

**BOARD OF ADJUSTMENT
OF
TOWNSHIP OF KINGWOOD**



Address Reply To:

Secretary
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**March 10, 2010
MINUTES**

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

PRESENT:

B. Grossman
M.L.Haring
P. Stepanovsky
D. Hewitt

B. Wilson, sec
D. Pierce, atty
J. Laudenbach
T. Decker

ABSENT:

C. McBride
D. Stryker
M. Przystup

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 pm.

MINUTES:

The November 11, 2009 minutes was approved with a a motion by B. Grossman, seconded by D. Hewitt. On roll call to vote.

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

The December 9, 2009 minutes was approved, with one (1) correction noted by J. Laudenbach adding the word "not" to his statement during deliberation, seconded by B. Grossman. On roll call to vote.

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

The January 13, 2010 minutes was approved with a motion by D. Hewitt, seconded by P. Stepanovsky. On roll call to vote.

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

RESOLUTIONS:

Kingwood BOA-Report on Variance Applications for 2009 moved to the end of the meeting

NEW BUSINESS:

Hearing:

Mary Mott is the attorney representing the Board on this application, due to a conflict of interest David Pierce had to recuse himself.

The notice served and published satisfy the notice requirements. The Board may proceed and open the hearing.

Paul Smith, Block 37, Lot (s) 9 & 9.01-a variance so as to permit the construction of an addition to a single family dwelling. The existing dwelling lies within the front yard setback (for a detached single family dwelling in the AR-2 Zone). The property is located on 223 Federal Twist Rd., Stockton, N.J. 08559.

Paul Smith, applicant, was sworn in by Mary Mott, attorney.

Paul Smith informed the Board that he is applying for a variance to remove an old portion of the existing house and replace it with a much larger addition. What's coming off is 800 to 900 sq. ft. and the new would be 3,000 sq. ft. He is trying to do his best to make the addition in keeping with the old portion of the house, which was built in the 1850's, so it has a rustic feel to it and blends in with the surrounding area. He didn't want to disturb the old structure or tear it down, in order to build into the proper envelope, so that's why he's before the Board this evening.

M.L.Haring asked about the drawing he was referring to and was told it was SK7. She then informed Mr. Smith that the Board didn't receive that drawing but did receive drawings marked A3 & A4, which doesn't show what was there before. M.L. Haring asked if they had one that they could display for the Board members and Mr. Smith replied that he believed they did.

P. Smith identified and pointed out different items on the drawing. Above the one car stone garage the artist built a studio in the 60's. That will be replaced with a library-the stone structure will remain. On the first floor to the right is a garage with studio above it accessible from the second floor of the original structure and egress to the outside with a set of stairs. To the left of the garage is the center portion of the house which is one big living area, living room, walk in fireplace and is the original farmhouse. The kitchen was built on in the 50's or 60's.

P. Stepanovsky asked if the fireplace will remain and was told, it will.

P. Smith explained that the existing second floor studio now serves as the Master Bedroom and a small shed roof that comes out that serves as a bathroom and laundry area, which will be removed and will become the library.

B. Grossman asked what would become with the room above the garage and was told that it would converted to a library.

M.L.Haring asked if it is presently a two bedroom home and was told yes, but the artists studio is also a bedroom making it a three bedroom home.

Paul Smith stated that the original drawings show the final result of the first floor.

B. Grossman asked what was in the front yard and was told all existing is in the front yard and half of the new is in the front yard.

The following EXHIBITS were submitted as follows:

EXHIBIT A-1- VIEW FROM FEDERAL TWIST RD.

EXHIBIT A-2- SAME AS ABOVE

EXHIBIT A-3- WHERE HOUSE IS IN RELATION TO THE ROAD

EXHIBIT A-4- SAME AS 5.1 & 5.2

EXHIBIT A-5- KITCHEN -DINING AREA

EXHIBIT A-6- BACKSIDE OF KITCHEN & DINING AREA TO BE REMOVED

The plan that Paul Smith has been referring to is marked SK7 which the Board didn't get and should be submitted for the Board's records or the Board can keep their copy.

J. Laudenbach asked if the ceiling height in the original house was low and was told by P. Smith it's approximately 7 ½ feet.

M.L.Haring asked about a full basement and was told that in the new addition there will be a full basement-in the existing it's about 5 ½ feet-poured floor.

M.L.Haring noted that once the addition is complete they will be going from a three bedroom to a four bedroom house. M.L. Haring asked Tom Decker, engineer, if the Board received certification for the septic.

Tom Decker informed the Board that they have done the septic testing and are removing the existing and constructing a new one. The approval from the HCHD would be a condition of them getting their building permit.

Tom Decker stated that based on our review the existing dwelling is within the set back and half of the new addition is in the front set back and the existing house is within the 50 foot buffer associated with the wetlands and the addition will also have a portion within the buffer, so they will need to go to the DEP for a transition averaging permit. DEP approval will be required for this.

Tom Decker questioned Mr. Smith that there is no proposed grading shown on the drawing and noted that Mr. Smith mentioned some grading issues on the back corner.

P. Stepanovsky mentioned Paul Smith property line and Tom Decker explained that his set back is measured from the right of way and they fall below the threshold required by storm water management.

P. Stepanovsky asked about the stairway to the second floor and was told that it will be removed.

P. Stepanovsky asked about the gravel driveway to the north and was informed that they have no plans to keep it-it will be removed.

P. Stepanovsky asked where the old kitchen is in the back, is the distance from the corner of the property line greater than the 53.4 or less than. It's the same and it's not any closer to the road, it's staying in the same front line.

- 1) P. Stepanovsky asked, in the library (now garage), are they replacing the door, and was told yes and on the opposite side, where the rolling garage door is now, they are putting in a french door. They are also replacing the windows on the front of the library room.

M. L. Haring asked about the second floor walk in closet dimensions and was told it's over the new garage which is 28 x 24 and the closet is approximately ¾ of that with a little extra space for meditation. The closet is being incorporated from the pitch of the roof.

The hearing is closed.

After deliberations all Board members present saw no problem with what Paul Smith is proposing to do.

B. Grossman made a motion to approve subject to all the standard conditions including the DEP and HCBH, seconded by D. Hewitt. On roll call to vote.

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

Abstain: None

Absent: C. McBride, D. Stryker, M. Przystup

Resolution:

Kingwood BOA- Report for 2009

This was moved from the beginning of the agenda.

After discussion it was noted that there is the need to revise the zoning to incorporate requirements for wind generators on property. David Pierce noted that he will make revisions to the resolution recommending certain acreage with appropriate set backs.

COMMUNICATIONS/REPORTS:

Kingwood Township minutes for 12.1.2009

The New Jersey Planner-Dec 2009/January 2010.

Letter from Margaret Lenox-withdrawing application

Rutgers-Planning & Zoning Courses-Spring 2010

OPEN TO PUBLIC:

None

ADJOURNMENT:

D. Hewitt moved to adjourn, seconded by J. Laudenbach.. The meeting adjourned at 8:30 pm. All in favor.

Barbara Wilson
Secretary
Board of Adjustment
Kingwood Township