

**WASHINGTON TOWNSHIP
BOARD OF ADJUSTMENT
MINUTES
May 2, 2018
7:05 p.m.**

Adequate notice of this meeting was published in the Daily Record on January 23, 2018 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT:

A Bauer _A_ Ort _x_ Soga _A_ Thauer
x Spina _x_ Gorini _x_ Price

ALTERNATES PRESENT:

x Raes _A_ Walter

OTHERS PRESENT:

x Attorney Fraser _x_ Engineer Hall
x Planner Banisch _x_ Secretary Griffith

MINUTES:

April 4, 2018 Regular Meeting Minutes

[Raes, Walter are not eligible to vote due to absences]

Motion by Mr. Price to approve the April 4, 2018 Regular Meeting minutes.

Second: Mr. Soga

Abstain: Mr. Raes

A voice vote was taken and all members present voted in the affirmative.

OPEN TO THE PUBLIC – ITEMS NOT ON THE AGENDA

CLOSE TO THE PUBLIC – ITEMS NOT ON THE AGENDA

RESOLUTIONS:

2018-06 - Vincent & Laura Iacampo, 176 Fairview Ave, B: 25 L: 4.01, R-5 – Front yard setback variance for proposed front porch and 2nd story addition application ZB-17-12.

Ms. Fraser, Esq stated she sent the draft resolution to Mr. Iacampo via email and received no comments.

Mr. Price pointed out that at the top of page 2 category C, there is a typo 'report of Engineer6'.

Motion was made by Mr. Price to memorialize Resolution 2018-06 James & Cynthia Thompson, 12 Clearview Drive, B: 34 L: 4.09, R-5 – slope disturbance and ridgeline protection area development

Second: Mr. Soga

Ayes: Mr. Price, Ms. Gorini, Mr. Soga, Chairman Spina

Nays: None

Abstain: Mr. Raes

APPLICATIONS:

ZP-17-13 - James & Cynthia Thompson, 12 Clearview Drive, B: 34 L: 4.09, R-5 – slope disturbance and ridgeline protection area development – **Hearing continuation**

Ms. Fraser, Esq. stated that at the hearing the Board authorized the drafting of a Resolution of approval while the applicant's council submitted revised plans.

Mr. Eveland addressed the revised plans that had been submitted to include a K turn turnaround and passing lane revisions, clarification regarding soil removal based on comments from the last meeting.

Motion was made by Mr. Soga to approve James & Cynthia Thompson, 12 Clearview Drive, B: 34 L: 4.09, R-5 – slope disturbance and ridgeline protection area development

Second: Ms. Gorini

Ayes: Mr. Price, Ms. Gorini, Mr. Soga, Chairman Spina

Nays: None

Abstain: Mr. Raes

[Mr. Raes recused himself at 7:12pm]

ZB-18-04 - Agro Foods – B: 19 L: 3 & 4 – 481 Schooley's Mountain Rd – Proposed dwelling and Change of Use Variances – **Completeness Only**

Mr. Hanson, Ferrero Engineering, representing Agro Foods to address Mr. Hall's April 24 letter.

- Item #5 requested waiver for front, side and rear elevations as no changes are being made.
- Item #9 confirmation by Clerk that tax certification has been provided.
- Item #11 confirmation was given application for use variance only.

Applicant wishes to be deemed complete with a hearing to be scheduled for June.

Mr. Hall agreed that based on the responses to outstanding questions provided by Mr. Hanson recommended granting waiver for building elevations and deeming application complete.

Clerk Griffith confirmed Administrative Completeness.

Motion by Mr. Soga to deem ZB-18-04 - Agro Foods – B: 19 L: 3 & 4 – 481 Schooley's Mountain Rd – Proposed dwelling and Change of Use Variances - use variance application Complete.

Second: Mr. Price

A voice vote was taken and all eligible members present voted in the affirmative.

[Mr. Raes returns to the dais]

APPLICATION – Completeness and Hearing: Time is 7:15 p.m.

ZB-18-02 - The Life Giving Fountain Romanian Orthodox Church – 132 Califon Rd., B: 51 L: 31.03, R-5 - height variance - **Completeness and possible Hearing**

Mr. Selvaggi, Esq. of Lavery, Selvaggi, Abromitis & Cohen confirmed the two required items were

provided required.

Clerk Griffith confirmed Administrative Completeness.

Mr. Hall confirmed Engineering Completeness.

Motion by Mr. Soga to deem The Life Giving Fountain Romanian Orthodox Church – 132 Califon Rd., B: 51 L: 31.03, R-5 - height variance application Complete.

Second: Ms. Gorini

A voice vote was taken and all eligible members present voted in the affirmative.

Testimony begins – 7:16pm

Mr. Selvaggi stated the applicant is seeking only a height variance. Testimony will explain that the steeple is an integral part of the faith experience for those that practice in the Romanian Orthodox church. Positive and negative criteria will be addressed by Planner Phillips and confirmed any other bulk variances will be deferred to a future site plan application.

