

**Board of Adjustment Meeting
June 16th, 2010**

Chairman Dietz called the Board of Adjustment Meeting of June 16th, 2010 to order at 7:30 p.m. announcing that the meeting had been duly advertised according to Chapter 231, Open Public Meetings Act. The meeting took place at the Municipal Building in the Court Room.

ROLL CALL:

Joseph Jaghab -Present
Barry Quick -Present
Leon Krals –Present
Helen Haines, Vice-Chairpersons - Present
Walter Dietz, Chairman -Present

Frank Valcheck - Present
John Sheridan – Present
Frank Herbert (Alt. #1) – Present
John Stamler (Alt. #2) - Absent
Mark Wetter (Alt. #3) - Absent
Michael Volpe (Alt. #4) - Present

Also in attendance are Mark Anderson, Esq., Board Attorney, Woolson Sutphen Anderson, P.A.; III, P.E., P.P., C.M.E.; Rebecca Marshall, Assistant Planner/Zoning Officer and Tina Restuccia, CSR.

Pledge of Allegiance

Omnipoint Application has been withdrawn

Closed Session 7:30-8:20

Applications:

Anthony Giraldi – File #BA-09-06 –Block 128, Lot 1 – 2238 Madison Ave.

- Mr. Melick and Mr. Giraldi are sworn in.
- Mr. Melick is a professional planner.
- Mr. Melick explains that Mr. Giraldi is in violation because the shed is there without a permit and the applicant is over the impervious coverage.
- Mr. Melick testifies the Applicant wants to buy adjoining property so the lot is in conformance.
- Mr. Melick testifies there is a paper road owned by the Township separating Mr. Giraldi's two properties and he would like to petition the Township to vacate this road so the lots can be merged.
- Ms. Haines asks what steps have been taken to start this process.
- Mr. Melick testifies there is a phone call to Township Committeeman Bob Wagner to see if the Township Committee would be amenable to this arrangement.
- Chairman Dietz advises Mr. Giraldi have counsel in addition to Mr. Melick as a planning professional.
- Chairman Dietz says he believes Mr. Giraldi could be granted an extension.
- Mr. Anderson asks who owns Wilson Ave, the paper street separating Mr. Giraldi's two properties.
- Mr. Melick has a map from 1913 which shows the Township took ownership of the road at this time.
- Mr. Melick testifies he will do a title search to see who owns the paper street now.
- Mr. Melick testifies Harrison Street is also a paper street in the neighborhood.
- Mr. Herbert asks if you can tell where Mr. Giraldi's property ends and the paper street begins.
- Mr. Melick testifies there are woods where the paper street is and not maintained by Mr. Giraldi.
- Ms. Haines comments Mr. Giraldi should be given an extension but it needs to be considered he is in violation.
- Chairman Dietz asks how 120 day extension would be.
- The Applicant is amenable to this.
- Chairman Dietz comments the Applicant must show due diligence.
- Mr. Anderson comments it could be more advantageous for the Applicant if he has a thirty day extension instead of 120 day extension.
- The Applicant is given an extension to September 15th, 2010.

Motion to extend:

Mr. Sheridan

2nd:

Mr. Krals

All: Aye

Acceptance of Minutes:

May 5th, 2010:
Motion to Approve: Ms. Haines
All aye
May 19th, 2010:
Motion to approve: Mr. Krals
All aye

Acceptance of Resolutions:

Sandro Iannella – BA-10-04

- Mr. Iannella is concerned with the hours of operation in his resolution.
- The Board suggests Mr. Iannella accepts the resolution as is and asks for a modification.
- Mr. Iannella agrees to this.

Motion to Approve:
Mr. Valcheck
2nd.
Mr. Krals

Roll Call:
Valcheck - yes
Krals - yes
Jaghab - yes
Herbert - yes
Haines – yes

Diane and Daniel Bessasparis – BA-10-04

Motion to Approve:
Mr. Krals
2nd.
Mr. Valcheck

Roll Call:
Valcheck - yes
Krals- yes
Herbert - yes
Volpe - yes
Dietz – yes

ADJOURNMENT

The meeting adjourned at 8:30p.m.

Submitted by:
Rebecca Marshall
Assistant Planner/Zoning Officer
Board of Adjustment Secretary