

**REGULAR MEETING**

**Lebanon Township Board of Adjustment  
Municipal Bldg 530 West Hill Road Glen Gardner, N.J. 08826**

**November 28, 2012**

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:33 p.m. by Chairman Bruce Terzuolo. Present were: Mr. Kozlowski, Mr. MacQueen, Mr. Abuchowski, Mr. Perry, Mr. Nagie, Mr. Eberle, 1<sup>st</sup> Alternate Maurizio, 2<sup>nd</sup> Alternate Machauer and Attorney Gallina.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 25, 2012, faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on November 21, 2012.

**PRESENTATION OF MINUTES:** Regular Meeting October 24, 2012

Motion by Mr. Kozlowski and seconded by Mr. Abuchowski to approve the minutes with a minor correction. Unanimously approved.

**RESOLUTION:**

- a. Deborah Guevara Block #11 Lot #7  
Bulk Variances with conditions Observatory Road R1½

Motion by Mr. Kozlowski and seconded by Mr. MacQueen to approve the resolution of Deborah Guevara for Bulk Variances with conditions with a minor correction.

<b>ROLL CALL</b>	<b>Yes:</b> Mr. Kozlowski	Mr. Perry	<b>Abstain:</b> Mr. Maurizio	
	Mr. MacQueen	Mr. Nagie		Mr. Machauer
	Mr. Terzuolo	Mr. Eberle		
	Mr. Abuchowski			

**The Chairman will announce that the Board will go into Executive Session at this time and ask for a motion.**

Motion by Mr. MacQueen and seconded by Mr. Kozlowski to go in Executive Session. Unanimously approved.

**WHEREAS**, Section 7(b) of the Open Public Meetings Act L. 1975 C.231 NJSA 10:4-12(b)(8) permits the exclusion of the public from Board of Adjustment Meetings where certain matters are to be discussed; and

**WHEREAS**, the Lebanon Township Board of Adjustment is desirous to meet to discuss litigation:

**NOW, THEREFORE BE IT RESOLVED**, by the Lebanon Township Board of Adjustment of the Township of Lebanon, Hunterdon County, New Jersey that this Board met in Executive Session.

**The Chairman will announce that the board will return to the regular meeting to continue with board business at this time. Call for a motion.**

Motion by Mr. MacQueen and seconded by Mr. Eberle to return to the regular meeting. Unanimously approved.

**ITEMS FOR DISCUSSION:**

**a. Budget 2013**

The board questioned the amount with General Code and Gramco. Ms. Glashoff explained the additional cost with General Code was from ordinances being codified. This expense is split 3 ways. Regarding Gramco, the Planning Board had budgeted \$7,500.00 for the cost of having them set up for the hearings (Gen Psych) at the school. In April the Planning Board discussed purchasing a second recording system which would save money in the long run. The balance of money in the Planning Board budget for Gramco was used as their share of the new system with the balance being split between the Township Committee and Board of Adjustment.

**Lebanon Township Board of Adjustment**  
**November 28, 2012**  
**Page 2**

**b. Board Terms Expires:**

Gary MacQueen – Class IV 4 year term  
Lou Perry – Class IV 4 year term

Both Mr. MacQueen and Mr. Perry said they would like to be reappointed.

**c. Set Schedule for 2013** Reorganization – Wednesday January 23, 2013

Chairman Terzuolo announced the Reorganization meeting will be on Wednesday January 23, 2013.

**PRESENTATION OF BILLS:**

- |                       |  |
|-----------------------|--|
| a. John Gallina, Esq. | \$250.00 – Attend ZBA Meeting 10/24/2012 |
|                       | \$406.25 – Litigation (Mesa)             |
|                       | \$218.75 – Escrow ( <b>Guevara</b> )     |
| b. Gail Glashoff      | \$ 17.49 - Staples                       |
|                       | <b>Total: \$892.49</b>                   |

Mr. Kozlowski in reviewing the bills noted the additional bill of **\$523.82** from Attorney Gallina which brings the grand total to **\$1,416.31**. Motion by Mr. Abuchowski and seconded by Mr. Eberle to approve the bills as amended. Unanimously approved.

**CORRESPONDENCE:**

- a. Law of the Land Articles
- b. Law Bulletin
- c. NJPO Newsletter

Mr. Kozlowski had a question for Attorney Gallina regarding the Riordan property on Raritan River Road. Attorney Gallina said Mr. Riordan came before the Board of Adjustment back in 2001 or 2002 and asked Ms. Glashoff for the correct date. Ms. Glashoff noted the date in the Resolution of adoption was November 28, 2001. Attorney Gallina said the applicant had a sun room built without permits and just inches off the property line. Then the applicant ended up in a big dispute with the next door neighbor. The board denied the application and the applicant filed an appeal and just before they went to trial, the applicant withdrew his lawsuit. Attorney Gallina said in the resolution, the applicant was to tear down the sun room. The applicant is still in violation. Mr. Kozlowski said he went to a Township Committee meeting regarding this and was told by the Township Attorney to just let sleeping dogs lie. During the discussion, Mr. Perry noted that someone is building a house with a house already existing on the property on East Hill Road. Ms. Glashoff said that the Zoning Officer & Construction Official will allow construction of a second dwelling with a Temporary CO being issued until the original house is demolished before a CO is issued.

**OPEN TO THE PUBLIC**

Nancy Darios from Butler Park Road wished everyone a Merry Christmas and a Happy New Year.

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 7:50 p.m. Unanimously approved

---

**CHAIRMAN BRUCE TERZUOLO**

---

**GAIL W. GLASHOFF, BOARD SECRETARY**