

Board of Adjustment 07/12/10

A regular meeting of the Board of Adjustment of the Township of Roxbury was held on July 12, 2010 at 7:00 p.m. with Vice Chairman Edward Data presiding. After a salute to the flag, Mr. Data read the Open Public Meetings Act.

Board Members Present: Ms. Darling, Mr. Grossman, Ms. Dargel, Mr. D'Amato, Mr. Giardina, Ms. Kinback, Mr. Data. **Absent:** Mr. Crowley, Ms. Robortaccio

Professional Staff Present:

Mr. John Hansen, P. E.
Mr. Russell Stern, P.P.
Mr. Larry Wiener, Esq.

Minutes of 06/14/10

Ms. Dargel made a motion to approve the minutes of June 14, 2010, Mr. D'Amato seconded. Roll call: Ms. Dargel, yes; Mr. D'Amato, yes; Mr. Giardina, yes; Ms. Kinback, yes; Mr. Data, yes; Ms. Darling, yes.

RESOLUTIONS:

ZBA-10-012 John Nitto Variance for a garage addition for property located at 44 Ferromonte Avenue, Kenvil, Block 2608, Lot 6 in a R-3 zone.

In the matter of John Nitto

Case No. ZBA-10-012

**RESOLUTION OF FINDINGS AND CONCLUSIONS
BOARD OF ADJUSTMENT
TOWNSHIP OF ROXBURY
RESOLUTION**

Approved: June 14, 2010

Memorialized: July 12, 2010

WHEREAS, John Nitto have applied to the Board of Adjustment, Township of Roxbury for permission to construct an attached garage addition requiring dimensional variance relief for premises located at 44 Ferromonte Avenue and known as Block 2608, Lot 6 on the Tax Map of the Township of Roxbury which premises are in a "R-4" Zone; said proposal required relief from Sections 13-7.1401D4 and 13-7.1401D8 of the Roxbury Township Land Use Ordinance; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and having conducted a public hearing has made the following factual findings:

1. The applicant is the owner and occupant of the single-family home on site. The subject property is a corner lot.
2. The applicant was proposing the construction of a garage that would face the DeHart Street frontage. Same was depicted on a plot plan attached to the application. Construction was depicted on a set of elevation drawings provided by the applicant and also submitted with the application.
3. The net result would be that the applicant would have three garages – original garage fronting on Ferromonte Avenue and the new two-car garage fronting on DeHart Street.
4. Applicant received a letter of denial dated 5/7/10 from Tom Potere, the Zoning Officer.
5. As noted by Mr. Potere, applicant is requesting the following variances:
 - a. Front Yard – (30) feet, (25) feet required, 11.07 feet existing, 10 feet proposed
 - b. Building Coverage – 20% required, 17.95% existing, 20.41% proposed
6. The applicant noted the setback to DeHart Street was presently non-conforming at 12.65'. The applicant was continuing the existing setback line and running the addition exactly along the line of the existing house, however, the angle of the house to DeHart Street decreased the front yard at its nearest portion to 10'.

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7. The applicant submitted a plot plan showing the existing and proposed conditions as well as elevation drawings showing how the house would look after the proposed addition.

WHEREAS, the Board has determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Roxbury for the following reasons:

1. The Board finds the applicant's request to be reasonable under the circumstances. The applicant is replacing an outmoded carport with an intelligent and well thought out re-adaptation of the existing residence. The elevation drawings depict a dramatic aesthetic upgrade over the existing home.
2. The setback to DeHart is *de minimis* under the circumstances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township Roxbury on the 14th day of June, 2010 that the approval of the within application be granted subject, however, to the following conditions:

1. House to be sized and located as depicted on the plot plan and elevation drawings attached to the application.
2. Front yard setback to DeHart Street to be no less than 10' as proposed and requested. Building coverage not to exceed 20.41%, as requested.

Mr. D'Amato made a motion to approve the resolution, Ms. Dargel seconded.

Roll call: Mr. D'Amato, yes; Ms. Dargel, yes; Mr. Giardina, yes; Ms. Kinback, yes; Mr. Data, yes; Ms. Darling, yes.

ZBA-10-013 Gennaro Scola Variance for an addition for property located at 23 Ford Road, Landing, Block 11105, Lot 32 in a R-3 zone.

