

**MINUTES OF THE
MENDHAM BOROUGH BOARD OF ADJUSTMENT
September 1, 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 – Present	Mr. Smith - Present
Mr. Palestina – Present	Mr. Peck – Present
Mr. Peralta – Absent	Mr. Seavey - Present
Mr. Ritger - Present (7:42pm)	

Alternates: Mr. Sisson, Alternate I – Present

#####

MINUTES

Mr. Seavey made a motion to approve the minutes of the regular meeting of August 4, 2015, which was seconded by Mr. Peck. On a voice vote, all eligible voters were in favor and the minutes were approved, as written.

#####

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.

#####

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

The Applicant requested to be carried over to the October 6, 2015 meeting. It was agreed that this would be the last time Audi could carry over their hearing without renoting.

#####

**BOA #08-15 – Mueller, Aubrey & Michael, 21 North Linden Lane, Block 201,
Lot 68 – Variance Relief for Front and Side Setbacks**

Mr. Hansen referred to his Completeness Review dated July 23, 2015 and stated that the property survey was dated 1963.

Mr. McCarthy made a motion to approve the Completeness Review which was seconded by Mr. Smith.

ROLL CALL: The result of the roll call was 6 to 0 as follows:

In favor: McCarthy, Palestina, Sisson, Smith, Peck, Seavey
Opposed: None
Abstain: None

The motion carried.

Mr. and Mrs. Mueller were sworn. Mr. Mueller explained that they are interested in building in a one-story mother-in-law suite on the left side of their home in expectation of a parent residing with them in the near future.

Mr. Encin was sworn and qualified. Exhibit M-1, dated 8/25/15, is submitted to replace plan A-1. Mr. Encin addressed outstanding checklist and technical items from the Completeness Review dated July 23, 2015. Mr. Encin further described the plans for the addition and the Board commented that it cannot be termed an in-law suite as there is no kitchen being added. Comments from the Board continued regarding potential water run-off to the neighboring property on the side of the proposed addition. Discussion followed pertaining to a change in the location of the addition.

Andy Emory, 23 North Linden Lane, the Mueller's neighbor residing to the left and closest to the addition, stated that he has no windows on the side of his house facing the Mueller's. He also mentioned that he supports the addition and is not worried about water run-off onto his property.

Mr. Seavey outlined the conditions for approval of the Application:

- There should be as drywell requirement per Mr. Hansen
- The in-law suite should be relabeled as a bedroom
- The air conditioning unit needs to be moved by the front closet or in the back corner by the stairs
- A reference needs to be placed on survey of neighbor's distance from the border to the building
- No permit by rule by DEP requirements on plans.

Mr. McCarthy made a motion to approve the Applications subject to the above conditions and Mr. Seavey seconded.

ROLL CALL: The result of the roll call was 7 to 0 as follows:

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

The motion carried.

####

ADJOURNMENT

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

Mr. Seavey adjourned the meeting at 8:49PM.

The next meeting of the Board will be held on **Tuesday, October 6, 2015 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Carolyn Mazzucco

Carolyn Mazzucco
Board Secretary