

REORGANIZATION & REGULAR MEETING

**Lebanon Township Board of Adjustment
Municipal Building 530 West Hill Road Glen Gardner, N.J.**

January 23, 2008

The Reorganization and Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:34 p.m. by Board Secretary Gail Glashoff. Present were: Mr. Kozlowski, Mr. MacQueen, Mr. Terzuolo, Mr. Perry, Mr. Abuchowski, 2nd Alternate Maurizio, Attorney Gallina and Planner Bolan. Excused: Mr. Machauer, Mr. Nagie and Mr. Eberle.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Board of Adjustment has scheduled their Reorganization & Business Meeting for January 23, 2008 at 7:30 p.m. prevailing time in the Main Meeting Room in the Municipal Building. The Business portion of the meeting will start at the conclusion of the Reorganization Meeting. Notice of this meeting was published in the Hunterdon Review on January 16, 2008 and in the Hunterdon County Democrat on January 9, 2008 and January 17, 2008. Copies of the agenda were sent to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on January 16, 2008.

SWEAR IN:	<i>Al Nagie</i>	<i>Class IV</i>	<i>4 Year Term</i>
	<i>Andrew Kozlowski</i>	<i>Class IV</i>	<i>4 Year Term</i>
	<i>Joseph Maurizio</i>	<i>Class IV</i>	<i>2 Year Term</i>

At this time Attorney Gallina swore in Mr. Kozlowski and Mr. Maurizio. Mr. Nagie will be sworn in at the next regular meeting. The board congratulated Mr. Kozlowski and Mr. Maurizio.

NOMINATIONS FOR CHAIRMAN:

Ms. Glashoff asked for nominations for Chairman. Motion by Mr. Kozlowski and seconded by Mr. Abuchowski to nominate Bruce Terzuolo for Chairman. Being no further nominations, motion by Mr. Perry and seconded by Mr. Maurizio to close the nominations. Unanimously approved. Congratulations to Mr. Terzuolo. Chairman Terzuolo took over the meeting at this time.

NOMINATIONS FOR VICE CHAIRMAN:

Chairman Terzuolo asked for nominations for Vice Chair. Motion by Mr. MacQueen and seconded by Mr. Perry to nominate Mr. Abuchowski as Vice Chairman. Being no further nominations, motion by Mr. MacQueen and seconded by Mr. Perry to close the nominations. Unanimously approved. Congratulations to Mr. Abuchowski.

APPOINTMENTS:

- a. John Gallina, Esq.*
- b. Michael Bolan, P.P.*
- c. Steve Risse, Engr. Bayer/Risse Engrs.*
- d. Gail W. Glashoff, Board Secretary*
- e. Guy Wilson, Esq. (Alternate Atty)*
- f. Lucy Grozinski, Court Stenographer*

Chairman Terzuolo asked for a motion to appoint the above list of appointments. Motion by Mr. MacQueen and seconded by Mr. Perry to appoint the above list of appointees. Unanimously approved. Chairman Terzuolo asked Planner Bolan to inform the board of his situation. Planner Bolan stated that as of January 1st he is the sole independent contractor after leaving Banisch Associates of 21 years. Planner Bolan said that he is essentially keeping 3- 4 municipal clients, which are Lebanon Township, Hopewell Township and Harrison Township with a few other small municipal clients along with several private clients. Planner Bolan noted that he has represented Lebanon Township for 20 years and would like to continue. Mr. MacQueen noted that Michael has been appointed to the Planning Board and Township Committee. The board said that they have been very happy with Planner Bolan and want to continue with him as their Planner. Planner Bolan thanked the board.

**Lebanon Township Board of Adjustment
Reorganization and Regular Meeting
January 23, 2008
Page 2**

ADOPT RESOLUTIONS:

- a. Annual Notice Schedule
- b. Authorizing Agreement for Professional Services

Ms. Glashoff reviewed for the board the Annual Notice Schedule. Ms. Glashoff noted the meeting for November will be November 12th and in the event the board is in the middle of a public hearing, December 10th would be the date for a continuation, if it occurred. Everything else stays the same. Ms. Glashoff stated that the Authorizing Agreement is the same as last year. Motion by Mr. MacQueen and seconded by Mr. Perry to adopt both resolutions as presented. Unanimously approved.

ADOPT RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACT FOR BOARD PROFESSIONALS:

Ms. Glashoff informed the board that this resolution covers both boards and briefly went over the resolution. Motion by Mr. MacQueen and seconded by Mr. Perry to adopt the resolution authorizing the award of non-fair and open contract for board professionals. Unanimously approved.

ADOPT PROFESSIONAL CONTRACTS:

- a. John Gallina, Esq.
- b. Michael Bolan, P.P.
- c. Steve Risse, Engr. Bayer/Risse, Engrs.
- d. Guy Wilson, Esq. (Alternate Atty) Letter of Intent

Ms. Glashoff informed the board that Attorney Gallina and Planner Bolan's contracts are the same as 2007. Bayer/Risse's contract went up \$10.00 per hour. The Bayer/Risse contract has not had an increase in a few years. Attorney Wilson's rate is the same as Attorney Gallina. Motion by Mr. Abuchowski and seconded by Mr. Maurizio to adopt all professional contracts as presented. Unanimously approved.

APPOINT APPLICATION REVIEW COMMITTEE:

After a brief discussion, motion by Mr. Abuchowski and seconded by Mr. Kozlowski to appoint the following people to the application review committee: Mr. Terzuolo, Mr. Perry and Ms. Glashoff with Mr. Kozlowski as the alternate. Unanimously approved.