In the matter of Mr. & Mrs. Gennaro Scola
Case No. ZBA-10-013

**RESOLUTION OF FINDINGS AND CONCLUSIONS
BOARD OF ADJUSTMENT
TOWNSHIP OF ROXBURY
RESOLUTION**

Approved: June 14, 2010

Memorialized: July 12, 2010

WHEREAS, Mr. & Mrs. Gennaro Scola have applied to the Board of Adjustment, Township of Roxbury for permission to construct an addition requiring dimensional variance relief for premises located at 23 Ford Road and known as Block 11105, Lot 32 on the Tax Map of the Township of Roxbury which premises are in a "R-3" Zone; said proposal required relief from Sections 13-7.1301D5a and 13-7.1301D8 of the Roxbury Township Land Use Ordinance; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and having conducted a public hearing has made the following factual findings:

8. The applicants are the owners and occupants of the single-family home on site.
9. The applicants were proposing to construct a 14'x21' addition onto the rear of their existing home.
10. The addition would replace a portion of the existing deck, which presently spans the width of the rear of the home.
11. The location of the proposed addition was depicted on plans prepared by Douglas A. Radick, architect, (unsigned) to which the applicant drew in the location of the proposed addition.
12. The addition would be integrated into the house and not a second living unit. The purpose of the addition was to provide housing for the applicant's elderly and infirm aunts.
13. Applicant received a letter of denial dated 5/12/10 from Tom Potere, the Zoning Officer.
14. As noted by Mr. Potere the applicant is requesting the following variances:
 - a. Rear Yard – 35' required, 28' existing and proposed

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- b. Impervious Coverage – 25% required, 29.25% existing, 31.39% proposed
- c. Building Coverage – 15% required, 15.73% existing, 17.87% proposed

WHEREAS, the Board has determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Roxbury for the following reasons:

1. The Board finds the applicant’s property has several built-in hardships. The lot is extremely narrow (60’) – the house, itself, is set back a considerable distance from the street.
2. The R-3 Zone contemplates 15,000 sq. ft. lots; the applicant’s lot is 7,500 sq. ft. Attempting to locate a house size with the amenities contemplated by the R-3 Zone on an undersized lot constitutes a hardship or tension within the zoning ordinance itself.
3. The proposed improvements will be an aesthetic upgrade of the premises and should have no adverse impact.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township Roxbury on the 14th day of June, 2010 that the approval of the within application be granted subject, however, to the following conditions:

1. Addition to be sized and located as depicted on the drawings submitted with the application.
2. Rear yard to be no less than 28’; impervious coverage to be no greater than 31.39%; total building coverage not to exceed 17.87%.

Mr. D'Amato made a motion to approve the resolution, Ms. Kinback seconded.

Roll call: Mr. D'Amato, yes; Ms. Kinback, yes; Ms. Dargel, yes; Mr. Giardina, yes; Mr. Data, yes; Ms. Darling, yes.

ZBA-10-008 Kingtown Diesel Amended Preliminary & Final Site Plan with a D Variance for modifying a use permitted by "D" variance for property located at 1470 US Highway 46, Block 9302, Lot 3 in a B-2 zone.

In the matter of Kingtown Diesel
Case No. ZBA-10-008

**RESOLUTION OF FINDINGS AND CONCLUSIONS
BOARD OF ADJUSTMENT
TOWNSHIP OF ROXBURY
RESOLUTION**

Approved: June 14, 2010

Memorialized: July 12, 2010

WHEREAS, Kingtown Diesel has applied to the Board of Adjustment, Township of Roxbury for permission to expand a “D” variance previously granted so as to construct a small grill within the convenience store and for a “C” variance to construct an LED sign related to the gas station use for premises located at 1470 Route 46 and known as Block 9302, Lot 3 on the Tax Map of the Township of Roxbury which premises are in a “B-2” Zone; said proposal required relief from Section 13-8.908.B, 13-8.916D and 13-7.7c of the Roxbury Township Land Use Ordinance; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant and having conducted a public hearing has made the following factual findings:

15. Ronald S. Heymann, Esquire represented the applicant.
16. The applicant is the owner and operator of Kingtown Diesel. John Farnsworth is the principal of Kingtown Diesel.
17. The Board received the following documents:

Prepared by Aponte Consulting Engineering

- Sheet 1 of 2, Title Sheet, dated 5/10/10
- Sheet 2 of 2, Site Plan (Proposed Deli and Digital Sign), dated 5/10/10

