

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT
MINUTES
September 09, 2023
7:00 PM**

CALL TO ORDER

A regular meeting of the Kingwood Township Board of Adjustment (BOA) was called to order at 7:00 pm by the Chairman, Phil Lubitz.

NOTIFICATION

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. 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 County Democrat and Courier News on December 22, 2022. Copies of the notice were also posted in the Kingwood Township Municipal Building on December 22, 2022. The Board of Adjustment proceedings close at 10:30 pm.

ROLL CALL:

PRESENT: Phil Lubitz – Chairman, James Laudenschach – Vice Chairman, David Hewitt, Leslie Bella, David Frank, Paymon Jelvani (Alternate #1).

ABSENT: John Mathieu, Cynthia Ostergaard

OTHERS: Matthew Flynn, Attorney, Frank Floyd, Emergency Management Coordinator

NEW AND PENDING BUSINESS:

Resolution Hearing for:

- **Block 24, Lot 1.01 – Marinelli Brother Acquisitions, LLC – Tavern 519 – 650 County Rt. 519**

The Chairman asked for a motion on the Resolution (See the Resolution at the end of the minutes). The motion was made by D. Hewitt to approve the Resolution. It was seconded by L. Bella. All members present voted **AYE** in a roll call vote except P. Lubitz and P. Jelvani who **ABSTAINED**.

APPROVAL OF MINUTES:

P. Lubitz asked if there were any questions or comments, additions or corrections to the August 9, 2023 BOA Meeting Minutes. None noted. The Chairman asked for a motion to approve the Meeting Minutes. It was moved by J. Laudenschach seconded by D. Hewitt to approve the Meeting Minutes of August 9, 2023.

P. Lubitz asked for a Roll-Call Vote:

Roll Call Vote:

P. Lubitz	Abstain	C. Ostergaard	Absent
J. Laudenschach	Yes	L. Bella	Yes
D. Hewitt	Yes	D. Frank	Yes
J. Mathieu	Absent	P. Jelvani	Abstain

CORRESPONDENCE/REPORTS:

P. Lubitz said next on the Agenda was the Zoning Reports for July and August. He would like to see the Zoning Officers Denials listed in the Zoning Report as well as the adding a Description column for the applications.

He said we have the Planning Board Agenda and Planning Board Minutes. He has learned more than he wanted to know about electric vehicles vs. hydrogen cells. There will be further discussions about that.

He continued. There is an ordinance brewing about farm markets and farm stands. He knows from sitting in on the Ag Committee Meetings there are a few opinions on the amount of regulation that Kingwood should get into about farm markets and farm stands. Leslie, you sat in on that meeting as well. Do you have any comments on that?

L. Bella said she does. She thinks we are well within our area of responsibility to weigh in on how things should be set up on farm stands. It is not a farm stand if it is a place that sells things that are made from other places or other countries. Literally a farm stand is what is produced on your land or produced in the area around you and then some accessory items. We are well within our purview to make recommendations or have an ordinance about that.

P. Lubitz said some of the discussion is on the percentage of income that is derived from products that is produced on the farmer's land and need not be contiguous to the farm market.

M. Flynn said the income study from the farm market is done before you open a farm stand and depends on if you can get a commercial farm certification. That is the threshold thing you apply for at the County level to get your commercial farm – the income study.

P. Lubitz said he was more concerned about the farm stands, like people who are selling things like wood at the roads side or a couple chickens and selling eggs at the roadside. To what degree does the Township want to get involved in regulating that and thinking about the enforcement when we have a Zoning Officer working one day a week. Is he going to go around pecking in coolers that may or may not have eggs in it?

Any other comments on those minutes?

M. Flynn said the Planning Board for a few months now has discussed the potential pre-emption of a lot of our local ordinances from the expansion that has happened through the County Agricultural Development Board. There was a specific property that his office was asked to look into about a type of storage. Those issues will come up before this Board eventually. An applicant will come to the BOA and say we don't have to comply with the local standards because we have already been given the sign off from the County. He suggests the BOA read and review them thoroughly in the August PB Minutes. His associate attended the meetings and made his findings on how the pre-emption works.

P. Lubitz said he has questions about what is covered and what is not covered in the Right to Farm Act. The discussion is about a particular farm with trailers on it and a point of contention in the Township for a number of years. We won't get an opinion. What we are going to do is have it come before the BOA making a decision and then the courts make a ruling on it in the future.

