

WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
Regular Meeting
May 25, 2010

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:30 PM by Chairman Cronce.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was summarized by Chairman Cronce: This meeting is called pursuant to the provisions of the Open Public meetings Law. This meeting was included in a list of meetings transmitted to the Hunterdon County Democrat and Trenton Times on January 28, 2010. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office.

The meeting was recorded via digital recording system and copy of CD is on file in the Zoning Board of Adjustment Office.

Chairman Cronce led the Pledge of Allegiance to the American Flag.

ATTENDANCE/ROLL CALL:

Roll call on attendance: Ruth Hall-present, Brian Fitting-present, Dave Sanzalone-present, John Ashton (Alt. #1)-present, John Hoff (Alt. #2)-present, John Cronce-present.

Absent: Robert Fulper, John Dale

Late Attendance: Joseph Romano (after roll call – 7:32 PM)

Professionals Present: Stewart Palilonis, Board Attorney

NOMINATIONS/APPOINTMENT – VICE CHAIRPERSON (UNEXPIRED TERM THROUGH 12/31/10)

Letter of resignation dated 5/14/10 from Ruth Hall as Vice Chairperson for the Board was received. Ms. Hall submitted her resignation from this position due to personal scheduling conflicts. Ms. Hall expressed her appreciation to the Board for appointing her to the position for the last three years and further related her willingness to continue on as a member of the Board. Chairman Cronce thanked Ms. Hall for her service as the Vice Chair of the Board. The floor was opened for nominations for the position of Vice Chair for the unexpired term through 12/31/10. Motion was set forth by Hall nominating Robert Fulper as Vice Chairperson. Nomination was seconded by Sanzalone. Hearing no other nominations, the floor was closed. Motion carried on roll call vote – all eyes.

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PRESENTATION OF MINUTES:

Regular Meeting Minutes – April 27, 2010 – Motion was made by Ashton with a second by Sanzalone for approval of the minutes as presented. Motion carried on roll call vote - all ayes; Hall, Romano-abstain.

RESOLUTION(S) OF APPROVAL:

Resolution 2010-14 – Mostofizadeh – Block 21 Lot 12 – State Highway 31 – Zone Line Interpretation/Minor Subdivision Approval - Resolution as prepared by Attorney Palilonis was distributed. Leo Santowasso, applicant's engineer, and Mr. Mostofizadeh, applicant, were present. It was noted that editorial comments as provided by Engineer Santowasso were incorporated by Attorney Palilonis into the final form of resolution as presented. Motion was made by Sanzalone with a second by Fitting to approve the resolution as presented. Roll call: Fitting-aye, Sanzalone-aye, Ashton (Alt. #1)-aye, John Hoff (Alt. #2)-aye, Cronce-aye. Motion carried.

APPLICATION(S):

Public Hearing: Gasparro – Block 5.33 Lot 11 – Surrey Lane – Variance Request – Rear Yard Setback – Pool
(7:40PM)

Application, checklist, As-constructed Bldg. Survey Plan (marked as Exhibit G-1), and Denial of Zoning Permit dated 4/6/10 from Zoning Official Baldino were distributed. Notices of service and publication were reviewed by Attorney Palilonis and found to be in order. Dixon Munds, Munds Landscaping, Inc., Lambertville NJ, and Peter Gasparro, Applicant, 5 Surrey Lane, Lambertville NJ, were sworn in by Attorney Palilonis.

Rear yard setback relief is being requested for the installation of an in-ground pool. Rear yard setback requirement in the RR-5 zone is 50 ft.; property survey shows 29 ft. setback. Sketch of proposed pool, equipment, shed, patio, and landscaping was presented by the applicant and referred to (Exhibit G-2). Mr. Gasparro related that the property is irregularly shaped and the positioning of the pool is limited due to the irregularity of the property and location of the septic system.

Zoning Official Baldino provided information pertaining to the zoning ordinance requirements for the installation of a swimming pool. Discussion ensued regarding the inconsistency of the proposal presented at the hearing to include the relief being sought vs. the application and plans filed with the Board.

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It was agreed that the applicant would re-submit a more detailed plan accurately reflecting the location of the proposed pool (and all appurtenances thereto as defined in the ordinance), along with exact setback and impervious coverage measurements.

The floor was opened to the public for comments/questions. Hearing none, the floor was closed.

Motion was made by Sanzalone with a second by Romano to carry the public hearing to the regularly scheduled June meeting of the Board. Motion carried on roll call vote – all ayes. Continuation of the hearing was announced to the public; no additional public notice required. Revised plans to be submitted to the Board Secretary two weeks in advance of the June meeting. (8:30PM).

CORRESPONDENCE:

Information was received from **JCP&L**, Re: Contact information for construction projects.

NJLM Mayor's Fax Advisory, Re: Governor Signs S-82/A-437, Eliminates Time of Decision was received.

PRESENTATION OF BILLS FOR PAYMENT:

The following bills were received:

Stewart Palilonis - \$412.50 – April 2010
VanCleaf Engineering - \$1438.50 – Mostofizadeh Escrow Account
NJN Publishing - \$21.81 – Kilmer Escrow Account; \$14.01 – Brown Escrow Account

Motion was made by Sanzalone with a second by Hall for the approval of the bills contingent upon certification of funds. Motion carried on roll call vote – all ayes.

DISCUSSION:

Request for Return of Escrow Funds – Return of escrow fund balance was requested by Mark Brown. Attorney Palilonis advised he had no outstanding bills. Motion was made by Hoff with a second by Fitting approving the release of the balance of the escrow funds. Motion carried on roll call vote - all ayes.

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OPEN TO PUBLIC:

The floor was opened to the public. Hearing no comments/questions, the floor was closed.

ADJOURNMENT:

Motion was made by Hoff with a second by Ashton for adjournment at 8:35 PM. All members voted in favor of adjournment.

Respectfully submitted,

Donna M. Griffiths
Secretary