

**HARDING TOWNSHIP BOARD OF ADJUSTMENT MINUTES
SPECIAL MEETING
SEPTEMBER 30, 2020
7:30 PM**

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Board of Adjustment Chair, Mr. Flanagan called the special electronic meeting of the Board of Adjustment to order at 7:30 and announced that adequate notice of the meeting had been made in accordance with the New Jersey State Open Public Meetings Act and State Executive Order 103.

ROLL CALL

Ms. Taglairino called the roll. It went as follows:

Ms. Sovolos	Present	Mr. Newlin	Present
Mr. Flanagan	Present	Mr. Maselli	Present
Mr. Rosenbaum	Present	Mr. Addonizio	Present
Mr. Symonds	Present	Ms. Chipperson	Present
Mr. Cammarata	Excused		

Board Attorney, Gary Hall, and Ms. Mertz, the Board Planner and Board of Adjustment Secretary Lori Taglairino were also present.

ADMINISTRATIVE

Mr. Mlenak noted that the BOA# 17-18, New York SMSA Limited Partnership d/b/a Verizon Wireless application was carried until the October 15, 2020 meeting with notice. The meeting will be a hybrid electronic and in person meeting

Mr. Mlenak advised that the applicant agreed to extend the FCC Shot Clock. He additionally noted that the Board must vote to the agreement as well.

Mr. Newlin made a motion to extend the FCC Shot Clock for the Verizon application. It was seconded by Ms. Chipperson. On a voice vote all were in favor of extending the FCC Shot Clock.

MINUTES

Mr. Flanagan made a motion to approve the July 16, 2020 minutes. It was seconded by Mr. Newlin. On a voice all eligible member were in favor of approving the minutes.

Mr. Flanagan made a motion to approve the August 25, 2020 minutes. It was seconded by Mr. Newlin. On a voice all eligible member were in favor of approving the minutes.

ONGOING TRAINING

Ongoing training will take place October 15, 2020 at 6:30.

BUDGET APPROVAL VOTE

Mr. Flanagan made a motion to approve the 2021 budget. It was seconded by Mr. Newlin. On a voice all were in favor of approving the budget.

RESOLUTIONS

BOA 2019 Annual Report Resolution

Mr. Flanagan made a motion to approve the Resolution for the 2019 Annual Report. It was seconded by Mr. Symonds. On a voice all were in favor of approving the resolution.

Do Not Exceed Limit for Gary Hall Resolution #06-2020

Mr. Flanagan made a motion to approve the “Do Not Exceed Resolution for Gary Hall”. It was seconded by Mr. Newlin. On a voice all were in favor of approving the resolution.

Prior to commencing the application, there was a discussion regarding witnesses for the BOA #06-20 529 Waterfront Properties application. One potential witness was not available and Mr. Lakind requested an adjournment at a late hour. Mr. Newlin polled the Board as to whether they wished to proceed with the witness in attendance. The Board agreed to continue with the testimony later in the meeting.

NEW BUSINESS

Application BOA #07-20

Lauren Dowling
27 Village Road, B16 Lot 3, R-1 & R-3 Zone
Applicant is seeking relief for an accessory dwelling on the property as per NJSA 40:55D-70(d)(1).

Presenting:
Larry Calli, Attorney

Mr. Ferrante, Engineer
Mr. Pessolano, Planner
Ms. Dowling, Owner

Ms. Dowling, Mr. Ferrante and Mr. Pessolano were sworn in for testimony.

- Mr. Calli presented a proposal for an accessory garage and apartment structure. He noted that the lot was a split zone lot in the R-1 and R-3 zones on a 1.49 acre lot. The applicant is seeking a use variance for this zone.
- Mr. Ferrante presented the layout and site situation for the proposed structure.
- Mr. Ferrante presented Exhibit A-1, a photo from Village Road and A-2 and an aerial photo of the lot.
- Mr. Pessolano presented planner testimony addressing his reasons for suitability for this project.
- Mr. Flanagan is concerned about the density on 1.49 acres when 6 acres are required noting that that goes against the Master Plan.
- Ms. Mertz noted the concern of the accessory dwelling in the R-3 zone and the size of the lot.
- Mr. Newlin suggested considering an addition with a common entrance as a potentially compliant solution.

Mr. Calli requested to carry until the October 15, 2020 with no further notice.

Application BOA #08-20

Mark Drzala
50 Ravenswood Lane, B25.02 L10.11, R-R Zone
Applicant is requesting variance relief for Lot coverage as per
NJSA 40:55D-70(c)

Presenting:

Mr. Drzala, Owner

Mr. Hall swore in Mr. Drzala for testimony.

- Mr. Drzala presented proposed plans to add a 12 ft. x 18ft. shed to his property. He noted that he is over in lot coverage and is requesting 10.8% lot coverage.
- Mr. Drzala explained how his property came to be over in lot coverage.
- The Board asked if there was any way to reduce any of the existing lot coverage.

Mr. Flanagan made a motion to approved with the contingent on the agreement of the home owner to remove the shed upon sale of the property, extra tree planting will screen the shed from the cul-de-sac and Anthony Wayne and the Township Engineer must address stormwater issues and the addition of a dry well. Mr. Fox will confirm the survey. The zoning table needs to be corrected as well. The Board requested compliance with the lighting ordinance. The motion was seconded by Mr. Maselli. A roll call vote went as follows:

For: Ms. Chipperson, Mr. Rosenbaum, Mr. Maselli, Mr. Newlin, Mr. Symonds, Mr. Addonizio and Mr. Flanagan.
Against: None

OLD BUSINESS

Application BOA# 06-20

529 Waterfront Properties, LLC
PO Box 1303, Beach Haven, NJ 08008
Applicant is appealing a Tree Officer decision at 595 Van Beuren Road as per NJSA 40:55D-70(a), NJSA 40:55D76(a) (1) and 225-111 of the Harding Township Code.

Presenting:

Arnold Lakind, Attorney

Mr. Addonizio recused.

Mr. Linson was present for testimony.

Mr. Weibel, Arborist.

Mr. Weibel was sworn in for testimony.

Mr. Flanagan noted that he read the August transcript.

A copy of the transcript of the appeal testimony is appended to these minutes.

Mr. Flanagan made a motion to uphold the Tree Officer decision. It was seconded by Mr. Rosenbaum. A roll call vote went as follows:

For: Ms. Chipperson, Mr. Rosenbaum, Mr. Maselli, Mr. Newlin, and Mr. Flanagan.

Against: Mr. Symonds

OTHER BUSINESS

None

EXECUTIVE SESSION

Mr. Flanagan made a motion to adjourn into executive session. It was seconded by Mr. Newlin. A roll call vote went as follows:

For: Ms. Chipperson, Mr. Rosenbaum, Mr. Maselli, Mr. Newlin, Mr. Addonizio, Ms. Sovolos and Mr. Flanagan and Mr. Symonds

Review of Professionals:

Review of the Attorney, Planner and Engineer for the Board of Adjustment

ADJOURNMENT

Mr. Flanagan adjourned the meeting at 11:20.

Lori Taglairino

Respectfully submitted by

Lori Taglairino, Board of Adjustment Secretary