Prepared Daktronics

- Manufacturer's Specifications, received 6/4/10
18. The Board received a memorandum from Russell Stern, Township Planner, dated 6/8/10.
 19. The site has been the subject of numerous applications in front of the Board of Adjustment. The original application involving this property dates to 1985 and there is a long history of applications, litigations, and appearances before the Board. Those issues were mostly resolved and, on 8/10/09, the applicant received final site plan approval which noted and approved the following uses:
 - a. Gasoline and diesel fuel sales
 - b. 1,800 square feet convenience store
 - c. Repair garage for applicant's use only
 - d. Outdoor vehicle storage for applicant's use only
 - e. Offices only to be utilized for applicant's business
 - f. Entire site to be single integrated operation
 20. At the present time, the applicant is not utilizing the repair garage use.
 21. The instant application now involves "D" variance, an amended preliminary and final site plan approval to utilize an 80 sq. ft. portion of the convenience store as a take-out deli with a grill for breakfast sandwiches and hot dogs. There would be no change to the building footprint. It is noted that a delicatessen is a permitted use in the B-2 Zone.
 22. The applicant is also seeking *ex post facto* "C" variance approval to modify the two pre-existing non-conforming freestanding signs by removing the manual changeable price numbers to remote control changeable LED price signs. Each freestanding sign has three individual price signs for size measuring approximately 1'2" x 2'5". The LED price signs automatically dim during the nighttime hours. The Township ordinance does not permit LED signs.
 23. The signs, themselves, are pre-existing non-conforming in terms of number, setback, height, and sign area.
 24. The applicant, John Farnsworth, appeared at the public hearing. The applicant stated that the request for the grill was to address the need of the customers of the convenience store who are requesting breakfast sandwiches and other warm quick prepared food. He noted there would be no change to the building footprint and that the grill would be in operation from approximately 6:00 AM until 5:00 PM. Mr. Farnsworth stated no new employees would be added, and there would also be no interior seating. Everything would strictly be a take-out type of operation.
 25. Mr. Farnsworth also testified as to the need for an LED sign. He stated that Weights and Measures required all of the signs to be changed simultaneously. He noted that we are in an era of non-static fuel prices. Fuel prices change several times a week. The automation would provide a safe means (as opposed to having someone climb a ladder and manually change signs) of changing prices consistent with the requirements of Weights and Measures relating to gas station prices. He noted that this was now a trend in the gasoline industry. He also stated that due to the location on top of a mountain with steep topography and foggy conditions that the LED signs provided an efficient and safe manner of displaying the current gasoline prices.

WHEREAS, the Board has determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Township of Roxbury for the following reasons:

1. The Board finds that the applicant's relief is in effect a *de minimis* enhancement of the prior approvals noted above. The Board has previously made findings as to the hardships and unique features of the site and lends itself to the variances previously granted.
2. As noted by Mr. Stern, the Township has already discussed making LED lighting acceptable for gas station type uses. Clearly, in the instant gasoline station, this type of lighting is more than warranted; it is safer, more convenient, and arguably more aesthetic than older type signs.

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3. The grill use is a minimal expansion of the approved convenient store. It will provide an amenity for the customers on-site by offering a variety of prepared foods. As noted in the planner's report, a delicatessen is a permitted use in the zone.
4. Neither variance will have any adverse impact on the public. If anything, they will enhance the functionality of the site and improve the site and enhance features on the site.
5. In approving the site, the Board notes the conditions below. The Board also approved the modified plans dated 5/10/10 as the approved final site plan. Again, noting the *de minimis* enhancement of the site.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township Roxbury on the 14th day of June, 2010 that the approval of the within amended preliminary and final site plan application be granted subject, however, to the following conditions:

