

**MINUTES OF THE  
MENDHAM BOROUGH BOARD OF ADJUSTMENT  
February 2, 2016**

**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 28, 2016 in accordance with the Open Public Meetings Act and was posted on the bulletin board of the Phoenix House.

**ROLL CALL**

Mr. Palestina - Absent	Mr. Peck - Present
Mr. Peralta - Present	Mr. Ritger - Absent
Mr. Seavey - Present	Mr. Smith - Present
Mr. Sisson - Present	

Alternates: Mr. Reilly, Alternate I - Present  
Ms. Glassner, Alternate II - Present, Arrived at 7:45pm

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

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**2016 REORGANIZATION**

**Annual Report:** Mr. Seavey made a motion to approve the annual report as written and the motion was seconded.

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

In favor:	Palestina, Peralta, Ritger, Seavey, Smith, Sisson
Opposed:	None
Abstentions:	None

The motion carried.

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**MINUTES**

Mr. Seavey made a motion to approve the minutes of the reorganization and regular meeting of January 12, 2016 which was seconded by Mr. Smith. 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 # 09-15 15 Wet Main LLC, 15 West Main St, Block 301, Lot 39**  
Preliminary and Final Major Sit Plan

Present: Mr. Tom Malman, Attorney  
Mr. Villa, Engineer  
Mr. Cusano, Architect  
Mr. Mazzucco, Landscape Architect  
Mr. Zimmerman, Professional Planner

Mr. Reilly certified that he had listened to the CD of the January minutes and would be an eligible voting member for the applicant.

Mr. Malman testified that issues raised at last month's hearing have been addressed by the applicant and will be reviewed by the experts previously sworn and qualified. Mr. Villa introduced exhibits A-10 and A-11, a revised site plan and grading/utility plan. Mr. Villa explained that he incorporated the Board's suggestions to update the zoning plan to include variances and a revised parking plan. One foot was removed off the sidewalk on the east side of the front parking lot and another foot was removed from the landscaping on the west side. The two feet of space was added to parking lot spaces 4 & 8. He also explained that two, 4 cubic yard dumpsters will be placed at the end of the back parking lot which will eliminate two parking spaces from the back parking lot. This will facilitate snow removal and a fenced enclosure of the dumpsters, which was determined to be an 8' high fence on three sides, and a door that would be only 6' high so as to be more manageable. He suggested that there would be ample loading space in back and a generous k-turn area provided on the west side of the townhouses. He mentioned that they are only providing 29 spaces, which is 5 spaces less than the required 34, but this would be more than adequate for the businesses and residences. Water run-off will be captured by scupper on the east side of the building and drywells will be placed in the depressed area behind the townhouses. Utility wiring must be placed underground to the residences but JCP&L had control of the placement of wiring to the historic building. AC pads were placed at the rear of the property.

Mr. Mazzucco presented exhibits A-12 through A-14, revised landscaping and lighting plans, reflecting lighting before 11pm and after 11pm. Benches and lighting along the walkway were added. He stated that after 11pm walk lights would remain on between the residences and street. The trees at the rear were replaced with a Juniper species that grows to 15 feet at maturity, 5 feet less than what was initially proposed, to alleviate shadowing on the other property. Light sconces were placed on the back of the decks.

Mr. Zimmerman was sworn and qualified. He explained the D variances required. He stated that the allowed lot coverage is 60% and that the applicant's proposed plan uses 61%, 350 square feet over the limit. This is still a 30% decrease over the 91% lot coverage that currently exists. The requested density variance is a result of the additional three townhouses, the three pre-existing businesses, and two apartments in the historic building. Mr. Zimmerman explained that the 11 residential parking spaces is more than the 7 required by the ordinance. Lastly, a variance from conditional use standards is requested as the standards in the ordinance were based on a 4-acre piece of property, and Mr. Zimmerman testified that this property is only .8-acres.

The Board discussed other specific conditions like no RV's or boats permitted on the location. Mr. Seavey motioned to approve the application with conditions discussed and Mr. Sisson seconded.

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

In favor: Glassner, Peralta, Reilly, Seavey, Sisson, Smith,  
Opposed: None  
Abstain: None

The motion carried.

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**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 9:45PM.

The next meeting of the Board will be held on **Tuesday, March 1, 2016 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

*Carolyn Mazzucco*

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Board Secretary