

**MINUTES OF THE
MENDHAM BOROUGH BOARD OF ADJUSTMENT
REGULAR MEETING
May 2, 2017**

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 12, 2017 in accordance with the Open Public Meetings Act and was posted on the bulletin board of the Phoenix House.

ROLL CALL

Mr. Palestina - Present
Mr. Peralta - Absent
Mr. Seavey - Present
Mr. Sisson - Present

Mr. Peck - Present
Mr. Ritger - Present
Mr. Smith - Present

Alternates:

Mr. Reilly, Alternate I - Present
Ms. Cass, Alternate II - Present

Also Present:

Mr. Germinario, Board Attorney
Mr. John Hansen, Board Engineer

####

MINUTES

Mr. Seavey asked for comments on the minutes of the regular meeting of April 4, 2017. There being none, Mr. Ritger made a motion to approve the minutes as submitted, and Mr. Smith seconded. On a voice vote the minutes were approved by the Board.

####

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 #4-17 John & Laura Egerter
9 Knollwood Drive
Block 903 Lot 4
C Variance - Second Floor Addition

Present: John and Laura Egerter, Applicant
Dan Encin, Architect

John and Laura Egerter were sworn. The EgerTERS explained that they needed more space for their family, and were hoping to extend their second floor over the garage for a new master bedroom, bathroom, and walk-in closet. Mr. Encin was sworn and qualified. He explained that the applicant's current front yard setback is 33.1 feet, and because of the minimum front yard setback requirement of 50 feet, the house already has a pre-existing non-conformity. He mentioned that the second-floor addition will be flush with the 1st floor and not impact the existing setback. Mr. Encin submitted exhibit A-1, a copy of page A1 of the site plan with an expanded zoning table. The applicant has also agreed to engage a wetland environmental consultant to have the wetlands delineated on the site plan.

Mr. Ritger suggested that the Board recommend a future examination of the zoning set backs on Knollwood Drive. With no public comment, Mr. Seavey made a motion to approve the application with conditions, and Mr. Smith seconded.

ROLL CALL: The result of the roll call was 8 to 0 as follows:

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

The motion carried.

BOA #3-17 Christopher Johnson
15 Balbrook
 Block 2601 Lot 2.04
 C Variance – Swimming Pool and Cabana

Present: Christopher and Jennifer Johnson, Applicant
 Nick Racioppi, Esquire
 Wayne Ingram, Engineer

Mr. Hansen confirmed that the application was complete. Christopher and Jennifer Johnson were sworn, and Mr. Ingram was sworn and qualified. Mr. Ingram explained that the only reason the applicant is requesting a bulk variance is due to the configuration of the lot between Balbrook Drive and Pleasant Valley Road. Although the proposed pool will be built on the side of the house, it is considered to be a front yard. He presented an aerial view of similar properties on the street who also have constructed pools, requiring a variance for the same reason. He mentioned that due to the slope of the property there would be no visual impact from Pleasant Valley Road. He also said that the only lighting surrounding the pool would be regular landscape lighting. The athletic field shown on the plans will be all grass and no lighting.

Mr. Seavey opened up the meeting for questions from the public. Various neighbors addressed the applicant about the height of the retaining walls, and if there would be a sound system. The applicant mentioned that they would have speakers and a TV around the pool, and invited the neighbors to call them if they felt it was too loud.

Mr. Germanario emphasized that there is no variance needed for the retaining walls and fence. Mr. Ritger asked about tree removal, and the applicant said they plan to take out 6 trees by the proposed athletic field and 10 trees by the proposed pool. The applicant also agreed to replace at least as many trees as it removes. The Board also asked about the temporary construction entrance off Pleasant Valley Road, and the applicant agreed it would be removed when completed, in approximately six months. A neighbor commented that they hoped the applicant would restore the landscaping on Pleasant Valley Road when completed.

Mr. Hansen reminded them to file an application with the Board of Health for the septic hook up to the cabana.

With no other public comment, Mr. Ritger made a motion to approve the application with conditions, and Mr. Sisson seconded.

ROLL CALL: The result of the roll call was 8 to 0 as follows:

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

The motion carried.

####

EXECUTIVE SESSION

At 8:19pm Mr. Palestina made a motion for the Board to enter into Executive Session regarding T-Mobile. At 8:47pm Mr. Seavey made a motion to end Executive Session and Mr. Sisson seconded.

####

ADJOURNMENT

There being no additional business to come before the Board, Mr. Seavey made a motion to adjourn the meeting at 8:55pm. On a voice vote, the meeting was adjourned.

The next meeting of the Board will be held on **Thursday, June 8, 2017 at 7:30PM** at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

Respectfully submitted,

Carolyn Mazzucco

Carolyn Mazzucco
Board Secretary