Mr. Selvaggi explained if this height variance is granted the next step will be obtaining site plan approval.

Mr. Banisch reminded everyone that this type of application requires 5 affirmative votes to be approved.

Ms. Fraser swore in Father Ionut Voicu (Father John).

Father John explained his position as Parish Priest serving the community, visiting families and Sunday services. Lives in Kings Village apartment complex, Budd Lake.

Mr. Selvaggi asked about proposed living quarters at the Church.

Father John confirmed that will not be the case.

Father John spoke of their Eastern Europe Orthodox Church faith explaining the connection to the Romanian Orthodox Bishop and the connection between the church and the Romanian Government.

Mr. Selvaggi passed out a letter from a Romanian government representative of the Romanian Consulate in NY who is involved in this project. Romania will celebrate their 100 year anniversary of the union between Transylvania and the Kingdom of Romania.

Mr. Selvaggi asked about membership.

Father John explained they had 97 members last year coming from everywhere in NJ.

Mr. Selvaggi asked what attracted this church to this piece of property.

Father John explained they were renting a church in Rockaway but wanted to develop own church. This

church was the only one they could find for sale in Morris County which they bought two years ago.

Mr. Selvaggi asked when services usually are and if there are any other activities.

Father John stated services are usually on Sundays, one to two times a month services are on weekdays, seldom on weekdays, with the busiest time being Easter.

Mr. Banisch asked if this schedule was already established.

Father John confirmed that it follows the orthodox calendar.

Mr. Selvaggi, Esq. asked why the height of this steeple is so important to this faith.

Father John shared the principles of the Romanian church and the significance of having the tall steeple, that the height symbolizes the cosmos: the entire universe is created by God with the whole world being the central part of the church. The tower is to be the point that unites heaven and earth. The highest point of the interior of the tower is painted with the icon of Jesus Christ because, He is the Person that unifies the world of angels and humans. This Maramures style represent the highest wood structures in all of Europe.

Exhibit A2 slideshow of several wooden Romanian Orthodox churches from around the world having tall steeples with extravagant paintings inside.

Mr. Selvaggi, Esq. stated that the proposal is to leave existing church on site and repurpose to a festivities hall, as shown on the plan, which is for the food and drink after services.

No lighting will be at top of steeple.

Chairman Spina asked Father John if he has any administrative responsibilities.

Father John explained that there is a Committee with a President, Vice President, Secretary and Treasurer.

Chairman Spina asked how many communities in the US have these churches.

Father John explained that there is one Romanian Church in Michigan with the same height steeple but there are more than 10 with this same style in Europe, only the church size is different in proportion to its congregation.

Ms. Gorini asked for clarification as to why the steeple has to be more than the permitted 75 feet.

Mr. Selvaggi, Esq. explained that Father John shared this is the tradition that has been carried down.

Ms. Fraser asked about the presentation pictures and wanted confirmation that all of the churches shown are actual churches.

Father John stated they are all in Europe but one exactly like this proposed one is in Clinton, Michigan.

Mr. Banisch asked how often weekday services are held.

Father John explained that certain holiday services will be held on weekdays and evening services for a week around Easter. A typical Sunday consists of arriving at 8:30am with services at 10am until around noon followed by a meal and spiritual guidance then leaving around 5pm. Memorial services can change this schedule. These services are 65-70% Romanian and the rest in English.

Mr. Banisch repeated what he heard regarding the two reasons mentioned why this proposed height is needed as theological & architectural. The principles that the steeple symbolizes the cosmos which is created by God and the concept of uniting heaven and earth along with tradition of it being the highest point in the community.

Mr. Selvaggi will provide Father John's written statement to the Board.

Father John stated that if the building does not have the steeple it is not a tower therefore does not have communication with heaven with the impressive paintings up in the steeple with Christ at the top above the bell.

Mr. Banisch asked when the bell will be used.

Father John stated the bell from the existing church will be moved to the new one and will be used for significant occasions to ring around 10:45-11am.

Mr. Hall questioned if the design of the structure was to be the highest church in the Township to which Father John explained it will be 104 ft.

Ms. Fraser asked if the architectural components get built in Romania and brought here. Father John's replied affirmatively.

Mr. Banisch stated the removal of the existing church steeple should not be done before site plan approval.

Chairman Spina **OPENED MEETING FOR PUBLIC COMMENT** at 8:24 PM.

Yiota Pappas, 251 Pleasant Grove Rd., questioned if services are already being conducted in existing church why can't the current church be remodeled preserving its historic value.

Father John explained the existing church is split into two halls and seats are almost touching the altar, plus it is not made of wood.

Chris Kurelja, 255 Pleasant Grove Rd., asked if there is any financial or other gains there are if the church steeple is at 100 ft.