PRESENTATION OF MINUTES: November 28, 2007 Regular Meeting

After a brief discussion, motion by Mr. Kozlowski and seconded by Mr. Abuchowski to approve the minutes as amended. Unanimously approved.

RESOLUTION:

George Vassiliades	Block #59	Lot #32
Variance to build on a private road with conditions	Safari Trail	R3

After a brief discussion, motion by Mr. Kozlowski and seconded by Mr. Abuchowski to approve the resolution for a variance to build on a private road with conditions as corrected.

ROLL CALL	Yes: Mr. Kozlowski	Abstain: Mr. Maurizio	Absent: Mr. Machauer
	Mr. MacQueen		Mr. Nagie
	Mr. Terzuolo		Mr. Eberle
	Mr. Perry		
	Mr. Abuchowski		

Chairman Terzuolo read into the record the letter received from Engineer Risse regarding the inspections of the private road Safari Trail from the application of George Vassiliades that came before the board.

**Lebanon Township Board of Adjustment
Reorganization & Regular Meeting
January 23, 2008
Page 3**

PRESENTATION OF BILLS:

- a. John Gallina, Esq. \$230.00 – Attend Mtg 11/28/07
 \$201.25 – Escrow for Resolution – G. Vassiliades
 \$287.50 – Escrow, prepare letter for Bd Mtg – M. Sydor
 \$143.75 – Escrow, prepare letter for upcoming Bd Mtg.-Elba
 - b. Bayer/Risse Engrs. \$262.50 – Attend Mtg 11/28/07
 \$262.50 – Escrow-Inspection of private road – G. Vassiliades
 - c. Court Stenographer \$200.00 – Attend Mtg 1/23/08
- Total: \$1,587.50**

Ms. Glashoff informed the board of two additional bills, one escrow bill of **\$350.00** for Engineer Lorentz and one for **\$20.00** for yearly dues for Ms. Glashoff of NJAZPA bringing the grand total of bills to **\$1,957.50**. Motion by Mr. Perry and seconded by Mr. MacQueen to approve the bills as amended. Unanimously approved.

CORRESPONDENCE:

Ms. Glashoff reviewed the correspondence and informed Mr. Maurizio that there are a couple of training classes coming up in March of which he will need to sign up for one of them. Mr. Maurizio signed up for the training class at Merck sponsored by NJPO. Mr. MacQueen asked when the certificates would be forthcoming. Ms. Glashoff will check with NJPO to see when they will be mailed. Ms. Glashoff informed the board that the certificates come from the DCA to NJPO then mailed out to the municipalities.

NEW BUSINESS:

Maria Sydor Block #41 Lot #2.05
361 Vernoy Road Vernoy Road 15
Califon, N.J. 07830

APPEAL Section 400-8.b5
(Ltr Attorney Gallina)

Maria Sydor was present and represented herself. Attorney Gallina referred to his letter dated January 3, 2008. Attorney Gallina reference Section 400-8B(5) which prohibits more than one principal structure on a lot. The applicant is looking to place a residential trailer on the property while their house is undergoing extension renovations, which will render the house uninhabitable. Under Section 344-5 which states it is unlawful to park, locate or install any trailer within the Township other than a duly licensed trailer coach park. Also, in Section 344-16 it addresses the use of a house trailer on private property which may be allowed for a period of 3 months (90 days) being approved by the Township Committee as long as adequate hardship is shown. Attorney Gallina went on and quoted three other sections of the ordinance: Section 344 subsection B & C, Section 344-16E and Section 400-4..

After reviewing his letter for the board and the applicant, Attorney Gallina stated that the Zoning Board does not have jurisdiction in this matter. Chairman Terzuolo informed Ms. Sydor that the Zoning Officer correctly denied the zoning permit but for the wrong reason. Chairman Terzuolo informed Ms. Sydor that she will need to contact the Township Clerk to be placed on the Township Committee's Agenda regarding the trailer. Chairman Terzuolo said that once they are ready to move back into the house, they can get a TCO which will give them the time to remove the trailer. The Construction Official would put a time limit for having the trailer removed before issuing a C.O.

During the discussion, Mr. Kozlowski asked if we could do something regarding the application fee Ms. Sydor paid considering she is before the wrong board. At the conclusion of the board's discussion, motion by Mr. MacQueen and seconded by Mr. Perry to refund Ms. Sydor her application fee of \$200.00. Unanimously approved.

ROLL CALL **Yes:** Mr. Kozlowski Mr. Terzuolo **Absent:** Mr. Machauer
 Mr. Maurizio Mr. Perry Mr. Nagie
 Mr. MacQueen Mr. Abuchowski Mr. Eberle

Attorney Gallina will prepare a Resolution for the next board meeting on February 27th.

Reorganization & Regular Meeting
January 23, 2008
Page 4

Ms. Glashoff informed the board of a request for an extension of time is coming before the board next month. Back on September 13, 2006 the board granted with conditions a variance to Robert Amerman to build on a private road (Antler Road). Mr. Amerman has someone under contract and the 18 months will expire before the person will be able to get their building permits per the condition in the resolution.

OPEN TO THE PUBLIC

Chairman Terzuolo introduced the new Zoning Officer John Fleming to the board. Mr. Fleming stated that he plans on attending all Zoning Board Meetings and went over several items with the board. Mr. Fleming stated that he will have office hours on Monday and Friday from 1:00-4:00 p.m. but will be available for the public 8-10 hours per weeks. The board welcomed Mr. Fleming on board.

Being no further business to come before the board, nor comments from the public, motion by Mr. Perry and seconded by Mr. MacQueen to adjourn the meeting at 8:23 p.m. Unanimously approved.

CHAIRMAN BRUCE TERZUOLO

GAIL W. GLASHOFF, BOARD SECRETARY