

**MINUTES OF THE
MENDHAM BOROUGH BOARD OF ADJUSTMENT
REGULAR MEETING
September 4, 2018**

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 Chairman Seavey at 7:36 p.m.

OPENING STATEMENT

Notice of this meeting was published in the *Observer Tribune* and in the *Daily Record* on February 15, 2018 in accordance with the Open Public Meetings Act.

ROLL CALL

Mr. Palestina - Present	Mr. Peralta – Present	Mr. Smith - Present
Mr. Reilly – Present	Mr. Ritger – Present	Ms. Cass (Alt. 1) - Present
Mr. Seavey – Present	Mr. Sisson – Present	

Also Present: Mr. Thomas Germanario, Board Attorney; Paul Ferriero, Board Engineer; Nancy Probst, Interim Board Secretary

MINUTES

Chairman Seavey moved to adopt the Minutes of May 1, 2018. The minutes were adopted as written, by voice vote.

PUBLIC COMMENT

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

HEARING

BOA # 05-18 Michael Sorge
39 Florie Farm Road (Block 902, Lot 1)
Bulk Variance – Setback

Mr. Ferriero advised that the sewer application and tax certification could be waived for purposes of completeness and that the application could be deemed complete based upon the elevations, as presented.

Motion by Chairman Seavey, **seconded** by Mr. Sisson and unanimously carried to deem the application complete.

Roll Call:

Aye: Mr. Seavey, Mr. Palestina, Mr. Reilly, Mr. Smith, Mr. Peralta, Mr. Ritger, Mr. Sisson, Ms. Cass

Nay:

Abstain:

The Board Attorney provided confirmation of satisfactory Notice.

The applicant, Michael Sorge and his Architect, Carolyn Young were sworn in. Mr. Sorge provided an overview of the proposal for expansion of an existing kitchen and addition of both a mudroom and a half bath.

The Board qualified Ms. Young. She described the home as a center hall colonial with a very small kitchen in need of updating in order to create a more appropriate/modern living space. She explained that the new addition would extend towards the garage off of an existing one-story portion of the home and would be oriented towards the rear of the property. Ms. Young related that although the main house is two stories, the proposal is for a one-story addition to the current nonconforming portion of the house.

Exhibit A-1 was identified as a colorized version of the plan and marked into testimony. Ms. Young confirmed that it was identical except for coloration and testified that the only nonconformity was the rear yard setback. She confirmed that a revision was made to the chart with respect to the dimensions of the setback [from 26.7 to 24.4] in accordance with the Engineer's comments and distributed copies of the revised drawing.

Exhibit A-2 was identified as the same drawing with a revised setback and marked into testimony. Ms. Young testified that since the existing corner is at 22.5,' the new setback would not exacerbate the nonconforming condition. She identified a front portico which she offered was being added for aesthetics. She provided testimony as to the inherent hardship [corner lot] as well as the hardship created by the location of the house on lot given that it does not run parallel with the setbacks. She asserted that if the existing house was angled differently, it (and consequently, the proposed additional) would be conforming.

Exhibit A-3 was identified as pictures of the existing house (1 front, 2 rear) and marked into testimony.

Exhibit A-4 was identified as pictures of the adjacent house on Florie Farm Road.

Exhibit A-5 was identified as pictures of the adjacent house on Phoenix Drive.

Ms. Young confirmed that a signature block would be added to the drawings. She estimated the distance between the rear addition and dwelling on Phoenix Drive at approximately 15' [assuming conformity of their side yard] in response to a question from Mr. Germinario.

Ms. Young responded to a question from Mr. Peralta about whether the covered roof and steps would extend out. Siding and landscaping were discussed. Mr. Reilly asked whether the addition was existing.

Drainage was discussed in response to a question from Mr. Ritger. Ms. Young testified that the slope pitches down to the road allowing for natural drainage. Ms. Young confirmed that the deck would be removed and a stoop added in response to a question from Ms. Cass.

Mr. Ferriero offered that no adverse impacts were noted with respect to what was identified as a small increase in impervious coverage. A brief discussion ensued between Mr. Ferriero and Ms. Young with respect to the correct rear yard setback calculation. Ms. Young confirmed that her final calculation was 24.4.' Ms. Young acknowledged Mr. Ferriero's recommendation of 24.3' and his statement that the approval would be subject to review of a final survey.

A brief discussion ensued about the depiction of pavers on the plan rather than planting beds. Ms. Young explained that they were identified as pavers for purposes of coverage in the event the applicant wanted to utilize them alternatively in the future.

Chairman Seavey commented on the existing hardship as a result of the house being "skewed." He polled the Board for objections to approval of the application. There were none.

The Chairman opened the floor to public comment at 8:01. There was none.

Motion by Mr. Seavey, **seconded** by Mr. Sisson and unanimously carried to approve the application, as presented.

Roll Call:

Aye: Mr. Seavey, Mr. Palestina, Mr. Reilly, Mr. Smith, Mr. Peralta, Mr. Ritger, Mr. Sisson, Ms. Cass

Nay:

Abstain:

MISCELLANEOUS

There was a brief discussion about whether construction next to "Simply Coffee" was further implementation of the plan. Mr. Seavey affirmed that it was and Mr. Ferriero advised that there had been some minor field changes.

Referencing an email regarding Mr. Peralta's resignation, Chairman Seavey and the rest of the Board members wished him the best.

ADJOURNMENT

Motion by Chairman Seavey and unanimously carried to adjourn the meeting at 8:03.

Respectfully submitted,

Nancy Probst

Nancy Probst, Acting Board Secretary