

REGULAR MEETING

Lebanon Township Board of Adjustment

January 25, 2006

Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

The regular meeting of the Lebanon Township Board of Adjustment was called to order at 7:30 p.m. by Chairman Bruce Terzuolo. Present were: Mr. Machauer, Mr. Cerf, Mr. Kozlowski, Mr. MacQueen, Mr. Nagie, 2nd Alternate Eberle and Attorney Gallina.

Notice of this meeting was provided for in the "Annual Notice Schedule" adopted by this board on January 11, 2006, 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 January 19, 2006.

PRESENTATION OF MINUTES: *January 11, 2006 Reorganization/Business Meeting*

Motion by Mr. Nagie and seconded by Mr. Cerf to approve the minutes as presented. Unanimously approved.

PRESENTATION OF BILLS:

a. John Gallina, Esq. \$210.00 – Attend Meeting 1/11/06

b. Court Stenographer \$200.00 – Attend Meeting 1/25/06

Total: \$410.00

Motion by Mr. Nagie and seconded by Mr. Cerf to approve the bills for payment. Unanimously approved.

At this time the board discussed the board seat of Mr. MacQueen. Mr. MacQueen was appointed to the Planning Board in 1997 as an Alternate and was moved up to a Regular Board seat in 2002 and became Chairman at that time. Since then it has come to the attention of the Township Committee that in order to have someone set on both boards, the Planning Board has to be a 9 member board with two alternates. Until the Township Committee decides to increase the Planning Board, Mr. MacQueen will need to resign from the Board of Adjustment per Attorney Gallina. After a brief discussion, motion by Mr. Nagie and seconded by Mr. Cerf to accept the resignation of Gary MacQueen from the Board of Adjustment with regret. Unanimously approved.

CORRESPONDENCE:

NEW BUSINESS:

*Christopher & Leslie Hann Block #35 Lot #48
311 Lanning Lane Lanning Lane R 1½
Glen Gardner, N.J. 08826*

PUBLIC HEARING Bulk Variance Section 18-3 Schedule I

(Letter from Attorney Gallina)

Chairman Terzuolo reviewed for the applicant and public present the procedures that are followed in conducting a Public Hearing. Chris and Leslie Hann were sworn in at this time to give testimony.

Attorney Gallina announced that all the notices are in order and the board can proceed with the Public Hearing. The following items were marked into evidence: A1-Taxes Paid, A2-Zoning Permit Denial, A3-Certified List of Property Owners & Notice to Property Owners, A4-POD slips, A5-Affadavit of Proof of Service, A6-Notice to Newspaper.

Leslie Hann made a presentation to the board. Ms. Hann explained to the board why they need a variance stating they would like to build a two story addition to their home. The addition will be 16' x 20' and will contain a living room, family room/play room and office. Ms. Hann stated their lot is .78 acres which is undersized for the 1½ acre zone they are in. The frontyard setback requirement is 50' and

they are 28.6' which does not comply with the zoning. The lot width requirement is 200' which they also do not meet. At this time, Ms. Hann had their survey marked into evidence: A7-Survey dated June 30, 2005 prepared by Eric Trepkan, AIA and revised December 8, 2005.

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Ms. Hann had photos of the property for the board to review. The following was marked into evidence: A8- 4 Photos. Ms. Hann stated their house was built in 1986 with a variance granted

by the Board of Adjustment. Ms. Hann stated they purchased the house in April 1992. The board asked questions of the applicants at this time. When opened to the public for questions, there were none. Attorney Gallina asked how many houses are on both sections of Lanning Lane. Mr. Hann stated 10 houses total with 3 of those houses being on their portion of Lanning Lane. Attorney Gallina asked if Lanning Lane were paved or gravel. Mr. Hann stated that a portion of the road that ends at their property is paved with the other portion of Lanning Lane being gravel. Mr. Hann was asked what the width of the lane is. Mr. Hann stated 10' to 12' in width. Mr. Machauer asked about the maintenance of Lanning Lane including snowplowing. Ms. Hann informed the board they and their neighbors, the Meyh share the plowing responsibilities. Ms. Hann stated that the other portion of Lanning Lane is plowed by the residents who live on that section of Lanning Lane.

When opened back up to the public, Mr. MacQueen asked if the addition would be farther away from the property line. Ms. Hann answered yes. Mr. MacQueen asked if drainage would affect where the new addition was going. Mr. Hann answered no, the driveway is graded away from the house and in their discussions with the builder they informed the builder that water is always an issue and if need be they would do additional grading away from the house. The addition will not include extra bedrooms.

At this time, Chairman Terzuolo opened the hearing to the public for comments and statements. Resident Robin Meyh was sworn in to give testimony. Ms. Meyh is a neighbor of the applicants and supports them with the variance they are requesting for the addition. Resident Eleanor Zitani was sworn in to give testimony. Ms. Zitani is also a neighbor of the applicants and she supports them with the variance they are requesting for the addition. Being no further testimony by the public, Chairman Terzuolo asked the applicants to give their summation at this time.

Ms. Hann reviewed for the board the reason for the variance they are requesting for the addition. 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 noted that granting the variance would not be detrimental to the public good or to the zone plan and zoning ordinance.

At the conclusion of the board's deliberations, motion by Mr. Cerf and seconded by Mr. Nagie to grant the variance relief requested with the following conditions:

a. The applicant shall obtain all other necessary approvals from any outside agencies having jurisdiction.

b. All necessary permits shall be obtained within 18 months of the date of the Resolution.

ROLL CALL	Yes	<i>Mr. Machauer</i>	<i>Bruce Terzuolo</i>	No:	<i>None</i>
		<i>Mr. Kozlowski</i>	<i>Mr. Nagie</i>		
		<i>Mr. Cerf</i>	<i>Mr. Eberle</i>		

Attorney Gallina will prepare the Resolution to be placed on the next Agenda.

Being no further business to come before the board, nor comments from the public, motion by Mr. Nagie and seconded by Mr. Eberle to adjourn the meeting at 8:20 p.m. Unanimously approved.

CHAIRMAN BRUCE TERZUOLO

GAIL W. GLASHOFF, BOARD SECRETARY