

REGULAR MEETING

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

March 26, 2008

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:36 p.m. by Chairman Bruce Terzuolo. Present were: Mr. MacQueen, Mr. Perry, Mr. Nagie, Mr. Abuchowski, 1st Alternate Eberle, 2nd Alternate Maurizio and Attorney Gallina. **Excused:** Mr. Machauer and Mr. Kozlowski.

Notice of this meeting was provided for in the “Annual Meeting Notice Schedule” adopted by this board on January 23, 2008, 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 March 19, 2008.

SWEAR IN: Al Nagie Class IV 4 Year Term

Attorney Gallina did the honors and sworn in Mr. Nagie for a 4 year term to the board. Board congratulated Mr. Nagie.

PRESENTATION OF MINUTES: February 27, 2008 Regular Meeting

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

RESOLUTIONS:

Lisa Falcon, MD Block #35 Lot #37
Extension of Time Antler Road RC

Motion by Mr. Maurizio and seconded by Mr. Eberle to approve the Resolution for an Extension of Time.

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

Robert & Sherry Dell Elba Block #69 Lot #15
Bulk Variances with conditions Musconetcong River Road R 1½

Motion by Mr. Abuchowski and seconded by Mr. Eberle to approve the Resolution for Bulk Variances with conditions.

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

PRESENTATION OF BILLS:

- a. John Gallina, Esq. \$287.50 – Attend Board Mtg 2/27/08
\$345.00 – Escrow-Resolution for **Falcon**
\$201.25 – Escrow-Resolution for **Dell Elba**
 - b. Michael Bolan, PP \$260.00 – Attend Board Meeting 2/27/08
 - c. Bayer/Risse Engrs. \$747.50 - Escrow for **Transtar Site Plan**
\$230.00 - Escrow for **Giordano**
 - d. Court Stenographer \$200.00 – Attend Mtg 3/26/08
- Total: \$2,271.25**

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

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Adam Duckworth & Maria Naccaroto
176 Musconetcong River Road
Washington, N.J. 07882

Block #69 Lot #44
Musconetcong River Road R 1½

PUBLIC HEARING Bulk Variances Section 400-Attachment 4:1 Schedule I

The applicants, Adam Duckworth and Maria Naccarato were sworn in to give testimony. Attorney Gallina announced that all the notices are in order and the board can proceed with the hearing. Attorney Gallina informed the board that one property owner was not noticed in the 10 day period but that they wrote a letter waiving the 10 day notice requirement. The following items were marked into evidence: **A1-Zoning Denial, A2-Taxes Paid, A3-Certified List of Property Owners, A4-POD Slips, A5-Affadavit of Proof of Service, A6-Notice to Property Owners, A7-Notice in Newspaper, A8-Letter from Maxine Volger waiving the 10 day notice requirement.** Mr. Duckworth made a presentation to the board stating their property is approximately .76 acres. The house is 900 square feet in size with 1 bedroom. The overview was marked into evidence as **A9-Overview** dated March 4, 2008. Mr. Duckworth had the survey marked. **A10-Survey** prepared by Eldon Allen, Licensed Land Surveyor, dated February 29, 2008.

Mr. Duckworth informed the board that the County Board of Health and Lebanon Township Board of Health has approved the septic system for a 3 bedroom home. At present they have a cess-pool. With the new addition they will have a total of two bathrooms. Mr. Duckworth stated that he had looked into purchasing adjoining property to make his lot more conforming and found that it would only make those lots less conforming. At present there are two non-conforming sheds which will be removed and one new shed placed in the back portion of the property. A variance will be needed because the lot is narrow in the rear portion. Mr. Duckworth noted that a number of Green Building practices are being evaluated as part of the project. They are looking to use geothermal heating and cooling, stone and fiber cement exterior siding, recycled insulation as a few options. At the conclusion of the applicant's presentation, the board asked questions of the applicant.

Chairman Terzuolo opened the hearing to the public for questions. There were none. He then opened the hearing to the public for statements and comments. There were none. Chairman Terzuolo asked the applicant to give his summation. At the conclusion of the summation, Chairman Terzuolo announced that the evidence taking portion of the hearing is now closed.

The board deliberated at this time. The board felt that this would not be a detriment to the neighborhood or the public good. Since the lot is only .76 acre in an R1½ zone and has probably existed before zoning, this would be an undo hardship. Also, that constructing the addition and relocating the shed will not cause any substantial detriment to the public good or be detrimental to the zone plan and zoning ordinance. Chairman Terzuolo reviewed the letter from Attorney Gallina regarding this application. At the conclusion of the board's deliberations, motion Mr. MacQueen and seconded by Mr. Perry to grant the bulk variances requested with conditions:

- a. The two existing sheds to be removed and the new shed not to be closer than 5' to either side yard or rear yard setback.
- b. Approval of all outside agencies having jurisdiction including but not limited to the Hunterdon County Board of Health.
- c. Building permits to be obtained within 18 months of the date of the Resolution..
- d. The proposed addition will be built in the location as shown on the survey of Stan Norkevich, PLS (Exhibit A8)

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

Attorney Gallina will prepare the Resolution to be on the next meeting on April 23, 2008.

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ITEM FOR DISCUSSION:

- a. Annual Report 2008**
(Board will review/approve if there is time)

This will be on the agenda for the next meeting.

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 9:06 p.m. Unanimously approved.

CHAIRMAN BRUCE TERZUOLO

GAIL W. GLASHOFF, BOARD SECRETARY