

**MINUTES OF THE
MENDHAM BOROUGH BOARD OF ADJUSTMENT
April 7, 2009
Garabrant Center, 4 Wilson Street, Mendham, NJ**

CALL TO ORDER

The regular meeting of the Board of Adjustment was called to order by Chair Santo at 7:35 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ.

CHAIRMAN'S ADEQUATE NOTICE STATEMENT

Notice of this meeting was published in the Observer Tribune on February 5, 2009 and the Daily Record on January 29, 2009 in accordance with the Open Public Meetings Act and was posted on the bulletin board of the Phoenix House.

ATTENDANCE

Mr. Palestina – Absent
Mr. Peck – Present
Mr. Peralta – Present
Mr. Schumacher – Present

Mr. Seavey - Absent
Mr. Smith - Present
Mr. Santo - Present

Also Present:

Mr. MacDonald, Attorney
Mr. Hansen, Engineer
Mr. Humbert, Planner
Dr. Eisenstein, Telecommunications Consultant

PUBLIC COMMENT

Chair Santo opened the meeting to public comment or questions on items that were not on the agenda. There being none, the public comment session was closed.

APPROVAL OF MINUTES

On motion by Mr. Smith, second by Mr. Peck and carried, the minutes of the regular meeting of March 3, 2009 were approved as written.

HEARINGS

Noll, Ken & Nora – Use Variance
Block 1901, Lot 17, 5 Muirfield Lane

Present: Nora Noll, Applicant
Ken Noll, Applicant
William Bryne, Architect

Exhibits: A-1: Noll Side Elevation
A-2: Noll Rear Elevation

Mr. MacDonald, Esq. reviewed the public notices and advised that the Board has jurisdiction.

Mr. Bryne presented his credentials and was accepted as an expert witness by the Board.

Mr. Hansen led the Board through the completeness review. Application was deemed complete.

Mrs. Noll testified that they currently live in the home that her parents built, and that she grew up in. Her father passed away seven years ago. Given her mother's health issues, they would like to provide her with extra help and care. While they have rented space at the Commons, they would now like to add on to their home to provide additional care and allow her to be around her grandchildren. The space they are proposing integrates into the home and also provides some independence.

Mr. Bryne described the addition as one-story and located to the rear with the right side projecting to the back. There is a sun porch in the rear. The configuration will provide privacy, yet independence. Utilizing Sheet 4 of the plans, he described the ground floor as having a living

room, small kitchen, bathroom with handicap access, elevator and bedroom. Access is through the basement to the elevator to the suite. A bedroom is being converted to a common laundry room. There is some separation, but continuity and connection between the units exist. There is no intent to create a multi-family home.

Chair Santo pointed out that there is an elevator, yet there are also 4 steps on the side elevation. He recommended that they consider planning ahead and replace the steps with a ramp. Mrs. Noll stated that her mother is not currently handicap, but does have walking issues. Mr. Bryne advised that they could elevate the sidewalk to the entrance.

Mr. Hansen advised the Board that the impervious coverage was close, but 125 sq. ft. under the limit. Excess fill would need to be incorporated in a plan for grading and soil control. A drywell system is required and should be shown on the grading and soil control plan. The sewer approval has been obtained.

Chair opened the meeting to public comments and questions. There being none, the public session was closed.

In deliberations all Board members were supportive. It was a design that provided flow and integration. A deed restriction to limit the home to a one-family would be required.

Mr. Santo made a motion to approve the application with the deed restriction and engineering conditions. Mr. Schumacher seconded.

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

In Favor: Peck, Peralta, Schumacher, Smith, Santo
 Opposed: None
 Abstentions: None

The motion carried. The application was approved. Mr. MacDonald, Esq. will prepare a resolution memorializing the action for the May meeting of the Board.

