REGULAR MEETING

Lebanon Township Board of Adjustment Municipal Bldg 530 West Hill Road Glen Gardner, N.J March 22, 2023

The regular meeting of the Lebanon Township Board of Adjustment was called to order at 7:00 p.m. by Chairman Wayne Eberle. Present were: Mr. Terzuolo, Ms. Zatika, Mr. Sachs, Mr. Porcino, Attorney Gallina and Planner McManus. **Excused:** Ms. Devine.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on February 22, 2023, emailed to the Hunterdon Review, Courier News, faxed to the Hunterdon County Democrat, Express Times, Star Ledger and posted on the Lebanon Township Website and Bulletin Board in the Municipal Building on March 16, 2023.

RESOLUTION:

Daniel Wirasnik Block #60 Lot #18

Extension of Time Musconetcong River Road R1½

with conditions

Motion to approve the Resolution for an Extension of Time with a few minor corrections by Mr. Terzuolo and seconded by Ms. Zatika.

ROLL CALL Yes: Mr. Eberle Ms. Zatika Absent: Ms. Devine Abstain: Mr. Sachs

Mr. Terzuolo Mr. Porcino

UNFINISHED BUSINESS:

Cecilia De Venezia Block #56 Lot #20 9 Oak Street Penwell Road RC 7½

Port Murray, N.J. 07865

ANNOUNCE THAT THE APPLICATION WILL BE CARRIED TO THE APRIL 26, 2023 MEETING

Attorney Gallina announced that the application of Ms. De Venezia will be carried to the April 26, 2023 at 7:00 p.m. The Applicant's Attorney Selvaggi concurred.

NEW BUSINESS:

Kevin Bolesta Block #54 Lot #11
733 Mansfield Village Hermits Lane R1½

Hackettstown, N.J. 07840

PUBLIC HEARING Variance to build on a Private Road

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Attorney Selvaggi was present to represent the applicant Kevin Bolesta. Attorney Selvaggi said that the property in question is located on Hermits Lane which is a private road. Attorney Selvaggi said also present is Engineer James Glasson to give testimony on behalf of the applicant. Attorney Gallina had the following items marked into evidence; A1-Affadavit of Proof of Service, A2-Certified List of Property Owners and Utilities, A3-POA Slips, A4-Notice in the Hunterdon Review, A5-Taxes Paid, A6-Highlands Exemption Approval dated 11/16/2022, A7-Letter from the Fire Chief, March, 2023, A8-Revised Plans dated 2/20/2023, A9-Letter from H.C. Soil Conservation District dated 2/17/2023, A10-H.C. Board of Health dated 1/5/2023, A11-Colored rendering of Sheets 1.2 and 4 of Variance Plan, A12-Colored rendering of Sheet 3 of Variance Plan. Attorney Gallina informed the board that the applicant has jurisdiction to proceed with the public hearing.

Engineer Glasson was sworn in to give testimony. Engineer Glasson stated that property is on a private lane in the R1.5 Zone with 15% slopes, adjacent to the Hunterdon County preserved land. Engineer Glasson said that the applicant would like to build a 3-bedroom home 28 x 42, 1248 square feet, with a full basement, a covered porch 124 square feet with a proposed garage 24 x 24. Engineer Glasson went on to say that Hermits Lane is an unimproved private road. The home will be a log home and garage. At the conclusion of Engineer Glasson testimony, the board had a few questions. Chairman Eberle opened the hearing to the public for questions for Engineer Glasson. At this time, Chairman Eberle asked for a motion to open to the public for comments and statements. Motion by Ms. Zatika and seconded by Mr. Sachs to open the hearing for public comments and statements. Unanimously approved. At the conclusion of the public comments, motion by Ms. Zatika and seconded by Mr. Sachs to close the public portion of the hearing. Unanimously approved. At the conclusion of the board's deliberations, motion by Mr. Terzuolo and seconded by Mr. Sachs to approve the application to build on a private road with the following conditions:

- The applicant shall obtain all other necessary approvals from any outside agencies having jurisdiction as applicable, including but not limited to the Hunterdon County Planning Board
- b. The applicant will pay all necessary fees and escrows payable in connection with the application. The applicant shall be under a continuing duty to maintain a positive escrow account balance until all conditions have been satisfied and all charges paid.
- c. The applicant will be responsible for repair of any damage to Hermits Lane caused in condition with the construction on the site.
- d. Pursuant to Ordinance 45-20, all necessary permits shall be obtained within eighteen (18) of the date of the adoption of this Resolution. (The applicant is advised that pursuant to Ordinance section 45-20, if an extension of this time period is needed, the request must be made in writing prior to the expiration of the 18-month period).

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ROLL CALL

Yes: Mr. Eberle

Mr. Sachs

Absent: Ms. Devine

Mr. Terzuolo

Mr. Porcino

Ms. Zatika

Attorney Gallina will prepare the Resolution for adoption at the next meeting April 26, 2023.

PRESENTATION OF BILLS:

a. John Gallina, Esq.

\$ 97.50 - Prepare Resolution (Escrow-Wirasnik)

b. Count Stenographer

\$250.00 - Attend Meeting on March 22, 2023

Total: \$347.50

Motion by Mr. Porcino and seconded by Mr. Terzuolo to approve the bills as presented. Unanimously Approved.

Chairman Eberle asked for a motion to open to the public. Motion by Ms. Zatika and seconded by Mr. Sachs to open the meeting to the public. Unanimously Approved.

Mr. Richard Webb addressed the board and stressed the importance that the board needs to interview for new professionals. At the conclusion of Mr. Webb's comments, motion by Mr. Terzuolo and seconded by Ms. Zatika to close the public portion of the meeting. Chairman Eberle announced that the board will take a 5-minute recess at 7:45 p.m. The board reconvened at 7:50 p.m.

Motion by Mr. Porcino and seconded by Mr. Sachs to close the public portion of the meeting and go into Closed Executive Session at this time. Unanimously approved.

Chairman Eberle asked for a motion to reopen the public portion of the meeting. Motion by Mr. Porcino and seconded by Mr. Sachs to reopen the public portion of the meeting. Unanimously approved.

Chairman Eberle announced the board has decided on the following recommendations to the Township Committee at their next meeting to appoint Michael lannance, Class IV Regular Member, Brandon Staten as Alternate I, Derrick Van Doren as Alternate II and to move Ms. Devine up to a Regular Member. At this time Ms. Zatika gave a brief report as the liaison to the Planning Board.

Being no further business to come before the board, nor comments from the public, motion by Mr. Sachs and seconded by Ms. Zatika to adjourn the meeting at 8:25 p.m. Unanimously approved.

CHAIRMAN WAYNE EBERLE

GAIL W. GLASHOFF, BOARD SECRETARY