1. The within application is subject to all of the conditions and approvals of the prior resolutions not specifically modified or changed by the grant of this relief. All applicable operational conditions of the prior resolutions are specifically carried forth and incorporated herein. All business operations on-site shall be under a single integrated management.
2. Subject to the review and/or jurisdiction of all other governmental agencies with joint and/or concurrent jurisdiction over the within application.
3. Grill must comply with the N.J. Uniform Fire Code where the cooking operation includes grease-laden vapors.
4. Approval shall be obtained from the Township Health Department.
5. On-site dining/food consumption is prohibited and limited to food sales for take-out only with no customer seating.
6. Any grease containers associated with the deli operation shall be stored either indoors or within the gated dumpster enclosure.
7. Rooftop mechanical equipment associated with the stove ventilation system shall be architecturally screened from surrounding properties and streets, as per Section 13-8.706.
8. The LED colors shall be red for the gasoline prices and green for the diesel prices, as indicated by the applicant.
9. Applicant shall provide sign specifications regarding dimming, brightness, number of LED's, diode density, pixel pitch, quality of resolution, viewing angle and other pertinent details. Same shall be reviewed and approved by the Township planner as a condition of this approval.
10. Price signs shall be illuminated by LED's and brightness shall be controlled by automatic dimming.

Mr. D'Amato made a motion to approve the resolution, Mr. Giardina seconded.

Roll call: Mr. D'Amato, yes; Mr. Giardina, yes; Ms. Dargel, yes; Ms. Kinback, yes; Mr. Data, yes; Ms. Darling, yes.

APPLICATIONS:

ZBA-09-00012 WDIFTK, LLC, D Variance / Minor Sub Division for property located at Hillside Avenue, Succasunna Block 5203, Lot 46 in a R-3 zone. *This matter was carried to September 13, 2010 with no further notice.*

ZBA-10-018 Christopher Walsh Variance for a proposed Martial Arts Studio and Wrestling Club for property located at 2 Howard Place, Ledgewood, Block 8901, Lot 9 in a OR-5 zone. *This matter was carried to August 9, 2010 with no further notice.*

ZBA-10-005 Roxbury Automotive Minor Site Plan with a D Variance for property located at 571 Route 46, Kenvil, Block 2702, Lot 4, in a B-2 zone.

Edward M. Dunne, Esq., Valentino & Dunn, 410 Route 10 West, Suite 214, Ledgewood, NJ
Nicholas Wunner, P.E., Wunner Engineering, P.O. Box 303, Succasunna, NJ
Michael Mazza, Applicant, owner of Roxbury Automotive, 1101 Route 46, Ledgewood, NJ.
Were all sworn in, Mr. Dunne stated the application is for a D variance, Mr. Mazza, owner of Roxbury Automotive would like to convert the building located at 571 Route 46 into a vehicle service station (for repairs only) which is a Conditional Use in a B-2 zone. The property does not meet a number of the conditions and that is why a D variance is required. The previous use on the property was for the Underhill Contracting Excavating Company. The site plan was approved in 1969. The contractor stored equipment on the premises, maintenance was performed in the building and there was a small office. The current plan is to utilize the property as a vehicular service station. There would be no gas, diesel or any other fuel dispense on this property it would strictly be used for automotive maintenance. This application represents a change in use from a contractor's yard to automotive repair. It will utilize the existing non conforming building and parking lot the applicant will provide enhancements including a reduction of impervious coverage and removal of an oil tank. The intent is not to change the site, but gravel will be removed that currently exists around the residential properties so that the impervious coverage which is at 84.78% now, would be reduced to 67.41% and bring it more in conformance with the B-2 zone. There is no proposed building, or additions to the building, parking and all other aspects of the site shall remain as is. Mr. Wunner, prepared the Site Plan (Exhibit A-1 thru A-4) described the property location, how it fronts Route 46 east & west (zoned B-2), and adjoining the tract to the northwest is residential properties (zoned R-3), Lake Sliver Springs (a private swim club) along the rear easterly property lines, which is zoned Open Space . The water's edge of Lake Sliver Spring is roughly four feet from the applicants' property. Ms. Dargel noted for the record the letter of No Interest from the State of New Jersey, Department of Transportation dated May 19, 2010 indicates a new access permit will not be required. The existing pavement in the front of the building that is broken up will be repaved and cleaned up; gravel will be added where needed. Mr. Hansen asked that the Board be copied on all NJDEP correspondence, a no further action letter from the NJDEP be a condition of approval in the Resolution that the wells be sealed by a licensed well driller. There was a discussion on handicap accessibility. The existing pavement in the front of the site will accommodate four parking stalls including one ADA stall. Mr. Wunner explained that this property has been vacant for the past two years. Mr. Mazza owns the Sunco Station located at 1101 Route 46 & Howard Blvd., Ledgewood, N.J. Mr. Mazza will lease the property at 571 Route 46, Kenvil to relocate his auto repair shop. The hours of service will be Monday thru Friday, 8:00 a.m. to 5 p.m., Saturday, 8 a.m. to 12 noon; the shop will be closed on Sunday. There will be a total of four (4) employees' at the shop. The employees will park their automobiles in the back of the property; it will be stripped for nine spaces (four spaces for employees and five for customers) along with the autos that are being repaired at the shop. There will be a screened in trash and recycle area as shown on Exhibit A-2, trash and recyclables will be picked up once a week, metal will be picked up on Mondays. Sale of Autos will be minimal there will be no signs advertising Autos for Sale; it's done by word of mouth or Craig's List, on the internet. Anything in back of the building will not be visible from the street; there will be no big trucks on the site. Any waste oil will be stored in an above ground tank; this area will be locked down at night. Exiting lighting will be replaced with shoebox type fixtures the plans must show the adequate illumination.