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Kutlu, Hakan & Kimberly – Extension to previously approved use variance: **Resolution**
 Block 2401, Lot 17, 77 Hardscrabble Road

Mr. MacDonald, Esq. presented the following resolution to the Board:

**RESOLUTION OF FINDINGS AND CONCLUSIONS
 BOARD OF ADJUSTMENT
 BOROUGH OF MENDHAM**

WHEREAS, Kimberly Kutlu and Hakan Kutlu have previously applied to the Board of Adjustment of the Borough of Mendham for permission to temporarily retain and reside in their existing single family dwelling located at 77 Hardscrabble Road also known as Lot 17 in Block 2401 on the Tax Map of the Borough of Mendham, which premises are in the 5 Acre Residence Zone while a new single family residence is being constructed; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicants and the adjoining property owners and the general public having been given the opportunity to be heard, approved said application for the reasons stated in its Memorializing Resolution dated November 8, 2006; and

WHEREAS, the Applicants have previously requested the Board to extend the prior approvals for one (1) year due to delays precipitated by the real estate market and family circumstances and NOW REQUEST an additional one (1) year extension of said approvals and the Board finds no detriment to the Borough from such an extension:

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Mendham on this 7th day of April 2009, that the second **one (1) year Extension through MARCH 3, 2010** of the Approval of the application of **Kimberly Kutlu and Hakan Kutlu**, which was originally granted on November 8, 2006, be memorialized herein, subject however, to the following conditions:

1. The new home shall be constructed in conformance with the Exhibits that were provided to the Board with the application materials and described during the Public Hearings on October 23, 2006 and November 7, 2006.

2. All conditions and requirements of the original memorializing resolution remain in effect other than the time extension granted herein.
3. The approvals herein are subject to all relevant Federal, State, County, and Municipal regulations.
4. The variance relief granted herein shall expire if not utilized within one year from the date set forth in this Extension Memorializing Resolution.

Mr. Peck made a motion to approve the resolution. Mr. Schumacher seconded.

ROLL CALL: The result of the roll call of eligible voters was 4 to 0 as follows:

In Favor: Peck, Schumacher, Smith, Santo
 Opposed: None
 Abstentions: None

The motion carried. The resolution was approved.

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Markham, Richard & Susan – Hardship Variance: **Resolution**
 Block 2201, Lot 10.05, 243 Pleasant Valley Road

**RESOLUTION OF FINDINGS AND CONCLUSIONS
 BOARD OF ADJUSTMENT
 BOROUGH OF MENDHAM**

WHEREAS, RICHARD MARKHAM and SUSAN MARKHAM, have applied to the Board of Adjustment of the Borough of Mendham for permission to construct a new front entrance gate with supporting pillars and wing walls at the driveway leading to the single family dwelling located at 243 Pleasant Valley Road also known as Lot 19.05 in Block 2201 on the Tax Map of the Borough of Mendham, which premises are in the 5 Acre Residence Zone; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicants, and the adjoining property owners and the general public having been given the opportunity to be heard at properly noticed Public Hearings on December 2, 2008 and March 3, 2009, has made the following factual findings:

1. The applicants are the owners of the subject property, which is a 34.9 acre parcel with 50 feet of frontage on the northerly side of Pleasant Valley Road. The Application Form indicates that the applicants purchased the property in 2003. The applicants also own the property on the adjoining 10 acre lot which is known as Lot 19 in Block 2201.
2. The applicants through counsel presented a series of Exhibits prepared by Cross River Design, Inc depicting the proposed front gate with related support pillars and pillar top lights and connecting wing walls along with a proposed Landscape Plan and a colored rendering of the gate and landscaping.
3. The applicants through counsel presented a three page Variance Plan of the property originally dated February 15, 2008 and revised through January 15, 2009 prepared by Yannaccone, Villa & Aldrich, LLC, depicting the various improvements and environmental features already on the Lot, as well as the location of the proposed gate, related pillars and the wing walls along with the particulars of the related driveway modifications and utility installations.
4. The proposed pillars supporting the gate are approximately 6 feet 3 inches above grade plus a pillar top light fixture as depicted on the pictorial Exhibit Detail A for a total height of 8 feet 9 inches, whereas the Land Use Ordinance permits a total height of 4 feet in the front yard.
5. The proposed new gates will be 6 feet 10 inches high in the middle and about 5 feet 11 inches high where they will connect to the supporting pillars described above.
6. The Exhibits also show an additional 7 foot wide fence (wing wall) extending from the support pillars to a set of 5 foot 4 inch pillars. The additional section of fence goes from 5 feet 11 inches at the support pillars to 5 feet at the end pillars. The end pillars will be 2 feet from the westerly sideline and 4 feet from the easterly sideline, whereas the LUO requires a side setback of 40 feet.
7. The Exhibits and the testimony indicate that the Gate Structures will be 40 feet up the driveway from the road ROW. The Gate Opening will be 20 feet as suggested in the 11/24/08 Memo from the Borough Fire Official. The applicants agreed to install a Knox Box as suggested in the Memo and the applicants agreed to abide by the additional requirements therein. The applicants also agreed to add a “K-turn” area on the roadside of the new Gate for use in case of a mistaken or a denied entry.

