

## REGULAR MEETING

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

**February 28, 2007**

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:32 p.m. by Chairman Bruce Terzuolo. Present were: Mr. Kozlowski, Mr. MacQueen, Mr. Perry, Mr. Nagie, Mr. Abuchowski, Mr. Eberle, Attorney Gallina and Planner Bolan.

Notice of this meeting was provided for in the "Annual Meeting Notice Schedule" and adopted by this board on January 10, 2007, mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on February 21, 2007.

**PRESENTATION OF MINUTES:** January 10, 2007 Reorganization Meeting

Motion by Mr. Kozlowski and seconded by Mr. Abuchowski to approve the minutes as presented. Unanimously approved.

### **PRESENTATION OF BILLS:**

- a. John Gallina, Esq. \$230.00 – Attend Mtg 1/10/07
- b. Robert Lorentz, Engr. \$140.00 - Amerman (Escrow)
- c. Banisch Associates \$250.00 – Attend Mtg 11/8/06  
\$ 41.10 – McGreevy ( Escrow)
- d. Court Stenographer \$200.00 - Attend Mtg 2/28/07

**Total: \$861.10**

Motion by Mr. Nagie and seconded by Mr. Eberle to approve the bills for payment as presented. Unanimously approved.

### **CORRESPONDENCE:**

- a. New Jersey Planner
- b. Law Bulletin January, 2007
- c. Memo from Engineer Lorentz re: Amerman
- d. Memos from Zoning Officer Bill Skene: re: Block #37 Lot #31 & Ordinance on Animal Farms

**FYI: Enclosed in your packets is the Report of activity for 2006. We will have a Workshop Meeting to prepare our Annual Report.**

The board will hold a workshop on April 11, 2007. Besides working on the Annual Report, the memo from the Zoning Officer Bill Skene will also be addressed per Planner Bolan.

### **ANNOUNCEMENT:**

Thanks to the recommendation from Chairman Terzuolo, the Township Committee has appointed Joseph Maurizio of Little Brook Road to fill the Alternate II position. Joe will be sworn in at the March Meeting.

### **UNFINISHED BUSINESS:**

Cingular Communications Block #24 Lot #20  
c/o Judith Babinski, Esq. Route 513 R3  
Pitney Hardin, LLP  
P.O. Box 1945  
Morristown, N.J. 07962

### **CONTINUATION OF A PUBLIC HEARING**

Conditional Use/Site Plan/Variances  
Cell Tower in a Residential Zone as  
A third use on the property

Ms. Glashoff read the letter received from Attorney Babinski requesting an adjournment with extending the time. The new continuation date is June 27, 2007 and the extension will be through July 31, 2007. Ms. Glashoff reviewed for the board the dates and adjournments that have transpired since the application was deemed complete in February 2006. The board discussed this

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issue at length and in conclusion instructed Ms. Glashoff to write a letter to Attorney Babinski informing her that the board expects Cingular to be ready to continue with this application on June 27<sup>th</sup> and in the event that they do not continue on said date, the board will deny this application without prejudice at the June 27, 2007 meeting.

**NEW BUSINESS:**

Little Brook Nursing Home  
c/o Bethane Properties  
76 Sliker Road  
Glen Gardner, N.J. 08826

Block #48 Lot #2.01  
Sliker & Pleasant Grove Road R3

**PUBLIC HEARING**

Conditional Use/Site Plan

Attorney Gallina announced that all but one of the notices is in order which is the one for the mailing to the utility companies. Attorney Joseph Vena was present along with the applicant. Since the applicant did the mailing, Attorney Vena was unaware of what happened. Attorney Gallina explained that notices to the utility companies is done with all applications requiring a public hearing. Planner Bolan noted this was a change in the MLUL a few years ago, that notice to utility companies is required by law. Attorney Gallina informed the board that he will be on vacation the last week in March and will not be available for the March 28<sup>th</sup> meeting. We do have alternate counsel. Attorney Vena stated that they would not have a problem proceeding on March 28<sup>th</sup> without board counsel being present. When the board offered April 25<sup>th</sup>, Attorney Vena informed the board that they are under the gun because of state licensing. The board offered the second Wednesday in April, but Attorney Vena declined. After a discussion by the board with Attorney Gallina and Attorney Vena, per Attorney Gallina, this application is rescheduled to the March 28<sup>th</sup> Regular Meeting of the board since the board did not have jurisdiction to proceed this evening. Property owners will be re-notified along with the utility companies and the newspaper. Ms. Glashoff will contact the board's alternate attorney Guy Wilson.

Being no further business to before the board, nor comments from the public, motion by Mr. Nagie and seconded by Mr. MacQueen to adjourn the meeting at 7:55 p.m. Unanimously approved.

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**CHAIRMAN BRUCE TERZUOLO**

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**GAIL W. GLASHOFF, BOARD SECRETARY**