A garage door will be reinstalled, repairs on autos will be done inside the building which is air conditioned. There will be no body work or painting of vehicles on the premises, repairs will be limited. Landscaping of the property will be inspected by the Township Planner for approval. A 12' X 20' storage shed will be placed in the rear of the property for equipment that is not frequently used. The existing fence is to be repaired as needed. Two electronic copies of the plans will be provided in compatible CAD format as a condition of approval.

Open to the Public: No one stepped forward. Closed to the Public.

Ms. Dargel made a motion to approve this application; it will be an improvement to the property which was a heavy industrial use and is now abandoned. Mr. D'Amato seconded with all the stipulations stated, as agreed to on the record.

Roll call: Ms. Dargel, yes; Mr. D'Amato, yes; Mr. Giardina, yes; Ms. Kinback, yes; Mr. Data, yes; Ms. Darling, yes.

ZBA-10-009 Susan Galko Variance for a detached garage for property located at 27 Emmans Road, Ledgewood Block 6401, Lot 3 in a R-3 zone. William Munday, Esq., McCusker, Anselmi, Rosen & Carvelli, 210 Park Avenue, Suite 301, Florham Park, New Jersey 07932 represented Susan Galko the applicant. Mr. Munday explained that a variance is required for the expansion of an exiting non conforming use and also the removal of an existing storage building. This will be replaced with a two car garage and storage area. Ms. Susan Galko, 27 Emmans Road, Ledgewood was sworn in stated that she has lived at this address for the past 25 years; the property consists of 3.55 acres. The surrounding properties are about a half acre or more each. They are older homes; one is over a hundred years old. My house was built in 1929 and was a farm. Most homes in the area have garages, some are attached and others are detached. Mr. Stern stated that garages are required by code in the Township. Ms. Galko explained the reason for the application is to build a two car garage that will also be able to be used for storage. The garage will house two vehicles and the storage area will be used for tools and seasonal items. The current storage building is a remnant of a much larger barn. The majority of the barn had collapsed and has been removed what remains does not provide proper protection for the items that are stored inside. As you can see by Exhibit A-1; it shows a picture of the remaining barn. The building leaks and is falling apart, it is extremely unsightly. I have a Pod that is on the property now which I use for storage, the POD will be removed when the new two car garage is installed. The garage will improve the look of the property as well as conform to Township requirements. The property has been undergoing updating and cosmetic changes and has been greatly improved. The garage will mimic the house in its design as well as color. Open to the Public: No one stepped forward; Closed to the Public.

Ms. Dargel made a motion to approve this application, Mr. Giardina seconded.

Roll call: Ms. Dargel, yes; Mr. Giardina, yes; Mr. D'Amato, yes; Ms. Kinback, yes; Mr. Data, yes; Mr. Grossman, yes; Ms. Darling, yes.

ZBA-10-014 John Blehl Bulk Variance for a second story addition to an existing dwelling and enlarging the detached garage for property located at 29 Mekeel Drive, Succasunna, Block 3704, Lot 19 in a R-3 zone. Mr. John Blehl, 29 Mekeel Drive, Succasunna (applicant) and Mr. Jeffrey Careaga, Professional Engineer, 382 Route 46 West, Budd Lake, New Jersey were sworn in. Mr. Blehl is proposing a second story addition to the existing one story dwelling and also an 8' by 20'

