

REGULAR MEETING

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

June 8, 2022

The Regular Meeting of the Lebanon Township Board of Adjustment was called to order at 7:05 p.m. by Chairman Wayne Eberle. Present were: Mr. MacQueen, Ms. Guevara, Mr. Locker, Mr. Sachs, Mr. Porcino, Ms. Zatika, Attorney John Gallina and Engineer Ted Bayer. **Excused:** Mr. Terzuolo and Mr. Fortenbacker.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Board of Adjustment will hold a meeting on June 8, 2022 at 7:00 p.m. Notice of this meeting was published in the May 25, 2022 issue of the Hunterdon Review. Copies of the Agenda were emailed to the Hunterdon Review and Courier News, faxed to the Hunterdon County Democrat, Express Times, Star Ledger, posted on the Lebanon Township Website and posted on the bulletin board in the Municipal Building on June 1, 2022.

PRESENTATION OF MINUTES: Regular Meeting May 25, 2022

Motion by Mr. Sachs and seconded by Ms. Guevara to approve the minutes as presented. Unanimously approved.

RESOLUTIONS:

Shebba Farms Block #38 Lot #19.03
Minor Site Plan & Variance with conditions Route 513 R3/R5

The Board briefly discussed the Resolution with a few minor corrections. Motion by Mr. MacQueen and seconded by Mr. Locker to approve the Resolution for Shebba Farms with minor corrections.

ROLL CALL	Yes: Mr. Eberle	Mr. Sachs	Abstain: Ms. Zatika
	Mr. MacQueen	Mr. Porcino	Ms. Guevara
	Mr. Locker		Absent: Mr. Terzuolo
			Mr. Fortenbacker

Daniel's Law
Variance for side yard setback Route 513 R1 1/2
for a shed with conditions.

The Board briefly discussed the Resolution with a few minor corrections made. Motion by Ms. Guevara and seconded by Mr. Sachs to approve the Resolution with minor corrections.

ROLL CALL	Yes: Mr. Eberle	Ms. Guevara	Abstain: Mr. MacQueen
	Mr. Sachs	Ms. Zatika	Mr. Porcino
	Mr. Locker		Absent: Mr. Terzuolo
	Mr. Fortenbacker		

NEW BUSINESS:

Tod & Lora Harris Block #60 Lot #14
P.O. Box 41 Butler Park Road R1 ½
Califon, N.J. 07830

PUBLIC HEARING Bulk Variances to Rebuild on a Private Road

Tod and Lora Harris were present and made a brief presentation to the board. Attorney Gallina stated that all the notices are in order and the board can proceed with the Public Hearing. The following items were marked into evidence: **A1**- Affidavit of Proof of Service, **A2**-Notice to Property Owners and Utilities, **A3**-Certified List of Property Owners and Utilities, **A4**-Certified mailing POD Slips, **A5**-Proof of Publication in Hunterdon Review, **A6**-Taxes Paid.

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Attorney Gallina had Mr. & Mrs. Harris sworn in at this time. Mr. Harris said they purchased the property in 1994. Their house burned down on March 21, 2021. The lot is undersized and is only ¼ of an acre. The original house that burned down was 1800 square feet. The new house will be 2900 square feet and over 4,000 square feet total, which will include the garage and porches. Attorney Gallina referred to the letter from Office of Transactions and Public Land Administration, which was marked into evidence as **A7**. **A8**-Pictures consist of 3 pages with a total of 6 pictures. Mr. Harris reviewed for the board the 6 pictures that were marked into evidence. Mr. Sachs asked about the large shed. Mr. Harris said the shed is 14'x 44' and he is looking to sell the shed. Mr. Harris said he would like to sell the small shed also, if he can't sell it then it will be torn down. Mr. Harris was asked about traffic on Butler Park Road. Mr. Harris informed the board that the only time there is traffic on Butler Park Road is during Fishing Season.

Chairman Eberle asked Engineer Bayer for his report. Engineer Bayer referred to Storm Water Management. This is a minor project and with respect to storm water, there will be less than ¼ acre of new impervious surface and less than 1.0 acres of disturbance. Our ordinance 330-49 B(1)(a)2 requires runoff from new impervious coverage be managed by seepage pits or other infiltration method. Engineer Bayer said that since there is only 123 sq. ft. of new impervious coverage a small dry well system would be appropriate. Engineer Bayer also said that when there is a fire it is required that a new septic be installed. Mr. MacQueen asked is there is well presently on the property. Mr. Harris said yes but that will also be replaced with a new well. At the conclusion of the board's questions of the applicant, Attorney Gallina had Engineer Andrew Ranger from Engineering & Land Planning sworn in to give testimony. Engineer Ranger made a presentation to the board. Engineer Ranger said the lot is .215 of an acre. The property is not in the wetlands nor in any transition area. The applicant is filing an application for Highlands Exemption #5. The new well will be at the southeast corner of the property and the septic will be located at the northwest portion of the property.

Engineer Ranger stated the Septic System will be an Advance Treatment System. Engineer Ranger in using the Advance Treatment System because the Septic Tank and field are reduced along with the height of the mound. The setback requirements for the R1½ is 50' front and Rear and side yards are either 20' & 30' or 25' & 25'. Because of the size of the lot, the setbacks proposed are 14.7 front & rear. One of side yard will be 7.4' with a total of 45.3'. At the conclusion of Engineer Ranger's testimony along with board questions, Chairman Eberle opened the hearing to the public for questions of Engr. Ranger. There were none. When open to the public for comments and statements, there were none. Motion by Mr. MacQueen and seconded by Mr. Locker to close the public portion of the hearing. Unanimously approved.

The board deliberated at this time. At the conclusion of their deliberation, motion by Mr. Porcino and seconded by Ms. Zatika to approve the application for Bulk Variances to rebuild on a Private Road with the following conditions:

- a. The applicant shall obtain all other necessary approvals from any outside agencies having jurisdiction, including but not limited to a Highlands Exemption
- b. The applicant shall 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. All necessary permits shall be obtained within eighteen (18) months of the date of the adoption of this Resolution. The applicant is advised that pursuant to Ordinance Section 45-20, if an extension of time period is needed, the request Must be made in writing prior to the expiration of the 18-month.

ROLL CALL	Yes:	Mr. Eberle	Mr. Sachs	Absent:	Mr. Terzuolo
		Mr. MacQueen	Mr. Porcino		Mr. Fortenbacher
		Ms. Guevara	Ms. Zatika		
		Mr. Locker			

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Attorney Gallina will prepare the Resolution to be on the Agenda of June 22, 2022.

PRESENTATION OF BILLS:

- a. John Gallina, Esq. \$ 260.00 – Attend ZBA meeting on 5/25/2022
- \$ 780.00 - Prepare view letter, prepare Resolution.
- Escrow (Shebaa Farms, LLC)**
- \$ 260.00 - Prepare **Resolution Escrow (Schaffer)**
- b. Court Stenographer \$ 250.00 - Attend ZBA meeting 6/8/2022
- Total: \$1,550.00**

Motion by Ms. Guevara and seconded by Mr. MacQueen to approve the bills as presented.
Unanimously approved.

Being no further business to come before the board, nor comments from the public, motion by Mr. MacQueen and seconded by Ms. Zatika to adjourn the meeting at 7:54 p.m. Unanimously approved.

WAYNE EBERLE, CHAIRMAN

GAIL W. GLASHOFF, BOARD SECRETARY