

REGULAR MEETING

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

August 12, 2020

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:31 p.m. by Vice Chairman Abe Abuchowski. Present were: Mr. Eberle, Mr. Locker, Mr. Kozlowski, 1st Alternate Guevara, Attorney Gallina, Engr. Risse & Planner Kyle. **Excused:** Mr. Terzuolo, Mr. MacQueen, Mr. Maurizio & 2nd Alternate Sachs.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 22, 2020, faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the Lebanon Township Website and on the Bulletin Board in the Municipal Building on August 5, 2020.

NEW BUSINESS:

Judith & Robert Campolattaro
106 Mt. Lebanon Road
Glen Gardner, N.J. 08826

Block #50 Lot #8
Mt. Lebanon Road R1.5 & RC zone

PUBLIC HEARING

Waiver from Checklist Item #11
D2 Use Variance to expand a non-conforming use to
have a deck and front porch ramp on House Trailer

Ms. Judy Campolattaro and her son Robert Campolattaro were present to make a presentation to the board. Attorney Gallina said that all the notices are in order and the following were marked into evidence: **A1**-Affidavit of Proof of Service, **A2**-Certified List of Property Owners & Utilities, **A3**-Notice to Property Owners & Utilities, **A4**-POD Slips, **A5**-Affidavit of Proof of Publication.

Judith & Robert Campolattaro were both sworn in to give testimony by Attorney Gallina. The applicants are seeking variance relief to install a front porch ramp and a rear deck to the existing house trailer. Ms. Campolattaro stated that permanent steps are needed to enter and exit the house trailer. Also, an outside hookup for a portable generator next to the deck is needed. Ms. Campolattaro said there are sliding doors in the rear that will lead to the deck. They would also like to have a ramp installed in the front of the house trailer so that it would make it easier for Ms. Campolattaros mother to enter & exit the trailer. Ms. Campolattaro noted that her sister has health issues that make it difficult to climb steps.

The proposed deck will measure 16' by 23' and the proposed ramp porch will be 42' by 5'. Planner Kyle noted that if the deck were to have a patio table and chairs the deck width would need to be 23' in order to accommodate these items. Engineer Risse stated that based on the photos submitted the deck length of 16' would be need in order to extend both sliding doors and to cover the existing steps.

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It was noted that the survey prepared by Vincent J. DeNave, P.E. with permission by Eldon Allen were revised to depict the new location of the trailer home and the proposed deck and ramp. The photographs were marked into evidence as **A6**-two sets of photographs. It was also noted that a condition in the prior Resolution of approval the trailer home would be limited to use by family members of the property owner. It was also noted that this requirement was to be in the Deed of the property as a use restriction. The Deed containing this restriction was to be reviewed and approved by the Board Attorney and once the Deed was recorded, it was to be furnished to the Board Attorney. This condition has not be satisfied. It was noted that this would be a condition of any approval by the board.

At the conclusion of the applicant's testimony, the board had a few questions. When opened to the public there were no questions. The board deliberated at this time and at the conclusion of their deliberations, motion by Mr. Eberle and seconded by Ms. Guevara to grant the use variance for a rear deck, front porch ramp and a portable generator hookup pad to the existing house trailer along with the bulk variances with the following conditions:

- a. Applicant shall obtain all other necessary approvals from any outside agencies having jurisdiction including but not limited to the Highlands exemption.
- b. Applicant will pay all necessary fees and escrows payable in connection with the application. The applicant maintain a positive escrow account balance until all conditions have been satisfied and charges paid in full.
- c. The applicant will satisfy the condition from the prior application, in that the new trailer will be limited to use by family members only. This is to be recorded in the deed and filed at the County and a certified copy to be sent to the Board Attorney.
- d. The new trailer deck will measure 16' x 23'. The dimensions of the deck will be corrected on the property survey and the revised survey will be submitted. The rear deck, front porch ramp and portable generator hookup will be constructed in the dimensions and locations as shown on the survey.
- e. Any necessary permits shall be obtained within 18 months of the date of adoption of this Resolution. In the event the permits can't be obtained within the 18 months, the applicant is to come back to the board for a an extension of time per Ordinance Section 45-20.

