

MONTVILLE TOWNSHIP
ZONING BOARD OF ADJUSTMENT
MINUTES OF JULY 5, 2006
Montville Municipal Building, 195 Changebridge Road
8:00PM

STATEMENT OF COMPLIANCE

Stated for the record.

ROLL CALL:

Christopher Braden- Present	Thomas Buraszkeski – Absent ¹
Donald Kanoff – Present	James Marinello - Present
Deane Driscoll – Absent ²	Sean Byrnes (Alt #1) - Absent ³
Maury Cartine - Present	Richard Moore (Alt #2) – Present
Gerard Hug – Present	

Also Present: William Denzler, Planner
Hank Huelsebusch, Engineer
Bruce Ackerman, Esq.

PLEDGE OF ALLEGIANCE

Stated for the record

Swearing in of Professionals

The following application was carried with notice preserved to September 6, 2006:

ZSP/CD24-97-03-06 Allbrite Car Wash - 11 Bloomfield Ave. - B: 162, L: 3 – amended prelim/final site plan expansion of existing car wash to add car wash lane enclosures, interior business office, lobby and 2-bay detail service garage – use variance for non-conforming use/lot area 39,658(existing and proposed) s.f. vs 43,750 s.f. required/lot width at street (existing and proposed) 150’ vs 175’ required/ lot width at building 150’ (existing and proposed) vs 175’ required/ front yard (Bloomfield Ave.) 18.6’ (existing and proposed) vs 40’ required/ impervious coverage 22,298 s.f. allowed vs 36,155 sf. proposed/minimum off street parking 25 vs 33 required/front setback 19’ (vacuum canopy to Rt. 46) vs 40’ is required/min. parking space size/parking space separation parking aisle width/sign area, 2 signs at 72 s.f. each vs 58 s.f. (1st sign) & 11.6 s.f. (2nd sign) allowed/combined sign are of 122 s.f. vs 87 s.f. allowed/sign setback 1’ vs 10’ required/sign height (Bloomfield Ave.) of 17’6” vs 15 allowed *Notice Acceptable*
ACT BY: 10/3/06

The following application was carried with notice preserved to August 2, 2006:

ZC18-03 Ptaszek - 21 Rockledge Rd. – B: 13, L: 22 – construction of a single-family residence – variances requested for lot size 18,564 s.f. vs 27,000 s.f.; front setback 25.2’ vs 50’; wall/fence height 9’ vs 6’; design exception driveway slopes exceed 10%; development within steep slopes; grade changes of 1’ within 5’ of the property line; slope regulation in environmentally sensitive area – *Carried w/notice from 5/3/06* Eligible: Mr. Buraszkeski, Dr. Kanoff, Mr. Driscoll, Mr. Cartine, Mr. Hug, Mr. Braden⁴, Mr. Byrnes⁵, Mr. Moore, Mr. Marinello ACT BY: 8/3/06

¹ With explanation

² With explanation

³ With explanation

⁴ Must certify to 5/3/06 hearing

⁵ Must certify to 5/3/06 hearing

OLD BUSINESS
NONE

NEW BUSINESS:

ZC14-06 Mancini – 28 Gathering Rd. – B: 143, L: 14 – addition to single family home.
Variance requested for maximum building coverage of 2,987 s.f. where 2,655 s.f. is allowed
Notice Acceptable ACT BY: 8/19/06

Present on behalf of the applicant: John & Jennifer Mancini, applicants; Todd Lent, AIA

Mr. Mancini - sworn

Looking for 322 additional square feet in the rear of the house and relief from the driveway turnaround. Expanding the back of the house for more space in the kitchen, living room and an additional bedroom. Mr. Denzler reviewed the variances as maximum building coverage of 2,987 s.f. where 2,655 s.f. is allowed. Mr. Denzler – Have you considered expanding up instead of out? Mr. Mancini – We like the ranch style house and plan to have elderly parents live with us in the near future. The houses in the neighborhood are similar but larger than our house. Mr. Denzler – Are you planning on constructing a deck? Mr. Mancini – No, we may install a patio in the future. Mr. Denzler – If a deck was to be constructed an additional variance would be required for building coverage.

Mr. Huelsebusch – Does the existing sump pump go off a lot with the rain we have been having? Mr. Mancini – Yes but we are the only house tied into the one drain on the street. There is also a storm drain in the back of my property that we can probably tie into. We do not get flooded in the basement, just spots of water. Mr. Huelsebusch – I was concerned with larger basement making more of a water problem but the Engineering Department does not have a problem with them installing a 2nd sump pump.

