

BOARD OF ADJUSTMENT
OF
TOWNSHIP OF KINGWOOD



Address Reply To:

Secretary
P.O. Box 199
Baptistown, New Jersey 08803-0199

**May 13, 2009
MINUTES**

M.L. Haring, chairwoman called the meeting to order at 7:30 pm.

PRESENT:

B. Grossman
M. L. Haring
B. Wilson, sec
C. McBride
J. Matticola, eng

P. Stepanovsky
J. Laudenbach
D. Pierce, atty
M. Mott, atty

ABSENT:

D. Hewitt
D. Stryker

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

The 48 hour requirements of the Sunshine Law have been met. Notice of this hearing has been advertised in the Democrat. Copies of this notice were posted in the Kingwood Township Municipal Building and filed with the Municipal Clerk.

MINUTES:

P. Stepanovsky moved to approve the March 11, 2009 minutes, seconded by J. Laudenbach. On roll call to vote.

Aye: M.L. Haring, B. Grossman, C. McBride,
P. Stepanovsky, J. Laudenbach

Abstain: None

Absent: D. Hewitt, D. Stryker

The minutes for April 8th, 2009 were not available.

RESOLUTIONS:

Tony Vacca, Block 6, Lot 24

D. Pierce noted that there were 2 additions both on the same on page 11-David had forgotten to include the extension of time to perfect the subdivision. J. Laudenbach moved to approve with the corrections, seconded by P. Stepanovsky. On roll call to vote.

Aye: M.L. Haring, C. McBride, J. Laudenbach, P. Stepanovsky

Abstain: B. Grossman
Absent: D. Stryker, D. Hewitt

Hunterdon Land Trust Alliance, Block 33, Lot 14

D. Pierce noted one correction on the last page-P. Stepanovsky was acting chair .

C. McBride moved to approve with the above noted correction, seconded by B. Grossman. On roll call to vote.

Aye: B. Grossman, C. McBride, J. Laudenbach, P. Stepanovsky
Abstain: M.L. Haring
Absent: D. Stryker, D. Hewitt

Determination of Completeness:

Arc of Hunterdon, Block 17, Lot 16.02 – request for adjournment – letter dated May 4, 2009 submitted.

Aye: M.L. Haring, B. Grossman, D. Stryker, P. Stepanovsky
C. McBride, J. Laudenbach
Abstain: None
Absent: D. Hewitt

The hearing be be scheduled for 5/13/2009 @ 7:30 pm.

Nextel of NewYork, Inc. & JCP&I. Co., Block 26, Lot 25.01 – a variance from the terms of Articles & Sections 132-49 of the Zoning Ordinance of Kingwood Township so as to permit the installation of a wireless communication facility on property located at 19 Hammar Road, Stockton, N.J., in the AR-2 Zone.

Mary Mott, attorney, will be representing the Board as legal council due to conflict of interest with David Pierce.

B. Grossman recused himself.

David Soloway from the law firm of Vogel, Chait, Collins & Schneider, attorney for the applicant , introduced Frank Colasurdo, architect, who will be addressing items noted in the letter from Gilmore & Associates, Inc., Thomas Decker, engineer for the BOA. Dated May 6, 2009.

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Item #1 - Electronic Copy of Plat - None provided-will submit.

Item #5 - Prepared & Sealed by licensed NJ Professional Engineer - waiver being requested.

Item #7 - Current Survey prepared by licensed NJ Land Surveyor - secretary has with raised seal .

Item #17 - Contours & Topography within 10 ft. - can provide aerial overlay.

Item #18 - Existing & Proposed Drainage Facilities Within 200 ft - waiver being requested (can submit drainage calculation)

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Item #19 - Location & Type of Existing & Proposed Easements - none existing or proposed.

Item #20 - Depiction of Freshwater Wetlands Within 150 ft - can submit documentation.

Item #26 - Property Line Distance - will provide.

Item #36 - Proposed Screening – waiver requested.

Item #43 - Location of Natural Features to be Preserved- will provide.

Item #44 - Soil Erosion & Sediment Control Plan - waiver requested - will provide copy of soil erosion plan prior to next meeting.

Item #45 - Drainage Calculations - waiver requested-can submit grading plan.

Item #47 - Proof of Submission to County Planning Board - will provide.

Item #48 - Certification to D&R Canal Review Zone - need to submit application.

Item #49 - Mapping of Steep Slopes – waiver requested-can cross reference with Item #17.

