

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT**

**MINUTES
October 12, 2016
7:30 PM**

CALL TO ORDER

The meeting was called to order by M.L. Haring at 7:33 PM.

PRESENT: T. Ciacciarelli
L. Frank
M.L. Haring
J. Laudenbach
P. Stepanovsky
D. Hewitt
C. Ostergaard
D. Pierce, Attorney
T. Decker, Engineer

ABSENT:

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.

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act by publication of the notice in the Hunterdon Democrat and Courier News on February 4, 2016 and by telefaxing copies of the notice to the Express Times on January 28, 2016. Copies of the notice were also posted in the Kingwood Township Municipal Building on January 28, 2016. The Board of Adjustment proceedings close at 10:30 pm.

NEW BUSINESS

M.L. Harring – Called for additions or corrections to the September 14, 2016 meeting minutes. No comments noted. Called for approval.

It was moved by D. Hewitt, seconded by J. Laudenbach and carried to approve the minutes of September 14, 2016. **On roll call to vote.**

Abstain: L. Frank

Absent:

Aye: T. Ciacciarelli, D. Hewitt, J. Laudenschick, P. Stepanovsky,
M.L. Haring, C. Ostergaard

M.L. Haring - Announced Attorney M. Frisch would be replacing David Pierce for tonight's meeting.

L. Frank - Noted he employed Attorney John Lanza about 12 years ago and wanted to disclose. No objections to his participation.

M. Frisch – Stated he didn't feel there was any conflict at this point.

Affidavit of Service was submitted & reviewed by Attorney M. Frisch.

Mr. Lanza – Attorney representing Mr. Robert Bittel, reviewed reason for application. He advised they have complied with the items in Environmental Commission report.

Engineer Eric Rupnrain of Bohren & Bohren, was sworn in and stated his qualifications. He reviewed the application from an engineering standpoint. Exhibit A1 was marked, for purposes of hearing, plot plan prepared by engineer's office, 6-28-2016. He reviewed the plan for the members. E. Rupnrain answered questions about the height of the structure from L. Frank and M. Haring. Engineer also answered questions from C. Ostergaard and M. Haring as far as location of new structure.

Mr. Robert Bittel was sworn in as he started to participate in testimony answers as far as location of new structure in regard to the demolished structure. He then reviewed on the map where the old structure was & where the new one is proposed.

Mr. James Grant, 129 Byram Lane – Interested in building on footprint of existing house. He noted new proposed structure isn't even close to old footprint, and Mr. Bittel didn't tear it down, someone previous to him did. He wanted to know some particulars about his own property there.

T. Decker - Explained the board reviews applications against the Township ordinance, but some of the issues he is interested in come under the jurisdiction of the DEP and commented there have been changes to regulations back in June 2016.

Mr. J. Lanza - explained why the building had started prior to this zoning approval, it was so the DEP permit would not expire. It was only the foundation.

P. Stepanovsky - Asked about the difference in size of old foundation to new proposed foundation.

Mr. Lanza & Mr. Rupnrain - Noted it does comply with the zoning ordinance.

Architect Gary O'Connor was sworn in and gave his qualifications. He described the house he designed. He noted the size of footprint is fairly modest in comparison to neighboring footprints. He then reviewed the structure for the members and identified the plans.

T. Decker – Commented he doesn't really have any questions, noted why they are here tonight, basically because they don't have frontage on a public road.

P. Stepanovsky - Asked if they have a letter from the Fire Department and Rescue Squad.

Architect G. O'Connor and Attorney J. Lanza responded they don't have letter and explained there are other homes on road, also there was a fireworks display & the Fire Company was standing by.

T. Decker - Noted it is passable and it has been demonstrated that garbage trucks, etc. are able to use it.

P. Stepanovsky – Explained the letter is for applicant's benefit, it could be a condition of approval.

T. Decker - Noted if you request letter it could cause problems, if something comes back with a problem, nothing can be enforced as it is a private lane. It was agreed to make it a condition to advise the emergency services that a house is going to be built and to let applicant know if there is any issue. Some disc on maintenance of road.

M.L. Harring – Called for any additional questions. None noted and closed hearing.

M. Frisch - Noted the application has met all requirements.

M. L. Harring - Noted the Environmental Commission letter was reviewed during the hearing.

It was moved by L. Frank, seconded by D. Hewitt and carried to approve Mr. Robert Bittel's Variance Application, Block 51, Lot 23 **On roll call to vote.**

Abstain:

Absent:

Aye: T. Ciacciarelli, J. Laudenschick, P. Stepanovsky,
M.L. Haring, C. Ostergaard, D. Hewitt, L. Frank

OPEN TO THE PUBLIC

M.L. Haring - Called for comments from the public. *No members of the public in attendance.*

COMMUNICATIONS/REPORTS

ADJOURNMENT:

The meeting was adjourned with a motion by L. Frank, seconded and carried by D. Hewitt. **All in favor.** The meeting adjourned at 8:16 pm.

Respectfully submitted,

Kris Boxwell, Secretary