Open to public – none

Jennifer Mancini – sworn

We are requesting relief from providing a turnaround area. Mr. Huelsebusch – Gathering Road is a wide road. Mr. Marinello – Would they have a problem with impervious if they installed a turnaround? Mr. Denzler – No. Mr. Braden – I would suggest a turnaround be required on that road. Mr. Cartine – Are most of the homes in the area 2 stories? Mr. Mancini – Yes. Dr. Kanoff – I do not see a hardship to the property. Mr. Mancini – Our house is narrow and the kitchen is very small. Ms. Mancini- We wanted a ranch house and the closed in porch would become part of the living area. We have small children and I am pregnant. A ranch style house allowed us to have more control of the children. A 2nd story addition would hinder that control. Mr. Hug – How many bedrooms do you have now? Mr. Mancini – Three, but one is only 8'x12' and it would be incorporated into the master bedroom so we will still have 3 bedrooms.

Mr. Hug – The percentage requested (12%) is higher than we normally go. Mr. Marinello –Further complicating the matter is that the lot is a rectangular lot and not uniquely shaped. Though, there could be something to say about not encouraging all ranches expanding up. Mr. Cartine – In a neighborhood that is mostly 2nd stories? Mr. Cartine – This is not a uniquely small lot and is not irregular in shape. Mr. Marinello – They are not asking for impervious and they are not impeding on the neighbors light and air. Mr. Cartine – This addition may make water runoff problems that already exist worse.

Todd Lent, AIA - sworn

The applicants are looking to have 3 bedrooms that are legal size and at this time one of the bedrooms is not of legal size.

Closed to public

Motion to approve the application, the homes along Gathering Road are both 1 and 2 stories, consistent with the neighborhood, addition will not be viewed from the street, subject to installation of an additional sump pump and turnaround area made by, no 2nd story in the future must stay a ranch and subject to all professional reports made by: Mr. Hug; Second by: Mr. Moore; Roll call: Yes – Mr. Hug, Mr. Moore, Dr. Kanoff, Mr. Marinello; No - Mr. Cartine, Mr. Braden

ZC17-06 Scelba Kristofer – 1 Park Ave. – B: 39, L: 36 – front setback 30' vs 45'/rear setback 29.5' vs 50' prefab single-family residence. *Notice Acceptable* ACT BY: 10/3/06

Present on behalf of the applicant: Kristofer Scelba, Applicant, Joseph Mianeck, PE, PP

Joseph Mianecki, PE - sworn
Kristofer Scelba, applicant - sworn

Mr. Scelba – I purchased the house in 2004. Intended to live there after I got married. Started to do modifications inside the house and found it to be inhabitable. I grew up in Montville and work in Montville so I wish to remain here.

Exhibit A1 – variance plan sheet 1 of 1 highlighted with the existing dwelling and allowable building envelope

Mr. Mianecki – Lot is undersized and has 2 frontages. Want to maintain same frontage along Park Ave. The existing house is just over 2,000 s.f. and the proposed house is just under 2,000 s.f. Requesting variances for front setback 30' where 45' is required and rear setback of 29.5' to the deck where 50' is required. The depth of the lot is narrow. The existing house is dilapidated and the proposed house is in keeping with the neighborhood. The proposed dwelling is centered on the lot.

Mr. Denzler – The applicant is requesting to demolish the existing house and replace it with a modular home. The existing house has a non-conforming setback of 23.2' from Park Ave. and the new setback to Route 202 will conform. Have you looked at other options that would decrease variances requested? Mr. Mianecki – There are large trees existing along Route 202 so the only place to face the house would be toward Park Ave. Mr. Huelsebusch – The Township Engineer wrote a memo today that there are water problems during the winter. Mr. Mianecki – Will install infiltration to catch the water from the house and driveway into drywells. Mr. Huelsebusch – Will you do additional test holes? Mr. Mianecki – Yes.

Open to public –

Hugh Merritt – 8 Park Ave. - sworn
This applicant will improve the look of the street. I request assurances that the drainage will not cause a problem to my property. I am the lowest property on the street and would be the one most affected by runoff. Mr. Mianecki – We will protect adjacent properties by installation of silt fencing, the house can be demolished in a day, and the foundation done within 2 weeks and then the prefab can be brought in. The installation of the drywell is higher so it will have a greater depth. I believe that this drywell system will work. Will submit soil permeability testing.

Mr. Cartine – Are there 2 front setbacks? Mr. Mianecki – Route 202 is complying and a setback variance is requested for Park Ave.

