

**MINUTES OF THE
MENDHAM BOROUGH BOARD OF ADJUSTMENT
July 7, 2015**

Garabrant Center, 4 Wilson Street, Mendham, NJ

CALL TO ORDER

The regular meeting of the Mendham Borough Board of Adjustment was called to order by Mr. Seavey, Chair, at 7:30PM at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

OPENING STATEMENT

Notice of this meeting was published in the *Observer Tribune* and in the *Daily Record* on January 22, 2015 in accordance with the Open Public Meetings Act and was posted on the bulletin board of the Phoenix House.

ROLL CALL

Mr. McCarthy – Absent	Mr. Smith - Present
Mr. Palestina – Absent	Mr. Peck – Present
Mr. Peralta – Absent	Mr. Seavey - Present
Mr. Ritger - Present	

Alternates: Mr. Sisson, Alternate I – Present

Also Present: Mr. Germinario, Board Attorney
Mr. Hansen, Board Engineer
Mr. McGroarty, Board Planner

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MINUTES

Mr. Seavey made a motion to approve the minutes of the regular meeting of May 5, 2015. On a voice vote, all eligible voters were in favor and the minutes were approved, as written.

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PUBLIC COMMENT

Mr. Seavey opened the meeting to the public for questions and comments on items not included on the agenda. There being none, the public session was closed.

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APPLICATIONS

BOA #05-15 – Audi, 26 East Main Street, Block 601, Lot 12 – Amended Site Plan Parking

Audi, 29 East Main Street, Block 1501, Lot 13 – Use variance to allow employee/inventory parking

Present: Mr. Paul Pawlowski, Attorney
Mr. Paul Werther, Audi Representative
Mr. James Watson, Planner

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Mr. Werther was sworn and presented their plans at 29 East Main Street to provide 46 parking spaces for employee parking and car inventory. The building infrastructure will be maintained and although there are no plans at this time to use the building, Mr. Werther stated that it may potentially be used as a back-up office for the Audi dealership in the future. He opined that having employee parking in the lot across the street will minimize parking congestion on Orchard St. and enhance neighborhood safety. Mr. Werther stated that the current fence will be fixed and the exterior lighting will be unaltered. Mr. Werther stated that they plan to re-asphalt and stripe the parking area.

Mr. Hansen suggested a review of the existing lighting with a night field test and also expressed concern about fire truck access to the location.

Mr. Seavey opened the floor for questions from the public. An Orchard Street resident asked questions regarding changes to lighting, building modifications, if any, that can be expected, and also if Audi signage can be expected on the building. She also expressed grave concerns about test driving on Orchard Street.

Mr. Sisson questioned the safety of employees crossing Main Street due to its heavy volume of traffic.

Mr. Watson was sworn, qualified, and accepted as a witness by the Board. Discussions followed on whether separate signature lines on the plans for Lot 12 and 13 were needed, and it was agreed that Mr. Pawlowski would send the engineer a copy of the lease for further clarification. Mr. Watson stated that Lot 13 is an accessory use for parking for the Audi dealership and the location makes it ideal for Audi to eliminate congestion and increase safety in that area.

Mr. Germanario and Mr. McGroarty agreed that since Lot 13 is not adjacent to the principal parking lot, it cannot be deemed as an accessory use and in essence, is creating another car dealership across the street.

Mr. Seavey opened the meeting for public comment. The Orchard Street resident addressed the Planner regarding potential handicapped parking's affect on the crossing guard's to use the east side of the building.

Applicant requed the hearing be adjourned to the August 4, 2015 meeting.

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BOA #06-15 – Stroup, James & Lauri – 11 Knollwood Drive, Block 903, Lot 3 – Variance relief for building coverage to allow single-story addition

Present: Mr. and Mrs. Stroup, Applicant
Mr. Encin, Architect

Mr. Hansen referred to his Completeness Review memorandum dated April 20, 2015 and identified three incomplete items. Given the scope of the project, he recommended that waivers be granted for completeness only and the hearing proceed. Mr. Seavey made a motion to grant the waivers and deem the application complete, which was seconded by Mr. Peck.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Ritger, Sisson, Smith, Peck, Seavey
Opposed: None
Abstain: None

Mr. Stroup was sworn. The Stroup family owns a single family ranch dwelling and needs a C1 bulk variance to enlarge their kitchen. The kitchen addition will be in the center of the residence to enlarge their kitchen space as they have reached their maximum allowable building coverage. The addition will not change the existing footprint of their residence.

Mr. Encin was sworn. He stated that the Applicant resides in a ranch dwelling and cannot build a second story. The kitchen addition will replace a majority of the existing deck. A small deck will be added to the remaining deck and a small patio will be added off the deck. All modifications do not change the streetscape and minimally alter the side view as siding and windows will stay consistent with what they have currently. The building coverage would increase by 337 square to 2,674 square feet.

The Board was generally in favor of the application subject to the following conditions:

- The limit of land disturbance and grading shall be added to the plan
- The appropriate freshwater wetland transition area shall be added to the plan
- All improvements must be completed as per the approved plans.

Mr. Seavey made a motion to approve the resolution with the above considerations and the motion was seconded by Mr. Ritger.

ROLL CALL: The result of the roll call was 5 to 0 as follows:

In favor: Ritger, Sisson, Smith, Peck, Seavey
Opposed: None
Abstain: None

The motion carried and the resolution was approved, as written.

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ADJOURNMENT

There being no additional business to come before the Board, Mr. Seavey made a motion to adjourn which was seconded by Mr. Sisson. On a voice vote, all were in favor.

Mr. Seavey adjourned the meeting at 9:34PM.

The next meeting of the Board will be held on **Tuesday, August 4, 2015 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Carolyn Mazzucco

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Board Secretary