

## REGULAR MEETING

**Lebanon Township Board of Adjustment**

**November 12, 2009**

**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 Vice Chairman Abe Abuchowski. Present were: Mr. Machauer, Mr. Kozlowski, Mr. MacQueen, Mr. Nagie, 1<sup>st</sup> Alternate Eberle, 2<sup>nd</sup> Alternate Maurizio, Attorney Gallina, Planner Bolan and Engineer Risse. **Excused:** Mr. Terzuolo and Mr. Perry.

Notice of this meeting was provided for in the "Annual Meeting Notice Schedule" adopted by this board on January 28, 2009, 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 November 5, 2009.

**PRESENTATION OF MINUTES:** October 28, 2009 Regular Meeting

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

### **RESOLUTION:**

Michele Cavett Block #38 Lot #5.04  
APPEAL /Approved Hickory Run Road R5

Motion by Mr. MacQueen and seconded by Mr. Machauer to approve the Resolution for an Appeal to Michele Cavett as presented.

**ROLL CALL**                      **Yes:** Mr. Machauer                      **Abstain:** Mr. Eberle

Mr. Kozlowski

Mr. Maurizio

Mr. MacQueen

**Absent:** Mr. Terzuolo

Mr. Abuchowski

Mr. Perry

Mr. Nagie

**UNFINISHED BUSINESS:**

Off Road Welding Co.

Block #37 Lot #36.01

c/o Michael & Fran Edwards

Little Brook Road RC 7½

417 Little Brook Road

Glen Gardner, N.J. 08826

**CONTINUATION OF A PUBLIC HEARING**

D Variance for a Commercial Use in a  
Residential Zone

Attorney Gallina announced that the application for Off Road Welding will be carried to Tuesday December 15, 2009 at 7:30 p.m. This is a special meeting the board will hold for this application. The notice for this special will be advertised in the local newspaper.

Patrick Allen

Block #16 Lot #64

666 JIN XIU Road

Old Readingsburg Road RC 7½

No. 9 Apt. 1102

Pudong, Shanghai, China

**CONTINUATION OF A PUBLIC HEARING**

Rebuild second house on a private road

**(Enclosed information)**

with Bulk Variances Section 400:8.b7

and Section 400: Attachment 4:1

Mr. Kozlowski announced that he is stepping down from this application. Attorney Boak was present to represent the applicant Patrick Allen. Attorney Gallina noted that Ms. Glashoff is ill and Ms. Jacobus who would normally cover for Ms. Glashoff was not available this evening and the Zoning Officer John Flemming has agreed to cover the meeting. Attorney Boak said he did not have a problem with the Zoning Officer covering the meeting.

Attorney Boak had Engineer Zederbaum review for the board what has transpired over the past several months regarding this application since the last time they appeared before the board. Engineer Zederbaum referred to his letter dated October 21, 2009. At this time the following was marked into evidence: **A10**-Letter dated October 21, 2009 addressed to Ms. Glashoff outlining comments and findings for the Supplementary Apartment Ordinance.

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Engineer Zederbaum stated they comply with everything that is expected with the exception of Item O – Septic system complying with all applicable rules and regulations and separate from the septic system serving the principal structure shall be a condition of occupancy for the supplementary apartment. Engineer Zederbaum said the applicant hired Mr. Rutan who is a Registered Environmental Health Specialist to attempt to locate the components of the existing on-site disposal systems. When Mr. Rutan went out on site he was only able to find bits and pieces and certain components of the septic systems that are out there but was not able to find anything that would meet the present code. Engineer Zederbaum said without a system that meets the present code he can not recommend to the applicant to use what is presently on site.

Engineer Zederbaum said what he would like to recommend to the board that Item O be a condition of approval and that prior to issuing a building permit for the rebuilding of the original house or a CO for the supplementary apartment until a proper septic system design and constructed on the property. Attorney Boak said they are short 1.1 acres per the ordinance for an accessory apartment. The other structure on the property that is in the rear yard setback along with being on a small portion of the state property. This occurred before the state took over the property behind the Allen property.





**Total: \$1,487.60**

Mr. Flemming announced that he had two additional bills to be added. The first one was from Planner Bolan in the amount of \$142.00 and second bill is from Attorney Gallina for \$287.50. These two bills total **\$429.50**. This brings the grand total to **\$1,917.10**. Motion by Mr. MacQueen and seconded by Mr. Maurizio to approve the bills as amended. Unanimously approved.

**CORRESPONDENCE:**

Being no further business to come before the board, nor comments from the public, motion by Mr. Kozlowski and seconded by Mr. Maurizio adjourn the meeting at 8:15 p.m. Unanimously approved.

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**VICE CHAIRMAN ABE ABUCHOWSKI**

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**JOHN FLEMMING, ACTING SECRETARY**

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**Minutes prepared by Board Secretary Gail Glashoff**