8. The applicants testified about the relatively isolated nature of the home, given its 1,100 foot setback from the road and the safety concerns that they hope to address by installation of the gate.
9. The applicants made modifications to the Plans during the course of the application to satisfy various concerns raised by the Board and its consultants. The Board has received and considered the Fire Officials Memo referred to above as well as the 9/26/08 Exemption Notice from the Morris County Planning Board, the 10/24/08 Review Letter from the Borough Engineer and the Wetlands / Transition Area Investigation dated 2/4/08 from ETI submitted by the applicants.
10. Some members of the public appeared and participated in the initial Public Hearing. There was some concern about the size and location of the gate and walls. The Board file contains letters opposed to the gate and letters in favor of the gate. The Board has relied on evidence and comment presented at the Hearings in accordance with its standard practice.

WHEREAS, the Board has determined that the C(1) and C(2) variance 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 Borough of Mendham for the following reasons:

1. The Board is satisfied from the Evidence presented at the Public Hearings that the applicants have demonstrated that there is a need to install an appropriately sized and located gate at the driveway entrance to this sizeable property and home. Based upon the evidence presented, the Board is satisfied that the requested relief will further the visual enhancement purposes of the MLUL, as well as add to the safety of the applicants' family; and, the Board is satisfied that the width of the "flagstaff" creates an unusual hardship as regards the side setbacks.
2. The Board is satisfied from the Evidence presented at the Public Hearings that the proposed support pillars, gates and wing wall heights and the side yard setbacks will not result in any significant detrimental impact to the surrounding properties, nor to the public good.
3. The Board is satisfied from the Evidence presented at the Public Hearing that the proposed pillars, gates and wing wall heights and their setbacks will not result in any significant detrimental impact to the Borough Zone Plan for this 5 Acre Residence Zone due to the unique size, frontage and topographic characteristics of this particular Lot and the appropriateness of this design for this property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Mendham on this 7th day of April, 2009, that the application of **RICHARD MARKHAM and SUSAN MARKHAM** for C(1) and C(2) variance relief, which was approved on March 3, 2009, be memorialized herein, subject however, to the following conditions:

1. The gates, pillars and wing walls shall be constructed in conformance with the testimony and Exhibits that were provided to the Board with the application materials and described during the Public Hearing. The heights of the various components are permitted to exceed the 4 foot LUO limit only by the specific amounts indicated in those Exhibits as revised and described above.
2. The approvals herein are subject to all relevant Federal, State, County, and Municipal regulations.
3. The Board conditions this approval upon the satisfaction of the Technical Review comments in the 10/24/2008 Review letter from the Borough Engineer including receipt and presentation of a Flood Hazard Control Permit or a Letter of Non Jurisdiction and final design sign off by the Borough Emergency Services. The Property Lines should be staked prior to construction in order to assure the proper side yard setbacks.
4. The variance relief granted herein shall expire if not utilized within one year from this Memorializing Resolution.
5. All application, escrow and inspection fees must be paid and current at the time of the issuance of zoning permits and construction permits.

Mr. Peralta made a motion to approve the resolution. Mr. Peck seconded.

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

In Favor: Peck, Peralta, Schumacher, Smith, Seavey, Santo
 Opposed: None
 Abstentions: None

The motion carried. The resolution was approved.

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Mr. Peralta recused from the Board.

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Omnipoint Communications, Inc. and New York SMSA Limited Partnership d/b/a Verizon Wireless – Use and Other required variances: **Continued**

Block 801, Lot 20, Kings Shopping Center

Present: Richard Schneider, Esq., Attorney for the Applicant

On Behalf of Mr. Isko:
 Irving Isko
 Robert Simon, Esq., Attorney
 David Schechner
 Ronald Graiff, RF Engineer

Exhibits: I-5: BOA Application 7-14-92
 I-6: BOA Application 9-27-96

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Chair announced that the hearing would continue with Mr. Simon, Esq. on behalf of Mr. Isko.