Ms. Fraser swore in Marcel Pirtea, Consulat Secretary for interpretation purposes.

Father John responded no.

Robin Kurelja, 255 Pleasant Grove Rd., when speaking downstairs after the completeness hearing last month it was explained that there was monetary support associated with this.

Father John explained that if the Government wants to help us to preserve tradition they will.

Ms. Kurelja was seeking to understand the 104 ft steeple requirement while this faith has been having services in the existing church.

Mr. Banisch pointed out that this previous existing Presbyterian church is not consistent with the style of the faith just as Catholic churches all look alike.

Chairman Spina **CLOSED THE PUBLIC PORTION** at 8:41 PM

Recess – 8:41pm

Return to session - 8:55pm

Ms. Fraser swore in Emanuel Vasilescu, P.E. of Capricorn Engineering

The Board accepted his professional credentials.

Mr. Vasilescu presented the site plan with the current church on an existing non-conforming lot size. He spoke about parishioners expressing concerns that they do not feel the divine touch that they would from an Orthodox church. Besides parishioners, the Romanian Arch Bishop of the Americas, including the Romanian Government through the Consulat General, support the constructing a new Maramures style church made entirely of wooden logs with intricate sculptures and decorative features.

A new septic was put in with approvals to oversize to accommodate the new church which will have a 2,200 sf footprint with 80 seats in a Maramures style with the building proportional to the steeple. Three variances are being requested, height of steeple, roof ridgeline height and rear setback.

Exhibit A3 Line of Site profiles showing the most impacted residents was presented. Based on this it is believed that existing vegetation in a proposed 75 ft landscape buffer will be able to cover the church so neighbors will barely see the top of the cross from their second floor.

It was stated that the minimum lot size in this zone is 5 acres with a pre-existing non-conforming 2.6 acres. The application is requesting variances from the rear yard setback requirement of 200 ft which 170 ft is proposed, 35 ft building height maximum requesting 44 ft, and a steeple 75 ft height code maximum but proposing 104 ft.

Mr. Banisch asked about the subdivision history of the church in relation to the cemetery.

Mr. Selvaggi, Esq. cited that Mary Morrow did a subdivision in 1977 creating 3 lots all about 2.2 acres.

Mr. Vasilescu emphasized that the existing church other than for removing the bell and slight adjustments to the steeple so the historical issue will not be an issue. This building will become an

accessory building used as a cultural center, office for Father with table and chairs and a library.

Mr. Price asked about a previously mentioned request from the Board Engineer for heights of existing churches in town.

Mr. Selvaggi, Esq. furnished this list.

Chairman Spina **OPENED MEETING FOR PUBLIC COMMENT** at 9:35 PM

Lourdes Benassini, 248 Pleasant Grove Rd., expressed concern over environmental and safety issues. Safety of the children from the nearby field and playground and existing parking versus new parking.

Mr. Vasilescu explained that today visitors park everywhere but new parking areas and flows will be created. The new church will not create additional parishioners as it will be the same occupancy as the existing one.

Mr. Spina clarified that the existing church activities will be no different with the new church.

Mr. Hall asked about how the 97 adult members fit in an 80 seat church.

Mr. Vasilescu explained that not everyone comes every Sunday.

Chairman Spina noted that some of the questions would be better suited for a different witness, parking is determined by Township ordinance and parking details will be provided Site Plan submission.

Mr. Banisch stated that this application is not about benefits to the community as a church is a permitted use in the district. Detailed parking and landscaping plans will be submitted later for Site Plan Review.

Mr. John Pappas, 251 Pleasant Grove Rd. questioned the type of trees as he will see this steeple from his pool and expressed his concern regarding the air and noise pollution from the cars in the new parking area.

Chris Kurelja, 255 Pleasant Grove Rd., asked for confirmation that a variance is not being applied for to encroach on his property.

Mr. Vasilescu explained this is for the drainage buffer.

Mrs. Pappas requested a construction timeframe.

Mr. Banisch indicated at best case scenario, if approved, it would be several months.

Chairman Spina **CLOSED THE PUBLIC PORTION** at 10:01 PM

Mr. Selvaggi suggested given the time and still needing to hear the Planner's testimony we carry the hearing to June 6 with no additional notice.

Mr. Selvaggi submitted Exhibit A4 List of Washington Township church building heights with Zion Lutheran at 107 ft.

A balloon test was suggested to see the impact of the steeple height from surrounding areas.

Witness rests 10:10 p.m.

DISCUSSION – CORRESPONDENCE

March/April NJ Planner

VOUCHERS

Motion by Mr. Raes to approve payment of vouchers totaling \$3,628.70

Second: Mr. Soga

Voice Vote: All members present voted in the Affirmative

ADJOURNMENT

Time is 10:11 p.m.

Motion by Mr. Soga to adjourn, which was seconded by Mr. Raes.