ROLL CALL	Yes: Mr. Abuchowski	Mr. Kozlowski	Absent: Mr. Terzuolo
	Mr. Eberle	Mr. Locker	Mr. MacQueen
	Ms. Guevara		Mr. Maurizio
			Mr. Sachs

Attorney Gallina will prepare the Resolution to be on the next Agenda of August 26, 2020.

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Michael Baumann
27 Mt. Lebanon Road
Port Murray, N.J. 07865

Block #53 Lot #15
Mt. Lebanon Road RC

PUBLIC HEARING

Bulk Variance for Inground Pool/Pavilion & Storage Shed

The applicant Mr. Baumann was present to represent himself. Mr. Baumann was sworn in at this time. Attorney Gallina said all the notices were in order and the following items were marked into evidence: **A1**-Affidavit of Proof of Service, **A2**-Notice to Property Owners & Utilities, **A3**-Certified List of Property Owners & Utilities, **A4**-POD Slips, **A5**-Affadavit of Newspaper Publication, **A6**-Notice in Newspaper, **A7**-Correspondence from Hunterdon County Planning Board dated 7/8/2020.

Mr. Baumann stated that he would like to install an in-ground swimming pool, a pavilion and a storage shed on his property. His property is 1.06 acres located in the RC zone. Since the lot is undersized he has applied for Bulk Variances. The plan was prepared by David Swanson, Land Surveyor dated 6/19/2020. At present the property consists of a two story frame dwelling with an attached deck. The requirements for a swimming pool is 50' from the property line and the setback is only 40' off the property line for the in-ground pool and pavilion. At the conclusion of Mr. Baumann testimony, the board had a few questions and comments. At the conclusion of the board's questions, the hearing was opened to the public, there were no questions nor comments from the public. When closed to the public the board deliberated at this time. In conclusion, motion by Mr. Kozlowski and seconded by Mr. Locker to grant the Bulk Variances with the following conditions:

- a. The applicant shall obtain all other necessary approvals from outside agencies having jurisdiction including but not limited to Highlands Exemption.
- b. The applicant will pay all necessary fees and escrows payable in connection with the application. The applicant shall be under a continuing duty to maintain a positive escrow account balance until all conditions have been satisfied and all charges paid.
- c. The proposed pool, pavilion and shed will be constructed in the locations as shown on the variance plan prepared by David B. Swanson dated June 19, 2020. The pool and pavilion will have a rear yard setback of 40' and the proposed shed will have a rear yard setback of 27.8. The shed will comply with the height requirements for an accessory structure in the RC zone.
- d. All necessary permits shall be obtained with 18 months of the date of the adopted Resolution. The applicant is advised that Ordinance Section 45-20 that if the extension of this

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Conditions continued:

- d. time period is needed, the request must be made in writing prior to the expiration of the 18 months.

ROLL CALL	Yes: Mr. Abuchowski	Mr. Locker	Absent: Mr. Terzuolo	
	Mr. Kozlowski	Ms. Guevara		Mr. MacQueen
	Mr. Eberle			Mr. Maurizio
			Mr. Sachs	

Attorney Gallina will prepare the Resolution to be on the next Agenda of August 26, 2020.

PRESENTATION OF BILLS:

- a. Court Stenographer \$250.00 – Attend ZBA meeting 8/12/2020
- b. John Gallina, Esq. \$260.00 – Attend ZBA meeting 7/22/2020

Motion by Mr. Kozlowski and seconded by Mr. Eberle to approve the bills as presented. Unanimously approved.

Being no further business to come before the board, nor comments from the public, motion by Mr. Eberle and seconded by Mr. Locker to adjourn the meeting at 8:09 p.m. Unanimously approved.

VICE CHAIRMAN ABE ABUCHOWSKI

KIMBERLY JACOBUS, ACTING SECRETARY

GAIL W. GLASHOFF, BOARD SECRETARY
Prepared the minutes