M. Flynn said his associate has written a memo on that and he will submit it to the BOA.

P. Lubitz said we reached the end of the Agenda. He hopes everyone had a good summer. He saw photos of Leslie's garden, he knew Paymon was on vacation. He hopes everyone enjoyed the summer. Any last comments?

D. Hewitt said he hopes to see everyone at Kingwood Township Community Day. It's on Union Road, from 4:00 to 8:00 ending with fireworks.

L. Bella is looking forward to it and P. Jelvani said count him in.

F. Floyd said he had a question about Meetings on Zoom in reference to the loss of connectivity if the power goes out. Is this board in violation of the Open Public Meetings Act if you lose connectivity?

M. Flynn answered the question. No, it wouldn't violate the Act. The only way it would violate the Act is if the Board took official action, and the meeting was not public. As long as he, the attorney, tells the board to pause proceedings when people are jumping in and out of the meeting while having connectivity issues, it preserves it because we could restart when the connectivity resumes. The focus of the Open Public Meeting Act is to say no official action can be taken without proper precautions. He had this happen in a hybrid meeting where the Board was in person but the Zoom link crashed so he paused the application until connectivity was restored. If they had continued, then they would be in violation.

F. Floyd said with COVID rising again, everyone will be on Zoom again. Just wanted to get your thoughts on it. Thank you.

P. Lubitz said these meetings are more or less accessible on Zoom, but a roomful of participants is definitely a different atmosphere than having people in queue on Zoom waiting to testify.

He asked the BOA Secretary if there was any update on future scheduling for application before the Board?

The Secretary said there were no applications. There has been nothing about the Recycling Center. The last she heard was that they were to meet with the Environmental Commission and do a Site visit and also to go to their meeting. She has not received any further documents from them.

M. Flynn said their application was not complete.

D. Hewitt asked if there was any news on the old bowling alley site? P. Lubitz said he had not heard anything and neither had the Secretary.

ADJOURNMENT

P. Lubitz asked for a motion to adjourn. D. Hewitt made a motion, seconded by J. Laudенbach to adjourn the meeting. All members present voted **AYE**. The meeting ended at 7:20pm.

All meeting votes were unanimous with a vote of 6:0 with a sustained quorum. There were no controverted issues and there was no conflict of interest for any of the Board members in attendance.

Respectfully submitted,

Karen Radcliffe
BOA Secretary

**MEMORIALIZING RESOLUTION 2023-08
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF KINGWOOD**

MARINELLI BROTHERS ACQUISITIONS, LLC
Block 24, Lot 1.01
650 County Route 519 (Kingwood Road), Frenchtown, N.J. 08825
Resolution No.: 2023-08

WHEREAS, Marinelli Brothers Acquisitions, LLC ("applicant"), has applied to the Zoning Board of Adjustment of the Township of Kingwood ("Board") for preliminary and final major site plan approval with the relief listed below to construct various additions to the existing tavern, located on the lot designated as Block 24, Lot 1.01 in the municipal tax records and better known as 650 County Route 519 (Kingwood Road) in the Township ("property" or "site"):

A conditional use variance under N.J.S.A. 40:55D-70(d)(3) to vary from a conditional use standard for a minimum separation of one-hundred (100) feet between the centerline of a driveway and the nearest intersection, whereas approximately ninety-five (95) feet is existing and proposed, pursuant to Section 132-32(D)(2)(d) of the Township's Zoning Ordinance;

A variance for the proposed pergola, as an accessory structure, to be placed forty-three (43) feet from the front property line along Kingwood Road, whereas a minimum front-yard setback of seventy-five (75) feet is required, pursuant to Section 132-32(F) of the Ordinance;

A variance for the total building coverage of accessory buildings to measure at 2.2%, whereas the maximum allowable building coverage for accessory uses is 2%, pursuant to Section 132-32(F) of the Ordinance;

A variance for a 6.5-foot distance between buildings, whereas the minimum distance between buildings is twenty (20) feet, pursuant to Section 132-32(F) of the Ordinance;

A variance for a lot coverage of 35.5%, whereas the maximum allowable total lot coverage is 30%, pursuant to Section 132-32(F) of the Ordinance;

