

REGULAR MEETING

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

March 24, 2021

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:30 p.m. by Chairman Wayne Eberle. Present were: Mr. MacQueen, Mr. Kozlowski, Mr. Locker, Mr. Maurizio, Ms. Guevara, 1st Alternate Mr. Sachs, 2nd Alternate Derek Porcino and Attorney Gallina. **Excused:** Mr. Terzuolo.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on February 24, 2021, faxed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the Lebanon Township Website and Bulletin Board in the Municipal Building on March 17, 2021.

SWEAR IN: Tom Sachs Class IV Alternate I 2 Year Term

At this time, Mr. Sachs was sworn in as an Alternate for a 2 year Term by Attorney Gallina.

PRESENTATION OF MINUTES: September 24, 2020 Regular Meeting

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

October 28, 2020 Regular Meeting

Motion by Mr. Kozlowski and seconded by Ms. Guevara to approve the minutes with minor corrections. Unanimously approved.

November 12, 2020 Regular Meeting

Motion by Mr. Kozlowski and seconded by Mr. Locker to approve the minutes as presented. Unanimously approved.

February 24, 2021 Reorganization Meeting

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

RESOLUTION:

- a. Daniel Wirasnik Block #60 Lot #18
Extension of Time with conditions Musconetcong River Road R1.5 zone

Motion by Mr. Kozlowski and seconded by Ms. Guevara to approve the Resolution for Daniel Wirasnik as presented.

Lebanon Township Board of Adjustment

March 24, 2021

Page 2

ROLL CALL

Yes: Ms. Guevara Mr. Eberle
 Mr. Kozlowski Mr. Mr. Sachs
 Mr. MacQueen Mr. Porcino
 Mr. Locker

Abstain: Mr. Maurizio
Absent: Mr. Terzuolo

PROFESSIONAL CONTRACT:

a. Guy Wilson, Esq. - Alternate Attorney

Ms. Glashoff read into the record the contract letter from Attorney Guy Wilson who is the Alternate Attorney for the Board. Motion by Mr. MacQueen and seconded by Mr. Locker to adopt the contract of Attorney Wilson. Unanimously approved.

Ms. Guevara announced that she is an adjoining property owner and will step down from the proceeding. At this time, Ms. Guevara left the meeting room.

NEW BUSINESS:

Nanette Kuehn
139 Buffalo Hollow Road
Glen Gardner, N.J. 08826

Block #11 Lot #8.02
Buffalo Hollow Road RC 7½ acres

PUBLIC HEARING

Bulk Variances - Addition
Letter from Attorney Gallina

Attorney Koester was present to represent the applicant Nanette Kuehn and made a brief presentation to the board. Attorney Gallina announced that the notices are in order and the board can proceed with the Public Hearing. The following items were marked into evidence: **A1**-Affadavit of Proof of Service, **A2**-Notice of Hearing to Property Owners & Utilities, **A3**-Certified List of Property Owners & Utilities, **A4**-POD Slips, **A5**-Notice in Hunterdon Review, **A6**-Taxes Paid. At this time, Attorney Gallina had the following witnesses sworn in to give testimony: applicant Nanette Kuehn, Planner/Engineer John Hansen from Engineering & Land Planning and Architect Edward O'Brien.

Ms. Kuehn said that her parents purchased the property back in 1959 and she inherited the property from her mother when she passed away. The house dates back to the early 1800's. Ms. Kuehn said the first floor of the addition will be open space and the second floor will be a studio. At the conclusion of Ms. Kuehn's testimony, there were no questions from the board and no questions from the public.

Lebanon Township Board of Adjustment

March 24, 2021

Page 3

Planner/Engineer Hansen testified that the existing house is 10.98' from Buffalo Hollow Road and the addition will be 14.64' from the road. The property consists of 5.04 acres. Engineer Hansen said the addition will be a two story 16' x 20'. The house is a 3 bedroom home and with the addition will still be a 3 bedroom home. Besides the house there is a garage, barn and a shed. Because of the location of the addition, the applicant is seeking a front yard setback. Engineer Hansen stated the Variance Plan was prepared on January 13, 2021 and revised on March 4, 2021. Attorney Gallina had the Variance Plan marked into evidence as **A7**.

