

**REORGANIZATION & BUSINESS MEETING**

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

**January 23, 2013**

*The Reorganization & Business Meeting of the Lebanon Township Board of Adjustment was called to order at 7:36 p.m. by Board Secretary Gail Glashoff. Present were: Mr. Kozlowski, Mr. Terzuolo, Mr. Perry, Mr. Nagie, Mr. Abuchowski, 1<sup>st</sup> Alternate Maurizio, Attorney Gallina, Planner Bolan and Engineer Risse. Excused: Mr. MacQueen, Mr. Eberle and 2<sup>nd</sup> Alternate Machauer.*

*In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Board of Adjustment has scheduled their Reorganization & Business Meeting for Wednesday January 23, 2013 at 7:30 p.m. prevailing time in the Main Meeting room in the Municipal Building. The Business portion of the meeting will begin at the conclusion of the Reorganization Meeting. Notice of this meeting was published in the Hunterdon Review on December 26, 2012. Copies of the agenda were faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board on January 15, 2013.*

<b>SWEAR IN:</b>	Gary MacQueen	Class IV - Regular	4 Year Term
	Lou Perry	Class IV - Regular	4 Year Term

*Attorney Gallina did the honors and sworn in Mr. Perry to a 4 year term as a Class IV Regular Member. Congratulations Mr. Perry. Mr. MacQueen will be sworn in at the next meeting.*

**NOMINATIONS FOR CHAIRMAN:**

*Ms. Glashoff asked for nominations for Chairman. Motion by Mr. Abuchowski and seconded by Mr. Nagie to appoint Mr. Terzuolo as Chairman. Being no further nominations, motion by Mr. Perry and seconded by Mr. Nagie to close the nominations. Unanimously approved. Congratulations to Mr. Terzuolo. Chairman Terzuolo took over the meeting at this time.*

**NOMINATIONS FOR VICE CHAIRMAN:**

*Chairman Terzuolo asked for nominations for Vice Chair. Motion by Mr. Kozlowski and seconded by Mr. Perry to nominate Mr. Abuchowski as Vice Chair. Being no further nominations, motion by Mr. Nagie and seconded by Mr. Perry to close the nominations. Unanimously approved. Congratulations to Mr. Abuchowski.*

**APPOINTMENTS:**

- a. John Gallina, Esq.
- b. Michael Bolan, PP
- c. Stephen Risse, Engr. – Bayer/Risse Engrs.
- d. Gail W. Glashoff, Board Secretary
- e. Lucy Grozinski, Court Stenographer
- f. Guy Wilson, Esq. (Alternate Board Attorney)
- g. James Kyle, PP (Alternate Planner)

*Motion by Mr. Maurizio and seconded by Mr. Kozlowski to appoint all the above. Unanimously approved.*

**ADOPT RESOLUTIONS:**

**a. Authorizing Agreement for Professional Services**

*Ms. Glashoff reviewed for the board the Authorizing Agreement and informed the board this Resolution will be published in the Hunterdon Review. Motion by Mr. Abuchowski and seconded by Mr. Perry to adopt the Resolution. Unanimously approved.*

**b. Annual Notice Schedule 2013**

*Ms. Glashoff reviewed for the board the meeting dates for 2013 and informed the board that the meeting dates will also be published in the Hunterdon Review. Motion by Mr. Nagie and seconded by Mr. Perry to adopt the Resolution for the Annual Notice Schedule 2013. Unanimously approved.*



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and make it a park or he could restore the home under the Municipal Code 220 which has to do with Flood Compliance. Mr. Moore said he chose to rebuild. Mr. Moore said he is requesting a variance so he may rebuild his home. He will elevate it 4' which is one foot more than is required. The house will be repositioned on the improved foundation with plans that were prepared by his structural engineer. At the conclusion of Mr. Moore's testimony, there were no questions from the board, or the board's professionals. When opened to the public for questions, there were none.