WHEREAS, a duly noticed public hearing was held on this application on August 9, 2023, in compliance with the Open Public Meetings Act ("OPMA") and the Municipal Land Use Law ("MLUL"), at which time members of the public were afforded the opportunity to appear and be heard; and

WHEREAS, the Board, after carefully considering the evidence presented by the applicant, any interested parties, the general public, and its own professionals, has hereby made the following findings of fact and conclusions of law:

FINDINGS

1. All of the application materials and hearing exhibits were made available to members of the public within the requisite timeframes in advance of the hearing.
2. The applicant submitted the required affidavits of publication and affidavits of service, which the Board's attorney determined gave the Board jurisdiction to hear the application. The application took place in real time at the Board's regularly scheduled August 9, 2023 meeting via virtual software.
3. The subject property is a 2.3-acre parcel with frontage along County Route 519 (Kingwood Road) and Barbertown Point Breeze Road. The property is located in the VR-2 – Village Residential District, it is a corner lot, and is presently improved with the Tavern 519 restaurant and bar, with associated improvements relating to parking, waste disposal, and an accessory residential apartment. The property has been used as a bar and restaurant since prior to the adoption of the VR-2 zoning regulations. The main entrance of the restaurant is next to the parking lot along Barbertown Point Breeze Road.
4. The applicant proposes to make certain additions and renovations to the existing

tavern located on the site. Notably, the applicant intends to install an ADA walkup ramp with an expanded vestibule heading into the restaurant on the east side (rear) of the building adjacent to the parking lot adjoining Barbertown Point Breeze Road. In addition, the applicant intends to install an addition to rear of the tavern for additional storage and a pergola for outdoor seating behind the existing building. The applicant also seeks to rehabilitate and arrange for the occupancy of the upstairs accessory apartment pursuant to Sections 132-32(C) and 132-31(C)(7), to be restricted as a low-income affordable housing unit.

5. The applicant applied to this Board, as opposed to the Planning Board, because the expansion of an existing restaurant constitutes a conditional use in the VR-2 zoning district pursuant to Section 132-32(B)(3) and (D)(2) of the Ordinance. Thus, if this Board confirms the expansion of the restaurant met the conditions in the Ordinance, it could be vested with jurisdiction to grant site plan approval, but if conditional use variance relief was required under N.J.S.A. 40:55D-70(d)(3), this Board would have the jurisdiction to grant said relief with the applicant already having submitted such application to this Board. The Board is vested with the power to interpret the Township's code pursuant to N.J.S.A. 40:55D-70(b) and confirm the expansion of the restaurant meets the relevant conditions contained in Section 132-32(D)(2) of the Ordinance, and, in addition, the Board may retain jurisdiction following its 1986 approval of a similar request for an expansion. As for the proposed changes to the site, all bulk variance relief required by the application is governed by N.J.S.A. 40:55D-70(c). Furthermore, as outlined below, the application did indeed end up requiring relief under N.J.S.A. 40:55D-70(d)(3) for a conditional use variance.

6. The Board conducted a completeness hearing on May 10, 2023. Following discussion with the Board professionals, the Board deemed the application conditionally complete with some items to be provided prior to the public hearing and others as part of resolution

compliance. Certain items in the site plan and variance checklists are to be addressed as conditions of ultimate approval, as outlined below, while the Board also found waivers reasonable and appropriate under N.J.S.A. 40:55D-10.3 for the remaining items not mentioned thereunder. The Board and the applicant then proceeded to the public hearing.

7. As part of its application, the applicant submitted the following plans and documents, which the Board considered as part of the record:

- a. Kingwood Township Board of Adjustment Application Form, together with a cover letter, application rider, checklist(s), zoning table, and other required attachments, submitted April 21, 2023, by the applicant.
- b. Engineering Plans entitled "Preliminary and Final Site Plan for Tavern 519, Tax Map Sheet #11, Block 24, Lot 1.01, 650 County Route 519 & Barbertown Point Breeze Road, Township of Kingwood, Hunterdon County, New Jersey" prepared by Robert Martucci, P.E., of Martucci Engineering, LLC, dated March 30, 2023, last revised June 28, 2023, and consisting of three (3) sheets.
- c. Architectural Plans consisting of two (2) sheets, prepared by Robert L. Finelli, A.I.A., dated March 12, 2023.
- d. Correspondence dated May 10, 2023, submitted by applicant's counsel, and June 30, 2023, submitted by the applicant's engineer, addressing outstanding completeness and technical review items.
- e. NJPDES Permit Summary Report governing on-site septic;
- f. Two photographs provided by the applicant.

