing the existing condition of the front yard setback which is not changing as a result of the addition. Mr. Fitting seconded the motion. (8:06pm)

Roll call vote: Cronce-aye, Fitting – aye, Romano-aye, Sabatino-aye, Ashton-aye, Rassweiler-aye, Fulper-aye

Attorney Palilonis will develop a resolution for the July meeting and went over the process with the applicant.

2. Michael Verga – Block 11 Lot 5.29 – C Variance – Completeness and Public Hearing (8:12PM)

The following were provided to the Board Members, Attorney, and Engineer previous to the meeting:

Completed application form for a variance.

Letter dated December 20, 2017 from Zoning Officer Chris Rose determining that the proposed swimming pool does not comply with the side setback requirements and requires a variance.

Zoning Permit Application dated December 20, 2017.

Color photo of proposed swimming pool location.

Plan titled “As-Constructed Bldg. Plan – Block 11, Lot 5.29” dated October 24, 2001 prepared by Carroll Engineering Corporation.

Untitled sketch showing proposed swimming pool 15.03 feet from the easterly property line.

Copy of deed

Copy of Tax Collector Certification

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Completed escrow agreement.

Completed Memo of Understanding

Copy of W9 Form

Certified List of property owners within 200 feet of subject property.

Attorney Palilonis said the notices were in order.

Mr. Fitting made a motion to deem the application complete. Mr. Cronic seconded it. (8:12pm)

Roll call vote: Cronic-aye, Fitting – aye, Romano-aye, Sabatino-aye, Ashton-aye, Rassweiler-aye, Fulper-aye

Mr. Verga said he would like to install an in ground pool with a side set back of 35 feet due to a large septic field. The pool must be twenty feet away from the septic field.

Exhibit V-2 was entered into record: picture looking at the rear towards the house

Exhibit V-3 was entered into record: drawing of pool from pool company including an estimate of the patio location

Attorney Palilonis said if the septic fails the applicant is at his own risk as there is no reserve. Mr. Verga said the front lawn could be utilized.

Board members inquired about impervious coverage as the maximum allowed is 15%. They asked Mr. Verga to provide a calculation that a professional has signed off on. Attorney Palilonis said if this is greater than 15% Mr. Verga will have to notice for it. Mr. Verga asked that the Board continue his hearing at their August meeting.

Mr. Cronic made a motion to accept the applicant's request to have the hearing carried to the August regular meeting. (8:50pm)Mr. Ashton seconded the motion.

Roll call vote: Cronic-aye, Fitting – aye, Romano-aye, Sabatino-aye, Ashton-aye, Rassweiler-aye, Fulper-aye

Attorney Palilonis announced that no further notice is necessary if there is less than fifteen percent impervious coverage, otherwise noticing again will be required.

CORRESPONDENCE

Attorney Palilonis inquired on the status of Mr. Tillet's anticipated application to the Board. The Board Secretary reported that Mr. Tillet sent an e-mail to the Zoning Officer indicating he complied with the violation and requesting the Zoning Officer inspect his property. At this point he has not applied to the Board of Adjustment for relief from the previous resolution.

1. Zoning Denial B 28 L 16 – 13 Hewitt Rd.

This denial is related to the construction of a pole barn, the property owner will be submitting an application to the Zoning Board of Adjustment.

APPROVAL OF 6/26/18 BIL LIST

The bill list was presented for approval. All were in favor by voice vote.

DISCUSSION:

There were no items for discussion.

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OPEN TO PUBLIC:

There were no comments from any public.

ADJOURNMENT:

A motion to adjourn was made by Mr. Cronic, seconded by Mr. Ashton. All members voted in favor of adjournment at 8:58PM.

Respectfully submitted,

Christine A. Rosikiewicz