At the conclusion of the Planner Hansen's testimony, the board had a few questions of the Engineer Hansen. Mr. MacQueen wanted to confirm they are not adding any bedrooms and the septic will stay the same. Engineer Hansen said that is correct. Mr. Kozlowski questioned the reuse of the fire suppression system and what it meant. Chairman Eberle asked Engineer Hansen if there were any traffic issues. Engineer Hansen said no, there is sufficient site distance in exiting the property.

Mr. MacQueen noted that one of the waivers was Item 46-Fire Protection System per 330-35h and said that the existing Fire Suppression System would be utilized. At the conclusion of the board's questions, the Chairman opened the hearing to the public for questions of Engineer Hansen. There were none.

Architect Ed O'Brien testified regarding the layout of the new addition and the changes in the existing house. The following items were marked into evidence: **A8**-Architectural Plans prepared by Edward O'Brien dated January 27, 2021 and **A9**-Colored rendition of the proposed addition. Mr. O'Brien stated the total height of the addition will be 17.22' and reviewed for the board the design and layout of the house with the new addition. Mr. O'Brien stated since the foundation is stone, it was felt it wouldn't be able to withstand putting a basement under the house because of the age of the foundation it was decided not to dig for a basement that it probably wouldn't survive a big dig for a new basement. At the conclusion of Mr. O'Brien's testimony, Chairman Eberle asked about the height of the new addition. Mr. O'Brien said it will be 17.22'. The grade will be a different height on each side of the addition. Board member Mr. MacQueen asked Engineer Hansen since you are adding a new roof what about the gutters and water runoff. Engineer Hansen said there is no plan regarding the new roof. Attorney Koester said Planner Hansen will give testimony at this time. Planner Hansen stated there is no substantial detriment to the zone plan, zoning ordinances and to the public good. At the conclusion of Planner Hansen's testimony, there were no questions from the board nor from the public.

Mr. MacQueen said this is a Bulk Variance for this addition and asked Planner Hansen to go over the waivers that had been requested. At the conclusion of Planner Hansen's testimony regarding the waivers. Chairman Eberle asked Attorney Koester to give his summation. At the conclusion of Attorney Koester summation, Chairman Eberle opened the hearing to the public for statements and comments, there were none. Chairman Eberle asked for a motion to close the public hearing. Motion by Mr. Kozlowski and seconded by Mr. Maurizio to close the public portion of the hearing. Unanimously approved.

Lebanon Township Board of Adjustment
March 24, 2021
Page 4

The board deliberated at this time. At the conclusion of the board’s deliberations, motion by Mr. Kozlowski and seconded by Mr. MacQueen to grant the Bulk Variances for an addition with the following conditions:

- a. The applicant shall obtain all other necessary approvals from outside agencies having jurisdiction including be not limited to a Highlands Exemption.
- b. The applicant will pay all necessary fees and escrow in connection with the application.
- c. The home will remain a 3 bedroom home and the proposed first first and second floor will not have plumbing installed.
- d. The proposed addition will be constructed in accordance with the Variance Plan prepared by Engineer Wayne Ingram and the Architectural Plans prepared by Architect Edward O’Brien.
- e. Pursuant to Township Ordinance 45-20, all necessary permits shall be obtained within 18 months of the date of the adoption of this Resolution. If an extension of time is needed, the request must be made in writing Prior to the expiration of the 18 month period.

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

Attorney Gallina will prepare the Resolution to be on the next agenda of April 28, 2021

PRESENTATION OF BILLS:

- | | |
|-----------------------|--|
| a. John Gallina, Esq. | \$195.00 – Prepare Resolution (Wirasnik/Escrow) |
| | \$260.00 - Attend ZBA Meeting 2/24/2021 |
| c. Court Stenographer | \$250.00 – Attend Mtg 3/24/2021 |
| | Total: \$705.00 |

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

CORRESPONDENCE:

- a. Resolution Supporting Individual Rights & Affirming the Protection of Those Rights
- b. NJPO Newsletter – January/February 2021

Lebanon Township Board of Adjustment
March 24, 2021
Page 5

Being no further business to come before the board nor comments from the public, motion by Mr. MacQueen and seconded by Mr. Locker to adjourn the meeting at 8:35 p.m. Unanimously approved.

CHAIRMAN WAYNE EBERLE

GAIL W. GLASHOFF, BOARD SECRETARY