8. The applicant submitted one exhibit during the hearing: Exhibit A-1 – Revised Elevation Plan, dated August 9, 2023.

9. The Board also received and considered a review memorandum prepared by Township Engineer John Hansen, PE, PP, CME, dated July 24, 2023, and consisting of four (4) pages.

10. Kara Kaczynski, Esq., of McNally, Yaros, Kaczynski, and Lime, LLC, entered her

appearance on behalf of the applicant. Ms. Kaczynski provided an overview of the application and introduced the witnesses on whose testimony the applicant relied.

11. To present operational testimony, the applicant called Michele Marinelli, a principal of the applicant, who was duly sworn according to law. The Board found his testimony generally credible and generally accepted his testimony as fact.

12. Mr. Marinelli testified that he owns the LLC with his brother and has operated the underlying Tavern 519 restaurant for approximately four (4) years. The vestibule expansion is intended to offer weather protection and extra buffering when entering the restaurant for patrons, and the addition to the rear is solely for storage use. The vestibule is proposed to have an ADA accessible ramp leading up to the door, and the roofing will just extend over each addition. The restaurant is open from Wednesday to Sunday, and the site receives box truck deliveries of food supplies on Monday and Thursday morning and alcohol on Tuesday and Thursday mornings. He confirmed the applicant had never had issues with patrons coming to the restaurant and handling deliveries simultaneously. As for the accessory apartment, the applicant intends to renovate the existing two-bedroom unit and does not yet have a tenant in place. Access to the unit is via a staircase directly to the second floor at the rear of the building.

13. To present architectural testimony, the applicant called Ralph Finelli, AIA. The Board accepted his credentials in the field of architecture, found his testimony generally credible, and generally accepted his testimony as fact.

14. Mr. Finelli confirmed for the Board that the applicant was seeking to install a code-regulated ADA ramp into the building and that the additions to the property were modest with substantial changes to the underlying restaurant. The applicant wants its front entrance to be wheelchair accessible and to have additional storage space in the rear connected to the restaurant

for the convenience of employees and delivering vendors. No roof or canopy is proposed over the ramp, although the roof will extend for the vestibule and storage additions, together with matching siding for the vestibule. The update to the accessory apartment will be an aesthetic upgrade and code-compliant, with one egress point and emergency windows. The pergola to the rear will have a metal roof and wooden posts.

15. To present engineering testimony, the applicant called Robert Martucci, P.E. The Board accepted his credentials in the field of engineering, found his testimony generally credible, and generally accepted his testimony as fact.

16. Mr. Martucci testified that the applicant is proposing a right-of-way dedication to the Township for Barbertown Point Breeze Road (Township road) and to the County for the frontage along County Route 519. A thirty-three (33) foot right-of-way dedication is proposed for the County road, with a pending application in front of the Hunterdon County Planning Board. The applicant requested, and the Board professionals found it prudent, that the applicant wait to determine the precise right-of-way dedication for the Township road until the applicant has County approval. This will be addressed as a condition of Board approval.

17. The tavern is a two-story frame structure with the restaurant on the ground floor and the accessory apartment on the second floor. There are some outbuildings/sheds on site as well used for dry goods storage, and one of the storage structures is basically being merged into the building with the addition being built where the structure currently exists. The parking area sits along the Township road frontage and is made up primarily of gravel and road stone. There are two driveway entrances to get into the property. Stormwater is addressed by graded swales that carry water to pipes along the Township road, and a metal fence surrounds the storage structures and isolates them from the parking area and pedestrians. The building is served by oil

heat, and a large mounded septic system handles waste, with permitting handled by NJDEP and provided to the Board by the applicant.

18. Mr. Martucci confirmed that the driveway exceeded the required distance from the intersection at the site pursuant to Section 132-32(D)(2)(d) of the Ordinance and noted a minor deviation from the required distance between the centerline of a driveway and the edge of a public road at an intersection (100' required vs. approximately 95' existing and proposed). He then confirmed the four bulk variances required by the application and requested them under the (c)(2) criteria.