Mr. Simon, Esq. introduced two new exhibits that had come to the attention of Mr. Isko since the last meeting. Addressing Exhibit I-5, Mr. Isko testified that it is an application dated July 14, 1992 to the Board of Adjustment. Parties seeking the variance were St. John's Baptist Church, owner of Daytop, and Nynex Mobile Communication to permit the construction of a cell tower at Daytop. Continuing, Mr. Isko described Exhibit I-6 as an application to the Board of Adjustment dated September 27, 1996 to permit construction of a cell tower at Daytop. The application is dated about four months after Judge Stanton promoted the settlement of issue that he testified to at the previous meeting.

Mr. Simon, Esq. confirmed with Mr. Isko that the first document had been signed by Nynex and Daytop. The second document was signed by Nynex and spelled out that Bell Atlantic Nynex and SMSA were involved. Mr. Isko stated that the application showed that Nynex was involved in an idea for a cell tower at Daytop going back to 1992. They had been denied. They were also involved in 1996. In addition, he questioned why if after being denied the applicants would go to the Board of Adjustment again if there had not been a compromise through Judge Stanton's decision. They wanted to create a record. Judge Stanton did not put his work on paper. The fact that it is not in writing does not mean that it is not part of the law and the decision. Mr. Isko continued that when they wanted to construct Daytop, they came to his lawyer to agree on the conditions including that it would have structural panels, and that they would never put another cell tower in Mendham Borough.

Responding to Mr. Peck on whether there was any precedent for cases to have been denied and then filed before the board, Mr. Isko stated that in his 17 years there were not. Once a case is closed, unless it is appealed in a certain timeframe, it cannot be opened again. It was done in this case for extraordinary circumstances.

Mr. MacDonald, Esq. offered clarification. The Mendham Borough Board of Adjustment took jurisdiction and proceeded with the 1996 case. The application was substantially different from a zoning perspective. The 1992 application was a request to place four to six whip antennas on top of the dormitory similar to the whip antennas that were proposed on top of the Blackhorse. The Board denied the application, and it was not appealed. The bell tower application in terms of location, type and design, in his opinion, was different enough to avoid a blockage based on res judicata.

Chair opened the meeting to questions by the public of Mr. Isko. There being none, the public session was closed.

Mr. Schneider, Esq. requested that instead of cross-examination of Messrs. Isko and Schechner, he be permitted to explain. In 1992 there was an application at St. John's for a rooftop installation. The application was denied and no appeal was taken. Mr. Isko is advocating the argument that Bell Atlantic Nynex Mobile, the predecessor in interest to Verizon, agreed that in conjunction with the 1996 approval by the Board of Adjustment that they would agree not to construct any additional facilities in the Borough of Mendham. The applicant never agreed to that. There are no proofs. Mr. Isko was an interested party in the denial of the AT&T application at the Blackhorse, but the AT&T appeal was never legally consolidated with the Verizon matter, or the Bell Atlantic, Mendham Township matter. They were distinct proceedings. There is no

stipulation contained in any court proceeding or any stipulation of settlement. The transcript of the hearing does not reflect any stipulation. Mr. Isko did not even appear at the hearing. There is no stipulation contained in the resolution of approval of the Board. Omnipoint, the other applicant, would also not be involved based on the testimony. There is nothing to support Mr. Isko's conclusion.

Mr. Isko commented that even though there was no documentary evidence, it did not mean that Judge Stanton did not hold a hearing. The conclusions were oral. Judge Stanton had approved what was to done in the 1996 application. Responding to the Chair, Mr. Isko stated he was not present with Judge Stanton, but Mr. Schechner was. Addressing a follow-on question, Mr. Schechner did not recollect an appearance before Judge Stanton of all of the counsel in both cases. There may have been one case before the Judge that he suggested get resolved and the attorney for that case reached out to others. He continued that at the same time Judge Stanton sent him to the state Appellate Division for another part of his case, and it took two years for a decision. The zoning was dealt with locally. He summarized stating that he did not recall any meetings, but did recall various letters.

