

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
BOARD OF ADJUSTMENT MINUTES
September 23, 2008

Roll Call: Durfee, Eller, Truman, Vitalos – 4 Present.

Absent: Mangiacotti, Post, Semonche – 3 Absent

Vacancy: 2 Vacancies

Also Present: Stuart Ours, Esq., Board Attorney
Rudy Beschere, Zoning Officer
Ann Kilduff, Clerk

Chairman Eller led the members of the Board in the flag salute and read the Open Public Meetings Act into the Record.

MINUTES:

Regular Meeting – August 26, 2008

Chairman Eller entertained additions or corrections to the minutes. Hearing none, it was moved by Truman, seconded by Vitalos, that the minutes of the regular meeting held August 26, 2008 be approved as submitted.

Roll Call: Durfee, Truman, Vitalos, Eller -
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

RESOLUTIONS:

Case #2008:10 – Maureen Grasso, 60 E. Washington Avenue

It was moved by Truman, seconded by Vitalos, that the resolution be adopted as approved at the August meeting granting the operation of a gaming center club.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

Case #2008:11 – Maynard McNeil – 110 Sunrise Terrace

It was moved by Durfee, seconded by Truman, that the resolution be adopted as approved at the August meeting granting the construction of a deck.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

Board of Adjustment Minutes
September 23, 2008

Case #2008:12 – Barbara & Kevin Serridge – 30 Nunn Avenue

It was moved by Durfee, seconded by Truman, that the resolution be adopted as approved at the August meeting granting the expansion of a drive apron and parking area.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

APPLICATIONS:

Case #2008:13 – Shawn Gallic – 101 W. Washington Avenue – Block 99 Lot 11 B2 Zone

This application is filed for the purpose of operating a drapery and upholstery workshop.

Mr. Ours stated for any audience members present that this application has been postponed until the October 28, 2008 meeting.

Case #2008:7 – Matthew Miller – 15 Monroe Street – Block 95 Lot 22 OB Zone

This application is filed for the purpose of increasing the size of the drive apron and parking area. In the Zoning Officer's Refusal of Permit, this request is denied for non-compliance with the provisions of Section(s) 94-53 K1, 2, and 7 of the Municipal Zoning Ordinance for the following reason(s): There shall be no parking in the front yard. No driveway shall be located less than 5' from the perpendicular extension of the property line to the curb line. Macadam, concrete or pavers shall be used. This application has been tabled from the May 27, 2008 meeting.

Mr. Ours verified that all members present have heard the testimony given at the meeting on May 27th. Mr. Miller stated that estimates are higher than expected and they are currently in discussions with the seller. He is willing to remove the front porch and is currently getting the finances together to do so. This will give 21' to the front of the house, but they will still be on the property line on the left side of the property. Mr. Miller stated he has been working with the zoning officer.

Chairman Eller asked Mr. Bescherer for his thoughts on this application. Mr. Bescherer stated he will let the applicant park in the current area until this is resolved. He suggested giving the applicant eighteen months to complete this project due to the court's schedule. The board discussed options for the driveway with regard to the stairs and landing near the front door.

Chairman Eller noted there was no one in the audience in regards to this application.

It was moved by Durfee, seconded by Truman, to grant an eighteen-month variance for a two-car driveway with the existing 15' drive apron paved as per zoning 1' from westerly side of the property line with a maximum width of 20'. The front porch will be removed. This is a unique property and was bought not knowing the circumstances. There will be no detriment and will provide off-street parking as well as a positive improvement to the neighborhood. The board permits parking as is in the yard until the work is complete.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

Board of Adjustment Minutes
September 23, 2008

Case #2008:14 – E. Dolores Wilkinson – 17 Grand Avenue – Block 9.02 Lot 4 R2 Zone

This application is filed for the purpose of enlarging the garage to 8' x 20'. In the Zoning Officer's Refusal of Permit, this request is denied for non-compliance with the provisions of Section(s) 94-37 B of the Municipal Zoning Ordinance for the following reason(s): The minimum distance of any accessory building to the property line shall be 5'.

Attorney Ours stated notices are in order. The Board has jurisdiction to hear this case. Elsie Delores Wilkinson was sworn in for her testimony.

Mrs. Wilkinson stated she would like to extend her garage 8 feet to the left of her property as she needs more room in the garage to help her handicapped husband get into the car.

Mr. Ours asked how far the garage is from the rear of the property line. Mrs. Wilkinson stated approximately 90 feet.

Chairman Eller noted there was no one in the audience in regards to this application.

It was moved by Vitalos, seconded by Truman, to approve the variance to expand the garage. There will be no public detriment. It is to be built on the left side of the existing garage as per the plans submitted and be 8' wide and 20' deep.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

Case #2008:15 – Donna Stackhouse – 23 Valley View Terrace – Block 41 Lot 14 R2 Zone

This application is filed for the purpose of adding a sunroom, kitchen and porch to the house. In the Zoning Officer's Refusal of Permit, this request is denied for non-compliance with the provisions of Section(s) 94-76 B3 & 4 of the Municipal Zoning Ordinance for the following reason(s): The side yard shall not be less than 8' and the rear yard shall not be less than 40'.

Attorney Ours stated notices are in order. The Board has jurisdiction to hear this case. Mrs. Stackhouse was sworn in for her testimony.

Mrs. Stackhouse stated she would like to expand her kitchen and dining area into the sunroom in the back of the house. She has owned this property for nine years. It is a small old house built in the 1950's and is in need of an update. The dining room is at the 6' line on the side of the property. The addition will be going out the back sunroom and include a small deck. There will be a bow window over the kitchen sink and a sliding glass door on the deck. The deck goes 7' past the 40' mark.

Chairman Eller asked if the addition will go past the neighbor's houses. Mrs. Stackhouse stated it will probably not go past their deck. Mr. Ours asked the dimensions of the property. Mrs. Stackhouse stated the property is 60' by 120'. There is a metal fence and hedge between the property lines. The deck will be 7.5' x 4'.

Chairman Eller noted there was no one in the audience in regards to this application.

Mr. Ours stated this is a pre-existing, non-conforming structure. The narrow, undersized lot was laid out prior to zoning laws and feels there will be no detriment to the public good if a variance is granted.

Board of Adjustment Minutes
September 23, 2008

It was moved by Vitalos, seconded by Truman, to grant two C variances on the existing non-conforming structure. There will be no detriment to the public good and will be adding to the property value. The building shall not surpass 37.5' mark excluding stairs and shall be built as per the drawings submitted.

Roll Call: Durfee, Truman, Vitalos, Eller –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

COMMUNICATIONS:

The September New Jersey Planner was received.

REPORTS:

There were no reports at this meeting.

REMARKS:

Chairman Eller reminded the board to be specific and stick to the facts when making motions.

The board discussed options on how to have the applications run more smoothly. It was decided surveys and pictures are very helpful and the addition of a checklist was suggested.

Hearing no further business to come before the Board, a motion was made by Vitalos, seconded by Durfee, that the meeting be adjourned at 9:26 p.m.

Ayes: 4, Nays: 0.
Motion carried.

Respectfully submitted,

Frank Mangiacotti, Secretary