19. No members of the public appeared to ask questions of the applicant or comment upon the application.

CONCLUSIONS AND DECISION

20. After reviewing the evidence submitted and testimony presented, the Board, by unanimous vote of four (4) to zero (0) finds that the applicant has demonstrated compliance with the conditions of expanding a restaurant use under Section 132-32(D)(2) and entitlement to the requested variance relief under N.J.S.A. 40:55D-70(c)(2), and with that variance relief, preliminary and final major site plan approval pursuant to N.J.S.A. 40:55D-46 and -50, as follows:

21. As to the positive criteria under N.J.S.A. 40:55D-70(c)(2) governing the requested variances, the Board finds that the applicant has demonstrated the proposal furthers the purposes of the MLUL and that the application's benefits substantially outweigh any detriment.

22. The application clearly promotes the general welfare by representing a strategic improvement to the existing site. The ADA ramp furthers the public health, safety, and welfare under N.J.S.A. 40:55D-2(a), as does the proposed vestibule offering weather protection and better queueing to traverse into the restaurant. It also represents an upgrade in aesthetics. The outdoor

pergola offers a nice alternative for exterior dining, and the proposed storage addition offers much needed space for the applicant and for vendors to more easily interact with the site. The Board finds basically no detriment as a result of these proposals, as the pergola does not extend any closer to the County roadway and property line than the existing building, and the applicant confirmed there are no substantial drainage issues that would cause a detriment from exceeding the allowable lot coverage or building coverage for accessory buildings. The site is nicely designed, and this represents an upgrade without any detriment to glean from the proposal.

23. Conditional use variance relief is required from one standard: Section 132-32.D.(2)(d) requiring 100' between the centerline of an access driveway and the street line of an intersection street as measured from the center line of the driveway to the point of intersection of the two closest street lines. 95' existing and proposed.

24. For a conditional use variance under N.J.S.A. 40:55D-70(d)(3), it is the deviation from the ordinance standard that requires variance relief not the use itself, because the use is permitted; however, it is the deviation from one or more conditional use standards that require relief. The test for a (d)(3) variance is whether, on balance, the variances may be granted with the imposition of reasonable conditions to overcome the potential detriments from granting the variances for the deviations from the conditional use standards. Here, the required distance between the driveway and the corner is an existing condition and minor deviation from the 100' standard, and the Board finds that the driveway has functioned properly over time despite the minor deviation of 5' from the ordinance requirement (100' required vs. 95' existing and proposed).

25. As to the negative criteria under the balancing test analysis for all variances, the

Board finds that the applicant has demonstrated that the requested relief can be granted without substantial detriment to the public good and without substantial impairment to the intent and purpose of the zone plan and zoning ordinance.

26. The Board finds that there is no detriment to the public good as a result of this proposal. As noted above, slight impact to surrounding sites is proposed to be ameliorated with reasonable conditions, and thus, no detriment to the public good is caused by this proposal, as indicated by the lack of any public opposition. Furthermore, the variances can be granted without impairing the intent behind the relevant provisions and master plan because the site already has the existing nonconformity for the setback from the secondary front-yard, and the use itself is conditionally a permitted use. Proposed site improvement do not stress the underlying zone provisions or in any way represent a rezoning of the site.

27. As a result, the Board finds the applicant has met its burden under the positive and negative criteria and grants the applicant bulk variances under N.J.S.A. 40:55D-70(c)(2) and N.J.S.A. 40:55D-70(d)(3) for the expansion of the existing use and the conditional use variance required. The Board also grants the applicant a design waiver for the undersized loading space, as the applicant confirmed it was sufficient for the deliveries the restaurant already receives, and the Board finds, therefore, that such waiver (site plan exception) is reasonable under the circumstances, pursuant to N.J.S.A. 40:55D-51.

28. With the variances granted above, the Board finds the applicant has demonstrated compliance with the Township's site plan ordinance and grants the applicant preliminary and final site plan approval pursuant to N.J.S.A. 40:55D-46 and -50.