Messrs. Isko and Schechner were dismissed as witnesses for the evening. Mr. Ronald Graiff was called and presented his credentials through a series of questions by Mr. Simon, Esq. Dr. Eisenstein asked a series of qualifying questions of Mr. Graiff. After response, Dr. Eisenstein advised the Board that Mr. Graiff should testify, but he would comment as Mr. Graiff testifies. He had some concerns on the contemporary relevance. Chair suggested that the testimony would be heard and that the Board expert would challenge when appropriate. Board would then make their decisions on the facts. Board agreed.

Before beginning testimony, Mr. Graiff added that his knowledge of the industry is current as he reviews application for accuracy completeness on a daily basis. He designs, builds, reviews and evaluates systems. His qualifications have never been questioned any time he has testified.

Beginning his testimony, Mr. Graiff stated that he reviewed the transcripts of all the previous hearings and the backup. He also read the transcripts of the Conifer Drive application and the clock tower application. He has knowledge of the area having done work at the Delbarton Site in Morris Township. He has reviewed the site. He has reviewed the Borough ordinance and the checklist.

Addressing the ordinance checklist used for completeness determination, Mr. Graiff stated that he did not see a report by a qualified radiofrequency engineer demonstrating compliance with the siting requirements, nor a needs analysis with indepth maps and coverage from all facilities demonstrating the facility is necessary. In addition, there were no results from tests to determine the actual signal strength. There was a report indicating compliance with applicable FCC and NJDEP radiofrequency exposure limits. No map of other facilities able to serve the Borough was submitted. He did not comment on a visual environmental assessment as he was not a planner. He did not see a lease for the site. Graphic presentations were not presented. His opinion was that the application as submitted was incomplete.

In terms of the siting priorities in the ordinance, Mr. Graiff testified that it appeared that the location of antennas on an existing building was of paramount importance to the municipality as well as use of a power tower. Municipally owner properties such as fire stations, town halls or police stations are next. The Eastern Business District is the third priority, followed by West Morris Regional High School and other public and private educational sites in the 3-acre and 5 acre residence zones. After reviewing the use of antennas, then new towers can be considered in the same order.

Mr. Graiff continued with his explanation of a critical evaluation of a cell tower proposal. To him the most important thing is whether the need for a facility has been demonstrated. It is important to determine what exists today, what system the applicant has, where the coverage is, and the location of the need. The need should be understood as to lack of capacity or lack of coverage.

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Board took a short break to allow Mr. Graiff to obtain the previously submitted Exhibits that he wanted to use.

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Mr. Graiff began by testifying that the most important thing to determine for the application is the need for coverage in the town. He began his evaluation of the application using information as

supplied by the applicant with the application. In terms of the base maps and overlays, Mr. Graiff referred to the exhibits, but indicated that the Board members should have their own copies. Board and Mr. Graiff discussed whether they had received individual copies.

Working with Exhibit A-1, Mr. Graiff pointed out the various towers as identified by Mr. Pierson. He then moved to the transparency, Exhibit A-3, showing the existing PCS coverage at 120 OPL. He stated that the testimony refers to -85 dbm and -90 dbm, but the overlay refers to 120 OPL, operational path loss.

Using the overlay for Exhibit A-3, Mr. Graiff also indicated that there are dots showing the sites, but there are no dots showing where the coverage is coming from. He pointed out the coverage from the clock tower site and from Conifer Drive, and stated that there is no coverage from any other site that may be in the area. He asked the Board to consider their checklist. There is a tower in Bernardsville and there are sites to the north. He also noted that the coverage is based on 1950 mgh that does not propagate as well as 850 mgh.

Moving to the next overlay, Verizon Wireless PCS proposed coverage at 97 ft., Mr. Graiff explained that registration of the overlays was important to show exactly where the gaps are located. He stated that a gap is shown between the edge of Mendham High School and the edge of Conifer Drive.

Utilizing Exhibit A-1, Mr. Graiff referred to Omnipoint existing coverage at -85 dbm. He contrasted the coverage to that in Exhibit A-3. Referring to a request in the testimony by Dr. Eisenstein for more information relating to the models, he pointed out that the models are computer generated and not real world. There are many different types of models that use a menu type approach where one can choose such things as clutter types, commercial vs. residential, and pixel size. He is looking for a high standard called a drive test. A drive test is the gold standard and is conducted by a specially equipped van or vehicle that has a receiver, a data recorder, a GPS position indicator and a calibrated antenna. Levels of signal strength required are set and any signal strength stronger than -85 dbm and subsequent intervals are recorded. The data points are then printed on a map and colors represent the various strengths. He stated that models are statistically based and time dependent, but drive testing is the real world. When overlaid on the model output, the accuracy of the model can be determined. It also provides for coverage at different heights.

