



**Lebanon Township Board of Adjustment**  
**August 22, 2007**  
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**ITEMS FOR DISCUSSION:**

- a. Letter from Atty Gallina re: Nonconforming Structures

Attorney Gallina stated that Ms. Glashoff was approached by someone who had questions regarding a house that they wanted to demo and rebuild. When you have a non-conforming structure that you want to demolish purposely or is destroyed by fire they wanted to know what the rights are for what you can and can not do. If you get a variance for a nonconforming structure and it is destroyed by fire, you can rebuild without coming to the board. The variance goes with the land. This is different, it is a pre-existing non-conforming structure that the person wants to take down to the foundation and then rebuild.

Ms. Glashoff explained that the house in question is old and dilapidated. The gentlemen she spoke to stated that he wanted to take it down to the foundation and rebuild. The Zoning Officer stated that the gentleman looking to purchase the property doesn't have to go to the Zoning Board for a Variance. Ms. Glashoff explained to the Zoning Officer the property on Hickory Run Road where the house sat in the front yard setback, once the house was demolished down to the foundation, the applicant had to get a variance in order to rebuild on the foundation. Ms. Glashoff stated that she spoke to Attorney Gallina and he offered to do a letter on the subject so in the future there would be no misunderstanding. Ms. Glashoff also stated that placing the house in another location on the property would be a problem because of the wetlands. The board continued to discuss the letter and in conclusion, this letter is just an FYI for the board.

Before adjourning the meeting, Ms. Glashoff stated that she had a conversation with Chairman Terzuolo about having a joint meeting with the PB and TC. In turn Chairman Terzuolo spoke to Chairman Gary MacQueen of the PB. The Planning Board discussed this last evening and decided to send two representatives from the Planning Board. They will be Gary and Josh Rich. The Zoning Board needs to pick two representatives to attend. This meeting will be in close session to discuss enforcement and resolutions from both boards. The tentative date with the Township Committee is September 19<sup>th</sup>. After a brief discussion, Chairman Terzuolo and Andy Kozlowski will represent the Board of Adjustment. Ms. Glashoff will contact the Municipal Clerk to request the joint meeting for September 19<sup>th</sup> and will get back to the board members by memo.

Chairman Terzuolo asked Ms. Glashoff when she will be out on medical leave. Ms. Glashoff informed the board she will be at the next meeting which is September 26<sup>th</sup>. Her surgery is scheduled for September 28<sup>th</sup> and she will not be here for the month of October for any of the meetings. The board will be meeting on October 10<sup>th</sup> and October 24<sup>th</sup> with applications. Kim Jacobus will be covering for her. Ms. Glashoff asked to reschedule the November meeting to November 28<sup>th</sup>. She hopes to be back the first full week in November and with the conference she will need time to prepare the budget along with year end items for the agenda. The board agreed to the rescheduling of the November meeting,

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 7:52 p.m. Unanimously approved.

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**CHAIRMAN BRUCE TERZUOLO**

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**GAIL W. GLASHOFF, BOARD SECRETARY**