29. Thus, subject to the conditions contained herein, the Board finds that the applicant

is entitled to preliminary and final major site plan approval with the requested variance relief, and determines that such relief should be GRANTED; and

WHEREAS, the Board took action on this application at its meeting on August 9, 2023, and this Resolution constitutes a Resolution of Memorialization of such action taken in accordance with N.J.S.A. 40:55D-10(g);

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Kingwood, on this 13th day of September, 2023, that the application filed by Marinelli Brothers Acquisitions, LLC, for site plan approval and variance relief, be granted subject to the submission of revised plans and the following conditions:

1. Any and all outstanding taxes and escrow fees shall be paid in full and the escrow account shall be replenished to the level required by Ordinance within 30 days of the adoption of a Resolution, within 30 days of written notice that a deficiency exists in the escrow account, prior to signing the site plan and/or subdivision plat, prior to the issuance of a zoning permit, prior to the issuance of construction permits, and prior to the issuance of a temporary and/or permanent certificate of occupancy, completion or compliance (whichever is applicable);
2. The applicant shall comply with the recommendations contained in the July 24, 2023 memorandum drafted by Board Engineer John Hansen, PE, PP, CME;
3. Once County Planning Board approval is obtained, the applicant shall meet and confer with the Township/Board professionals to discuss an acceptable dedication to the Township for Barbertown Point Breeze Road, to said professionals' satisfaction;
4. The applicant shall provide a dimensioned architectural elevation of the proposed pavilion structure. The proposed materials, colors, and any proposed lighting attached to the structure should be detailed on the architectural elevation drawing;
5. Once County Planning Board approval is obtained, the applicant shall indicate the distance to the existing and proposed structures from the right of way on the site plan;
6. Consistent with Section 132-32(D)(2)(c) and 132-53(A), the applicant shall install landscaping along Barbertown Point Breeze Road and the existing parking area as is feasible, and the planting locations, schedule showing number and size of plantings, and details of installation shall be added to the revised site plan drawings;

7. Consistent with Section 132-32(D)(2)(e) and 132-54(A), the applicant shall install whatever landscape buffer and "suitable" screening is feasible along the property's street frontages, and the planting locations, schedule showing number and size of plantings, and details of installation shall be added to the revised site plan drawings;
8. The applicant shall post a sign indicating the reserved employee parking spots;
9. The applicant shall ensure the ADA accessible ramp is constructed to code and graded properly to confirm that the ramp will drain away from the entrance door;
10. The applicant shall supply an as-built survey prior to the issuance of a c/o, with sufficient spot grades to confirm that the ADA ramp meets the requirements of the code;
11. The proposed low-income restricted affordable housing unit shall conform with all relevant codes, statutes, and local regulations, including, but not limited to, Kingwood's Ordinance and UHAC;
12. The applicant shall secure all appropriate permitting for upgrading the residential unit;
13. The applicant shall post all required performance guarantees, engineering, maintenance, and inspection fees as may be applicable and required pursuant to the MLUL. These amounts shall be calculated by the Board Engineer;
14. The applicant shall obtain governmental approval from any other governmental agencies with jurisdiction relating to the property, including the Hunterdon County Planning Board;
15. All representations, commitments, and agreements made by the applicant or its representatives at the hearing in this matter or contained in any document, sketch, plat, or submission delivered to the Board at any time prior to this approval, including notes contained in original or revised submissions, will be considered as conditions of approval of this application for development and are hereby incorporated into this Resolution by reference;
16. The aforementioned approval shall be subject to all requirements, conditions, restrictions and limitations set forth in all prior governmental approvals, to the extent same are not inconsistent with the terms and conditions set forth herein;
17. The aforementioned approval shall be subject to all State, County, and local statutes, ordinances, rules, and regulations affecting development in the Township, County, and municipality; and
18. Failure to comply with any of the above conditions shall render this Resolution of approval void unless otherwise provided by, or on behalf of, the Board.

8-9-23 Motion to Approve Application:

Motion: Hewitt Second: Bella

In Favor: Bella, Frank, Hewitt, Laudenbach

Opposed: None

Recused: Ostergaard

Absent: Lubitz, Jelvani, Mathieu

9-13-23 Motion to Adopt Resolution:

Motion: Hewitt Second: Bella

In Favor: Laudenbach, Hewitt, Bella, Frank

Opposed: None

Recused: Ostergaard

Abstain: Lubitz, Jelvani

Absent: Mathieu

The foregoing is a true copy of a resolution adopted by the Zoning Board of Adjustment of the Kingwood Township at a meeting held on the 13th day of September, 2023.

Phil Lubitz, Chairman

Karen Radcliffe, Secretary