

**BOARD OF ADJUSTMENT
OF
TOWNSHIP OF KINGWOOD**



Address Reply To:

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

**August 11, 2010
MINUTES**

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

PRESENT:

B. Wilson ,sec
M.L.Haring
T. Decker, eng
C. McBride
J. Laudenbach

P. Stepanovsky
D. Pierce, atty
D. Hewitt
D. Stryker

ABSENT:

M. Przystup
W. Grossman

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.

RESOLUTIONS:

Cellco Partnership d/b/a Verizon Wireless, Block 37, Lot 4.

The applicant has asked David Pierce if he could prepare a draft resolution. Copies were handed to the Board members to read. The following corrections were noted: Page 1- In the Title Block- change New Cingular to Cellco Partnership d/b/a Verizon Wireless; Page 1 and 11-change D (1) to D (3); at the end who moved, seconded etc.

J. Laudenbach made a motion to approve, with above noted corrections, seconded by P. Stepanovsky. On roll call to vote.

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

MINUTES:

The July 14, 2010 minutes was approved with a a motion by D. Hewitt, seconded by P. Stepanovsky. On roll call to vote.

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

NEW BUSINESS:

Adjourned from the June 9th, 2010 meeting.

Cellco Partnership d/b/a Verizon Wireless, BL 37, Lot 4- a variance from the terms of Articles & Sections 132-49 6 (2) R of the Zoning Ordinance of Kingwood Township so as to permit the collocation of a wireless telecommunications facility consisting of (9) panel antennae mounted to an existing guyed lattice tower together with ancillary equipment to be placed within an already existing equipment compound, in the AR-2 Zone. The property is located on 172 Byram Kingwood Road, Stockton, N.J. 08559.

C. McBride recused himself.

Kevin Jones, attorney for the applicant, gave a brief overview for the Board members present and Deb Stryker who was absent at the hearing for this application.

No questions or testimony from property owners within 200 feet. No members from the public present.

No questions from the Board.

P. Stepanovsky made a motion to close the hearing, seconded by J. Laudenbach.

Board members, J. Laudenbach, D. Hewitt, P. Stepanovsky, D. Stryker and M.L. Haring have no problem with collocation

M.L. Haring did note a question about the chain link fence that it would be replaced and/or repaired. Kevin Jones agreed that the fence would be either repaired or replaced.

David Pierce, attorney for the KBOA, suggested the following conditions:

1. The antennae be galvanized grey.
2. No lights on the tower or antennae.
3. The MCI dishes be removed before the new antennae are installed.
4. The chain link fence shall be either replaced or restored.
5. Approval is for the proposed equipment and use only.
6. The proposed antennae, equipment cabinet etc. are subject to a signed site plan and an as built survey submitted to the Township Engineer upon completion of construction.
7. The applicant shall permit collocation of other wireless telecommunications.
8. The antennae shall be no higher than 139 feet.
9. The tower antennae etc be removed within 90 days of cessation of use.
10. The applicant shall pay 50% of the estimated developers fee to to Kingwood Township prior to the issuance of building permits.
11. Two (2) years from the date of the resolution being adopted to obtain a construction permit.
12. The Board employees or professionals **will not** perform any services if there is a deficiency in escrow.
13. All improvements must conform with federal, state, county and municipal statutes and regulations.

P. Stepanovsky made a motion to approve with conditions, seconded by D. Hewitt. On roll call to vote.

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

Abstain: C. McBride

Ralph Celebre, BI 33, Lot 23 – bulk variance so as to permit an addition to an existing dwelling that lies within the 75' front yard setback for a detached single family dwelling in the AR-2 Zone. The property is located on 477 Byram Kingwood Rd., Frenchtown, N.J. 08825

David Pierce noted that the Proof of Service and Publication has satisfied the notice requirements and the Board may open the hearing.

Ralph Celebre handed copies of the Key Map to the Board members.

Ralph Celebre was sworn in by David Pierce, attorney.

Mr. Celebre informed the Board that he is proposing an addition to his home and that his house sits within the 75' front yard set back. He is applying for a C-1 - bulk variance. The existing survey provided shows the existing home, driveway, existing barns (2). The home and one (1) barn are over 200 years old. He would like to add an addition to the south side which is actually a solar sun space to gain solar heat and on the back side a screened porch approximately half of the back width of the home, the other half is a roofed patio and on the north side a porch with a front portion and an existing vestibule is to be converted to a 2 story stairwell. He is also proposing a walkway from the house to the garage which is a roofed open sided breezeway. The property consists of 8 acres. He has attempted to provide the Board with all the information that the Board has requested. The plans that he has submitted do not encroach any further into the front yard setback. He would like to upgrade his property.

M.L.Haring asked the ages of the 2 barns and was told that the larger of the two is over 150 years old and the other is approximately 75 to 80 years old.

J. Laudenbach asked if the dormer on the roof shining down to the second floor or is it attic space and was told by Ralph Celebre that it's for the second floor.

Ralph Celebre informed the Board that he would like to keep the integrity of the old house and show the beams on the inside but modernize it in terms of some of the elevations of the rooms.

Questions from the Board members

D. Stryker asked the distance from the existing house to the well and was told 13.6' and 2'6" from the new addition.

J. Laudenbach asked about the 1st floor plan that there are 2 fireplaces and was told that they're existing.

M.L. Haring asked if there is a basement under the existing house and was told that there is a half under the older portion of the house and the other half is a crawl space. The new will be on a insulated slab for max efficiency.

No members of the public with questions or testimony.

P. Stepanovsky moved that this hearing be closed, seconded by D. Hewitt.

C. McBride, J. Laudenbach, D. Hewitt, P. Stepanovsky, D. Stryker and M.L. Haring all agreed that the proposed looks good and they have no objections.

P. Stepanovsky made a motion to approve, seconded by J. Laudenbach. On roll call to vote.

**Aye: C. McBride, J. Laudenbach, D. Hewitt, P. Stepanovsky, M.L. Haring
D. Stryker**

Absent: B. Grossman, M. Przystup
Abstain: None.

COMMUNICATIONS/REPORTS:

HCPB- Re: Planning & Design Awards-2010
Milford Merchants Association-July 22, 2010

OPEN TO PUBLIC:

Discussion on seeing if the committee could fill our vacant alternate position. The secretary will e-mail Elaine Nieman and bring this to her attention.

ADJOURNMENT:

J. Laudenbach moved to adjourn, seconded by D. Hewitt.. The meeting adjourned at 8:40 pm. All in favor.

Barbara Wilson
Secretary
Board of Adjustment
Kingwood Township