At this time, Mr. Moore turned the presentation over to his Engineer/Land Surveyor/Planner Terrel Essig. Engr. Essig was sworn in at this time by Attorney Gallina. Engr. Essig said the lot is long and narrow and is non-conforming in the R3 zone. All the lots in the area are all non-conforming along the river. Engr. Essig noted the lot is in the Wetlands Transition Area, Highlands and the Flood Zone. Engr. Essig stated that Environmentalist Ed Cook took Mr. Moore's application thru the DEP and has gotten approval and permission to do what we have planned by rule. Engr. Essig referred to a letter from the DEP. Attorney Gallina marked the following: A8-Letter from D.E.P. from Damian Friedel, PE & Environmental Engineer dated October 5, 2012 titled "Flood Hazard Applicability Determination". Engr. Essig also asked to have the following items marked: A9-Letter from H.C. Planning Board dated November 27, 2012 and A10-Letter from H.C. Soil Conservation District dated November 26, 2012.

Engr. Essig said the floor elevations are 1' above what FEMA requires. The plan shows the existing elevations and the proposed elevations. They will be going 4' which is 1' above the requirement of FEMA. Engr. Essig referred to the Architects plans. The following was marked into evidence: A11-6 sheets of plans dated October 12, 2012 prepared by Alexander T. Polaski Architects. Ms. Glashoff handed out to the board the architects plans. Mr. Essig referred to sheet 2 during his testimony. Engr. Essig then referred to sheet 3. At the conclusion of Engr. Essig's testimony, Chairman Terzuolo asked if the board had any questions. Engineer Risse said the plans are in compliance with the Flood Ordinance of the Township. Planner Bolan asked about the footage for the rear yard setback. It shows on the plan as 71.6 going into the river but from the corner of the building it shows 98.6. Engr. Essig said it scaled differently. Planner Bolan noted either way it complies. Planner Bolan asked about the height of the building since it is not shown on the plan. Engr. Essig said the height of the house is less than 35' and thought it was about 21' since it is a 1 story ranch. Chairman Terzuolo opened the hearing to the public for questions. There were none.

Engineer Essig gave his summation at this time. During his summation, Engr. Essig noted that regardless on how you configure the house, there is a need for variances because of the size of the lot. Engr. Essig said the benefits outweigh the detriments and it would improve the neighborhood as far as safety. Attorney Gallina asked if this would satisfy the objectives of the MLUL with doing these improvements. Engr. Essig said yes. Chairman Terzuolo asked if the board had any questions. The following board members had questions: Mr. Perry, Mr. Maurizio and Planner Bolan. Chairman Terzuolo opened the hearing to the public for comments and statements. Mr. Gene Slowinski was sworn in. Mr. Slowinski said he is a neighbor to Mr. Moore and he supports the application of Mr. Moore. Mr. Slowinski said he has been a neighbor to Mr. Moore for 6 years. Ms. Maryann Bowles was sworn in. Ms. Bowles said she lives next to Mr. Moore at 190 Raritan River Road and expressed concern with all the heavy truck traffic that will be coming down the private road during construction. Ms. Bowles said the private road is very narrow and is in need of repair. There is a curve next to her property that is only 10' wide and has an 80 degree turn. Ms. Bowles was concerned that there might be damage to her property during construction. Chairman Terzuolo said he did not think the board had any jurisdiction over that issue. Attorney Gallina asked Engr. Essig if he could shed some light on this issue. Engr. Essig said he didn't know if the private road was a legal easement but said the neighbors need to get together and resolve this issue since trucks will be using the private road. Attorney Gallina said the board doesn't get involved with access between neighbors. Engr. Essig said they can get onto the property from the back but will need to take care because of the location of the septic tank & septic field.

At the conclusion of the testimony, Chairman Terzuolo asked to have Planner Bolan sworn in to give his testimony. Planner Bolan said he visited the site along with reviewing the application and questions that he had were answered during Engr. Essig testimony. This is a very straight forward variance application. Engr. Risse was sworn in to give his testimony. Engr. Risse said the Township applied for a grant through FEMA for the homes that were damaged during Hurricane Irene along Raritan River Road. Engr. Risse said we got approval for the grant in



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***CORRESPONDENCE:***

- a. Law of the Land Articles (5)*
- b. Law Bulletin – December 2012 & January 2013*
- c. NJPO Newsletter – Nov/Dec 2012*
- d. H.C. Soil Conservation District & H.C. Planning Board Letters – Re: L. Moore*

*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 8:35 p.m. Unanimously approved.*

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***CHAIRMAN BRUCE TERZUOLO***

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***GAIL W. GLASHOFF, BOARD SECRETARY***