addition to the existing detached one car garage to become a two car garage. Mr. Careaga stated the existing lot is not in conformance with the bulk requirements. The proposed variance is for an increase in impervious coverage, the increase is 0.6% (684 sf) which is a de minimus increase. The remaining non conformities will not be affected by the proposed improvements and will remain as they exist. There was a discussion on the right side yard set back, what is required 10 ft., what exists and what is proposed 7.3 ft. This is a mixed neighborhood there are eight two story structures and four one story structures as shown on page 2 of Mr. Careagas' Variance Plan Exhibit A-1. The storage shed in the back of the property will be removed. The house has sewer and city water. Page 3 shows a larger version of the proposed site plan and garage elevations. The house will keep its foot prints; there will be no changes to the driveway. Page 4 shows that the house will be built up also, existing and proposed floor plans. The first floor will be open for a great room and a much larger kitchen; the bedrooms will be moved up stairs. Everything is straight forward and shown on the plans. The whole house and garage will be sided and will match. This expansion is needed because our family is growing. The surrounding lots are generally the same size and shape of the subject lot.

Open to the Public: No one stepped forward. Closed to the public.

Ms. Kinback made a motion to accept the plans with the noted variances, Ms. Dargel seconded. Roll call: Ms. Kinback, yes; Ms. Dargel, yes; Mr. D'Amato, yes; Mr. Giardina, yes; Mr. Data, yes; Mr. Grossman, yes; Ms. Darling, yes.

Mr. Careaga asked for a waiver of Resolution to begin construction, Mr. Stern stated this application is straight forward there are no plan modifications, Mr. D'Amato made a motion that as long as the applicant conforms to the plans that were presented to the Board a Waiver of Resolution, the action approved is memorialized. Ms. Kinback seconded.

Roll call: Mr. D'Amato, yes; Ms. Kinback, yes; Ms. Dargel, yes; Mr. Giardina, yes; Mr. Data, yes; Mr. Grossman, yes; Ms. Darling, yes.

ZBA-10-017 Maria Molitoris & Sean Orr Bulk Variance for renovation and addition to a house and a detached garage for property located at 4 Yellow Barn Avenue, Landing, Block 11601, Lot 40 in an R-3 zone.

Mrs. Maria Molitoris and Mr. Sean Orr of 4 Yellow Barn Avenue, Landing, New Jersey were sworn in. Mr. Orr stated that they bought their home in 2007; the house has two bedrooms and is in much need of renovations. We have three children now and are expecting another in September. Due to structural problems our house has multiple leaks, the wood in the walls and floors is rotten and in desperate need of renovations. Currently there is an attic which we plan to replace with an additional bedroom if we are able to build up. The detached garage across the street from the house will be replaced with a new (30 X 40) garage and the temporary garage that is up now will be removed. The color and trim of the garage will match the house, there will be no heat, no plumbing just electric in the garage. Open to the Public:

Mr. Dennis Morgan of five Yellow Barn Avenue, Landing stated that the new Barn plan does resemble other barns in the neighborhood, and in removing the old structures it will without a doubt improve the appearance of the neighborhood. No one else stepped forward.

Closed to the Public. The Board needs for the drawings of the garage to be more explicit. Where the location of the garage doors and garage windows will be, all the plans need to be scaled. The height of the garage door will not exceed 10ft and needs to have a residential appearance. Exhibit A-1 shows the appearance of the new garage. In reference to the house the footprints will not

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change. The fireplace and chimney are being removed. There was a discussion on the mold in the house, the cause and severity of it. The house is supported by cement blocks and steel beams. The distance between the lake and the house will stay the same, as is now. There is a shallow well on the easement of the property. The side porch will be removed; when the work is complete the house will have a further set back. Better plans are needed before construction can begin, the Board needs to see the exact location of everything including the driveway, and more detail of the plans is needed and must be prepared by an Engineer. The precise plans in detail with a survey is very important, an As Built must be done. The Board needs the survey and new plans drawn by an Engineer for action to be taken at the Zoning Board meeting in August.

Ms. Kinback made a motion for Mr. Wiener to draft a Resolution of Approval, action will not be taken until the Zoning Board meeting (August 9, 2010). Mr. D'Amato seconded.

Roll call: Ms. Kinback, yes; Mr. D'Amato, yes; Ms. Dargel, yes; Mr. Giardina, yes; Mr. Data, yes; Mr. Grossman, yes; Ms. Darling, yes.

The meeting was adjourned by motion at 9:10 p.m.

Dolores Tardive,
Board Secretary
July 12, 2010