

**BOARD OF ADJUSTMENT  
OF  
TOWNSHIP OF KINGWOOD**



Address Reply To:

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

**September 9, 2009  
MINUTES**

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

**PRESENT:**

B. Grossman  
M.L.Haring  
P. Stepanovsky  
C. McBride  
T. Decker, eng

D. Stryker  
D. Pierce, atty  
J. Laudенbach  
B. Wilson, sec

**ABSENT:**

D. Hewitt

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. The Board of Adjustment proceedings close at 10:30 p.m.

**MINUTES:**

The August 12, 2009 minutes were approved with a motion by C. McBride, seconded by B. Grossman. Charles McBride noted that the Del Val News be stricken from the minutes. On roll call to vote.

**Aye: B. Grossman, M.L. Haring, C. McBride, J. Laudенbach, D. Stryker,  
P. Stepanovsky**

**Absent: D. Hewitt**

**Abstain: None**

**RESOLUTIONS:**

None

**NEW BUSINESS:**

**Determination of Completeness:**

**Maggie Lenox, Block 30, Lot 9** – application incomplete – items not addressed

B. Grossman moved to deem the application incomplete, seconded by P. Stepanovsky. On roll call to vote.

**Aye: B. Grossman, M.L. Haring, C. McBride, J. Laudenschach, D. Stryker,  
P. Stepanovsky**

**Absent: D. Hewitt**

**Abstain: None**

**William W. Spinks, Block 1, Lot 7.07** - a variance so as to permit the construction of a deck onto an existing residence that encroaches on the side yard setback. A previous application for relief was filed & approved on June 14, 2000. The property is located on 1297 County Rd 519, Frenchtown, N.J., in the AR-2 Zone.

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

Tom Decker, engineer, informed the Board that the applicant proposes to remove the existing deck, construct a new deck, stone patio and a free standing gazebo all of those structures are contained in the building setbacks. The reason they are seeking relief is that the house itself encroaches within the front yard setback. A variance previously granted doesn't exasperate the existing setback. The septic is to the rear and the well to the front.

B. Grossman asked Mr. Spinks if he applied for the variance and was told that the previous owner came before the Board.

No questions from D. Stryker, J. Laudenschach and C. McBride.

P. Stepanovsky asked the size of the existing deck.

Michael Medea, landscape architect, was sworn in by D. Pierce, attorney. Michael Medea informed the Board that the existing deck is 24 x 12' and the new deck would be double in size-all within the requirements.

M. L. Haring noted that Mr. Spinks wanted the resolution to reflect for any future construction and the Board has never done that.

D. Pierce suggested that the applicant make a request for relief from that setback requirement to the Planning Board.

No questions from the public.

No testimony from the public.

M. L. Haring moved that the hearing be closed.

No negative comments from the Board-all present were in approval.

J. Laudenschach made a motion to approve, seconded by B. Grossman. On roll call to vote.

**Aye: B. Grossman, M.L. Haring, C. McBride, J. Laudenschach, D. Stryker  
P. Stepanovsky**

**Absent: D. Hewitt**

**Abstain: None**

D. Pierce noted that the next step would be that a Resolution will be prepared and presented to the Board for approval at the next meeting.

D. Pierce noted that the next step would be that a Resolution will be prepared and presented to the Board for approval at the next meeting.

**Robert S. Maurer, Block 51, Lot 45** - a variance from the Terms of Articles & Sections 132-50 (f) of the Zoning Ordinance of Kingwood Township so as to permit the installation of a 45' steel monopole supporting a wind generator. The property is located on 165 Byram Lane, Stockton, N.J. 08559, in the AR-2 Zone.

**Public Notifications incomplete.**

**COMMUNICATIONS/REPORTS:**

Delaware Township-August 12, 2009 -Ordinance #2009-20LU  
Kingwood Township Ordinance No. 15-06-2009-An Ordinance to Revise and Re-enact Chapter 86, Junkyards, and to Amend Chapter 127, Vehicles, Inoperable and Chapter 132, Zoning.  
Courses in Planning & Zoning Administration.

**OPEN TO PUBLIC:**

Tom Decker made a suggestion that the application form be updated to include the applicants phone #, fax # and e-mail address, as well as the information pertaining to their attorney and engineer. After discussion the secretary suggested that she will send each a copy of the present application and at the next meeting they can discuss it further. Charles McBride, Board member, has offered to do the revisions.

Charles McBride asked about 2 applications submitted to the Board-Arc of Hunterdon and Nextel. D. Pierce noted that Arc of Hunterdon withdrew their application and Nextel is still incomplete.

B. Grossman had a question about the course he had taken 1-1/2 years ago and hasn't heard a thing.

**ADJOURNMENT:**

B. Grossman moved to adjourn, seconded by D. Stryker.. The meeting adjourned at 8:05 pm. All in favor.



**Barbara Wilson**  
**Secretary**  
**Board of Adjustment**  
**Kingwood Township**