Closed to public

Motion to approve the application, variances existing will be reduced, the benefits outweigh the detriments, a better zoning alternative, unique shaped lot as well as being a corner lot subject to soil permeability testing, installation of drainage as discussed, silt fencing to be installed during construction and subject to all professional reports made by: Dr. Kanoff; Second by: Mr. Cartine; Roll call: Yes - Dr. Kanoff, Mr. Cartine, Mr. Hug, Mr. Braden, Mr. Moore, Mr. Marinello

TRACK 2

ZC19-06 Cooper, Richard – 18 Millers Ln. – B: 68, L: 7 – front setback 35.2' vs 50' and side setback 4.8' vs 20' for 2nd story addition
ACT BY: 10/3/06

Present on behalf of the applicant: Richard & Christina Cooper, applicants

Mr. Cooper – Requesting variances for a front setback of 35.2' where 50' is required and a side setback 4.8' where 20' is required for a 2nd story addition on the existing footprint. Mr. Denzler – In the area of the entryway there is a 3' bump out in the front, which is not across the entire building. Mr. Huelsebusch – Do you know where your downspouts discharge? Mr. Cooper – No, they will remain where they are.

Open to public – none

Christina Cooper, applicant - sworn

Ms. Cooper – Described the other houses in the neighborhood as being a bi-level on one side and a ranch on the other. The setbacks are about the same as mine. There are a variety of houses in the neighborhood.

Public portion closed

Motion to approve the application, improvements are inherently beneficial, in keeping with the neighborhood, existing non-conformity just going up and small 3' encroachment in the front, no detriment to the public good, a turnaround is required, subject to all professionals reports made by: Mr. Cartine; Second by: Mr. Braden; Roll call: Yes - Dr. Kanoff, Mr. Cartine, Mr. Hug, Mr. Braden, Mr. Moore, Mr. Marinello

OTHER BUSINESS

NONE

MINUTES:

Minutes of June 7, 2006 - Eligible: Buraszkeski, Kanoff, Cartine, Hug, Braden, Byrnes, Moore, Marinello

Motion to adopt made by: Mr. Hug, Second by: Dr. Kanoff. Roll call: Unanimous

INVOICES:

Burgis Associates – Trust for: \$67.50; \$480

Robert Catlin & Assoc. – Trust for: \$360

Shapiro & Croland – Trust for: \$270, \$270, \$330, \$210, \$300, \$270, \$240

Motion to approve made by: Dr. Kanoff, Second by: Mr. Hug, Roll call: Unanimous

RESOLUTIONS

ZC15-06 Fazliu – 7 Glenview Rd. – B: 31, L:7- construction of a 2nd story addition which will create a side setback of 14.6’ (existing and proposed) where 20’ is required. Eligible: Mr. Buraszkeski, Dr. Kanoff, Mr. Cartine, Mr. Hug, Braden, Byrnes, Mr. Marinello – Approval Resolution

Motion to adopt made by: Dr. Kanoff; Second by: Mr. Hug; Roll call vote: Yes –Dr. Kanoff, Mr. Cartine, Mr. Hug, Mr. Braden, Mr. Marinello

ZC13-06 Wang – 75 Taylortown Rd – B: 33, L: 40.5 – pool setback 7.52’ where 10’ required – Eligible: Kanoff, Cartine, Braden, Marinello – Denial Resolution

Motion to adopt made by: Mr. Cartine; Second by: Dr. Kanoff; Roll call vote: Yes – Dr. Kanoff, Mr. Cartine, Mr. Braden, Mr. Marinello

ZSPP/FD8-05 858 Route 202 Assoc. - B: 110, L: 117.01 - 858 Rt. 202 – Prel/Final Site Plan/Use Variance – demolition of existing non-conforming service station and addition of convenience store use in a residential zone. Variance for impervious coverage of 14,100 s.f. (12,367 s.f. exists) vs 6,580 s.f., /accessory structure in a front yard/signage in a residential zone/development in CWR district carried w/notice from 11/2/05, 1/4/06 & 5/3/06 – *Eligible:* Kanoff, Buraszkeski, Cartine, Hug, Braden, Byrnes, Marinello - Denial Resolution

Mr. Cartine – Paragraph 5 should say 450 s.f. not 400 s.f.

Motion to adopt as amended made by, Mr. Cartine; Second by: Dr. Kanoff; Roll call vote: Yes – Dr. Kanoff, Mr. Cartine, Mr. Hug, Mr. Braden, Mr. Marinello

General discussion on Burlington Coat Factory, subcommittees and continuing education.

CORRESPONDENCE

None

There being no further business there was a motion to unanimously adjourn made by Mr. Hug, Seconded by: Mr. Cartine

Respectfully submitted,

Jane Groggaard
Recording Secretary

Certified true copy of minutes adopted at Zoning Board meeting of August 2, 2006.

Linda M. White, Sec.