

Lebanon Township Board of Adjustment
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the zone. The applicant believed that they were able to use their property. There are legal arguments to allow them to continue to use the property within that use. Instead of dealing with those issues the applicant has agreed to come before the board and has requested a Conditional Use for his business.

Vice Chairman Abuchowski asked Engineer Risse to review the checklist including the requested waivers by the applicant. Engineer Risse stated the applicant is requesting partial waivers from the following: Item #33- 2' contours, these are shown within the developed area, Item #35- this refers to water courses, streets & roads. They have provided this information within 500' of the home site and buildings of the developed area, Item #43- isolated trees, flood hazard, wooded areas, ROW. They have provided this information within 500' of the developed portion of the property, Item #45- Environmental Inventory Plan. Recommend granting this waiver since no construction is proposed at this time. Engineer Risse recommended granting partial waivers for Items #33, 35 & 43 and with Item #45 in the event that something comes up during the hearing then the applicant would need to address it. At the conclusion of the board's discussion, motion by Mr. MacQueen and seconded by Mr. Nagie to grant the partial waivers for Items #33, 35, 43 & 45 and deem the application complete and set a public hearing date. Unanimously approved. Ms. Glashoff offered April 22, 2009 for the Public Hearing. Attorney Gruenberg agreed to the date and will notice accordingly.

Mr. Kozlowski announced he is stepping down from the next application due to a conflict of interest. Chairman Terzuolo returned to the board.

NEW BUSINESS:

Patrick Allen
666 JIN XIU Road
No. 9 Apt. 1102
Pudong, Shanghai, China

Block #16 Lot #64
Old Readingsburg Road RC 7½

PUBLIC HEARING Rebuild second house on private road with additional variances
Section 400:8.b7 & Section 400: Attachment 4:1

Attorney Gallina informed Attorney Boak the applicant's attorney and the board the notices to the Public Utilities had not be served. Attorney Boak stated that he thought they only needed to be served for a Major Subdivision or Major Site Plan. Planner Bolan noted that every Site Plan is considered a Major Site Plan since we do not have an application for a Minor Site Plan. Attorney Gallina asked if the applicant was also seeking variance relief. Attorney Boak answered yes. Attorney Gallina informed Attorney Boak that the Utilities would need to be noticed. Attorney Boak stated he would have to ask for a continuance. Attorney Gallina said a complete re-noticing would have to be done and Chairman Terzuolo concurred stating this is how we have handled it in the past.

Ms. Glashoff was asked if an extension of time was needed. Ms. Glashoff said yes. Ms. Glashoff noted the board meeting dates that are already taken and offered May 27th which is available. The board discussed dates at length. Ms. Glashoff informed Attorney Boak that she will need a letter for an extension of time. Chairman Terzuolo asked about April 29th. Ms. Glashoff said since it is the 5th Wednesday, it is available. Motion by Mr. MacQueen and seconded by Mr. Maurizio to hold a Special Meeting on April 29th at 7:30 for the Public Hearing of Patrick Allen. Unanimously approved.

Ms. Glashoff said she will contact Transtar's attorney tomorrow to confirm April 8th. Mr. MacQueen asked if Transtar is a continuation and if so is an extension of time needed. Ms. Glashoff will check on the extension of time. Mr. MacQueen asked when was the last time Transtar was in before the board. Ms. Glashoff said it was last October when they started the public hearing and since then the board has received copies of the transcript. Attorney Gallina noted that you don't get that many chances and an application will go stale. The board will need to make a decision on April 8th. Ms. Glashoff informed the board that this application has gone to court and remanded back to the board. Ms. Glashoff reconfirmed that she will contact Transtar's attorney tomorrow to confirm they will be in on April 8th.

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PRESENTATION OF BILLS:

- | | |
|-----------------------|---|
| a. John Gallina, Esq. | \$402.50 – Attend Mtg 3/11/09 Phone confs. Bd Chair
\$287.50 - Escrow (Tsakalagos) Prepare Resolution
\$230.00 - Escrow (Amerman) Prepare Resolution
\$431.25 - Escrow (JCP&L) Prepare Resolution |
| b. Michael Bolan, PP | \$316.80 - Attend Mtg 2/25/09
\$639.00 - Escrow (JCP&L Co.) Review Plans, site
Inspection, prepare memo |
| c. Bayer/Risse Engrs. | \$ 56.80 - Escrow (Tsakalagos) Review application
\$358.50 - Prepare & Attend Mtg 2/25/09
\$358.50 - Escrow (Edwards) review revised plans,
phone conf. with applicants Engr. prepare
review letter. |
| d. Court Stenographer | \$200.00 - Attend Mtg 3/25/09 |
| | Total: \$3,280.85 |

Motion by Mr. MacQueen and seconded by Mr. Nagie to approve the bills as presented.
Unanimously approved.

CORRESPONDENCE:

- a. Zoning Practice - March 2009

Being no further business to come before the board, nor comments from the public, motion by Mr. Nagie and seconded by Mr. Perry to adjourn the meeting at 8:10 p.m. Unanimously approved.

CHAIRMAN BRUCE TERZUOLO

GAIL W. GLASHOFF, BOARD SECRETARY