Item #50 - Stormwater Management Plans – waiver requested-similar to Item #45

Item #51 - Delineation of Floodplain Zones – waiver requested-site plan info Item #7 not in flood plain.
Item #57 - Proof of Submission to County Soil Conservation District – waiver requested-addressed in Item #44

Item #59 - Proof of Submission to NJDEP – waiver requested -Item #20 environmental letter would answer.

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Item #60 - Depiction of Septic Systems & Wells within 100' of Property – Waiver requested-none proposed.

Discussion on Item #5 as to whether the plans can be prepared by a licensed architect. The applicant stated that they will provide a letter from the state verifying this.

Board members were told that the cabinets would be sitting on concrete piers and steel posts (Z-5 Sheet).

Board members asked about a chain link fence, outdoor lighting (Z-4), front elevation of equipment shelter (Z-5) and detail light fixtures (Z-6).

Charles McBride noticed that the facility has outlets and asked if they were receptacles for generators, what type? - (60KW), how much fuel? - (210 gal-7 gal per hr.). The generator are only brought on site when there is a power outage. There is 8 hrs with battery backup for outages.

Board members also asked about noise, emergency situations-access drive.

P. Stepanovsky asked about the coverage of the tower-another tower within reasonable distance. The applicant stated that they will have a witness at the hearing.

P. Stepanovsky moved the application be deemed conditionally complete upon submission of items noted to the Board by May 29th 2009, seconded by J. Laudenschick. On roll call to vote.

Aye: M.L. Haring, C. McBride, J. Laudenschick, P. Stepanovsky

Abstain: B. Grossman

Absent: D. Stryker, D. Hewitt

Hearing:

Phillip Vocke, Block 8, Lot 29 - bulk variance so as to permit the construction of a garage on the back of the property. The proposed accessory detached garage is larger than the 2% maximum building coverage permitted in the VR-1 District.

David Pierce, attorney, reviewed the affidavit of publication and notice served and found both to satisfy the notice requirements. The Board may proceed and open the hearing.

Phillip Vocke was sworn in. He informed the Board that both he and his fiancée recently purchased the property in Baptistown. The insurance company informed them that they will cancel their insurance if improvements are not made to the garage. They determined (P. Vocke) that the expense to do that would be greater than replacing it with another and adding storage and also make it possible for them to pull out onto 519, rather than backing out.

Exhibit A-1 – Photo's of existing garage.

M.L.Haring asked about the garage and was told it was like a pole barn and very attractive looking.

Exhibit A-2-Picture which emulates what they're proposing to build. (Conestoga Dutch Pole Barn)

P. Stepanovsky asked what the garage is now and was told 16 ½ X 16 ½ with 1 bay, very little room for storage and they are unable to turn around.

M. L. Haring asked what the area behind the present garage is like and was told that it was grass, shrubs and trees and is not wooded.

M.L. Haring asked if they considered building it behind the house and was told that the well was located there.

P. Stepanovsky asked about the walkway from the house to the garage and was told that it will be concrete.

M.L.Haring asked what was there now and was told stepping stones.

P. Stepanosky asked if the new garage would be in the same location and was told it would be slightly behind the existing garage.

C. McBride noted that it would be roughly 12 ft further back.

B. Grossman noted that it's a little over 256 sq. ft.

P. Stepanovsky stated that it's an improvement from what's there and feels the benefits outweigh the coverage difference.

Questions from property owners within 200 feet. **None**

Testimony from property owners within 200 feet. **None**

No one from the public had any questions or testimony.

Hearing is closed.

No objections from the Board members.

P. Stepanovsky moved to approve, seconded by B. Grossman. On roll call to vote.

**Aye: M.L. Haring, B. Grossman, C. McBride, J. Laudenbach,
P. Stepanovsky**

Abstain: None

Absent: D. Hewitt, D. Stryker

COMMUNICATIONS/REPORTS:

Borough of Frenchtown-March 1, 2006-Revised Stormwater Management Plan

Borough of Frenchtown-2009 Re-Examination Report presented March 30, 2009

Amendment to Frenchtown Borough Master Plan for Creation of Overlay Zoning in Portions of R-5 and R-2 Zones-presented March 30, 2009

Borough of Frenchtown Ordinance amending Land Use Ordinance-3/25/09

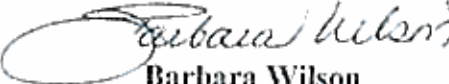
Delaware Township – Ordinance #2009-07LU

OPEN TO PUBLIC:

N/A

ADJOURNMENT:

B. Grossman moved to adjourn, seconded by J. Laudenbach. The meeting adjourned at 8:55 pm. All in favor.


Barbara Wilson
Secretary-KBOA