After the explanation, Mr. Graiff returned to Exhibit A-1 stating that he did not understand the difference in coverage of Omnipoint and Verizon from Conifer Drive. He thought it was a difference in the models. He cited an example from another town where there had been two different coverages from the same system using different model types. One could not know if the model represents the actual coverage without the drive test.

Referring back to Exhibit A-1 with the overlay transparency, Mr. Graiff stated that both carriers are at 1950 mgh, but one at 107 ft. and one at 97 ft., a 10 ft. difference. While the gaps appear to be filled, one cannot see the depth of the overlap and can not tell what the alternatives for height might be. He demonstrated that at 107 ft T-Mobile had a wider footprint than Verizon at 97 ft., yet testimony stated that 10 ft. does not make a difference in a model.

Mr. Graiff then referred to the alternate site priority in the ordinance, and the analysis for Verizon at the firehouse at 97 ft. Once again he reiterated that the coverage from the firehouse should have been drive-tested. Since it is a municipal site and it was referenced that the fire department would like to have their antennae on the tower, it warrants a harder look at the alternative.

In terms of the system design, Mr. Graiff stated that the facility should be designed to what is required for coverage, not significantly over what is required. There is no regulatory standard requiring -85 dbm as a minimum signal strength. When carriers first obtain their licenses they have five years to build a certain amount. It does not specify the signal level.

Responding to Mr. Simon, Esq. on the green and white areas on Exhibits A-1 and A-3, Mr. Graiff stated that the green areas represent a signal at -85 dbm or 120 OPL or greater. The green is good. The white is bad. With the green and white, one does not see the edge. The exhibits do not show the build rate step function. He also referenced testimony of Mr. Czura in the Conifer case that stated there was continuous coverage between Conifer and the bell tower.

Addressing Mr. Simon's question on how a carrier knows if a call failed, Mr. Graiff explained the cellular call hand-off process. If a call cannot be handed off to another cell, the switch drops the call and it fails. Carriers know through monitoring exactly where, when and how many call failures they have on a system. He continued that the application is for a coverage problem. Distinguishing between a coverage and a capacity problem he stated that if there is no coverage,

there is no signal and a call cannot be made. There are no cell towers. With a capacity issue, there is coverage, but circuits are busy. Too many people are trying to use the same cell site.

Dr. Eisenstein questioned Mr. Simon, Esq. on whether Mr. Graiff would be referring to all the documentation that was provided to him and the Board before the meeting as it did not relate to the testimony. Mr. Simon, Esq. advised that it was not intended to provide misdirection and was provided in courtesy to the Board. Responding to Mr. MacDonald, Esq. on whether he would be referring to the Mendham Township transcripts, Mr. Simon, Esq. advised that they possibly would.

Chair requested that Mr. Simon, Esq. focus the testimony for the benefit of the Board and its professionals. Mr. Schneider, Esq. requested copies of the Mendham Township transcripts in advance. Chair requested that they be provided 7 to 10 days ahead of the next meeting.

Board, Mr. Schneider, Esq. and Mr. Simon, Esq. discussed the date of the next meeting given limited availability of the professionals. After discussion it was determined that a special meeting would be held to enable the hearing to continue. Ms. Callahan will arrange a date and check availability of the Board and the Schneider and Simon teams through the respective attorneys. Applicant carried the application to the May 5th meeting without further notice. Public was advised to contact Ms. Callahan for the date of the special meeting. Newspaper notice would also be made.

ADJOURNMENT

There being no additional business to come before the Board, on motion duly made, seconded and carried, Chair Santo adjourned the meeting at 10:40 p.m. The next regular meeting of the Board of Adjustment is Tuesday, May 5, 2009 at 7:30 p.m. at the Garabrant Center, 4 Wilson Street, Mendham, NJ. Schedules will be checked for a Special Meeting given scheduling conflicts.

Respectfully submitted,

Diana Callahan
Recording Secretary