

**WASHINGTON TOWNSHIP  
BOARD OF ADJUSTMENT  
MINUTES  
November 7, 2018  
7:03 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.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

**\* \*NO NEW CASES OR WITNESSES SHALL BE HEARD SUBSEQUENT TO 10:30 PM\*\***

***PLEDGE OF ALLEGIANCE***

**MEMBERS PRESENT:**                                       **x** Bauer    **x** Ort    **x** Soga      **A** Thauer  
   **x** Spina    **x** Gorini                                       **x** Price  
**ALTERNATES PRESENT:**                               **A** Raes    **x** Walter  
**OTHERS PRESENT:**                                       **x** Attorney Fraser    **x** Engineer Hall  
   **x** Planner Banisch    **x** Secretary Griffith

**MINUTES:**  
October 3 2018 Regular Meeting Minutes  
[Thauer, Raes are not eligible to vote due to absences]

**Motion** by Mr. Price to approve the October 3, 2018 Regular Meeting minutes.  
Second: Mr. Bauer  
Nays: None  
Abstain: Ms. Walter  
A voice vote was taken and all eligible 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:**  
2018-12 - Application ZB-18-07 – Melissa Svoboda – B: 25.01 L: 1, R-5 – 41 Ranney Rd – front yard setback for pool and fence

**Motion** made by Mr. Bauer to approve Resolution 2018-12 for application ZB-18-07 – Melissa Svoboda – B: 25.01 L: 1, R-5 – 41 Ranney Rd – front yard variance for pool and fence  
Second: Ms. Gorini  
Ayes: Mr Bauer, Mr. Price, Mr. Ort, Ms. Gorini, Chairman Spina  
Nays: None  
Abstain: Ms. Walter

2018-13 – Application ZB-18-08 – Bruce Haskell – B: 38 L: 3.10 – 15 Jordan Court – side yard setback for garage addition, deck and attached greenhouse

**Motion** made by Mr. Bauer to approve Resolution 2018-13 for ZB-18-08 – Bruce Haskell – B: 38 L: 3.10 – 15 Jordan Court – side yard setback for garage addition, deck and attached greenhouse  
Second: Ms. Gorini  
Ayes: Mr Bauer, Mr. Price, Mr. Ort, Ms. Gorini, Chairman Spina  
Nays: None  
Abstain: Ms. Walter

2018-14 – Application ZB-18-06 – Tara Cascarelli – B: 15 L: 25.07 – 9 Laketown Rd. – steep slope variance

**Motion** made by Mr. Price to approve Resolution 2018-14 for ZB-18-08 – Bruce Haskell – B: 38 L: 3.10 – 15 Jordan Court – side yard setback for garage addition, deck and attached greenhouse  
Second: Mr. Bauer  
Ayes: Mr Bauer, Mr. Price, Mr. Ort, Ms. Gorini, Chairman Spina  
Nays: None  
Abstain: Ms. Walter

***APPLICATIONS:***

ZB-18-01 – Marco Sardeira & Isabel Vieira – B: 47 L: 23.05 – 40 N. Lebanon Rd - retaining wall variance –  
**Completeness only**

Mr. Bahman Izadmehr, ACE Engineering

Mr. Hall spoke regarding the variance application completeness with regards to existing easements with were provided today, not within the 10 day meeting window, while a revised Soil Disturbance application still has some deficiencies and is the only item still incomplete. Mr. Hall recommended deeming the applications incomplete with the understanding that a complete Soil Disturbance application would have to be provided by November 21 for a December hearing.

Mr. Bauer asked the repercussion of dismissing the application as discussed at last meeting if a complete application was not submitted in time for this meeting.

Mr. Hall stated if the Board so desires he would return to Municipal Court for violating Municipal ordinances.

[Mr. Soga arrived at 7:17pm]

Ms. Walter shared her belief that since this is come so close to being complete giving them an extra month is appropriate.

Ms. Griffith stated that the escrow is sufficient at \$1,675.

Mr. Hall requested that the applicant must submit 16 copies of the conservation easement and the revised Soil Disturbance application no later than November 21 to Clerk Griffith.

**Motion** made by Mr. Bauer to deem ZB-18-01 – Marco Sardeira & Isabel Vieira – B: 47 L: 23.05 – 40 N. Lebanon Rd - retaining wall variance application incomplete with Deed of Easement and complete Soil Disturbance application to be provided no later than November 21 for completeness and hearing to be scheduled for December 5 meeting.  
Second: Ms. Walter

Abstain: None.

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

Chairman Spina requested that Clerk Griffith remind Mr. Sardeira they are required to notice for the December 5 hearing.

ZB-18-09 – Keith Bauer – B: 39 L: 8 – 21 West Valley Brook Rd – Setback and impervious coverage variances – **Completeness and possible hearing**

Mr. Hall referred to his report of November 2, 2018 with no outstanding items just subject to taxes being current.

Ms. Griffith stated that Mr. Bauer's mortgage company has not submitted payment yet but they have until November 13 to pay for 4<sup>th</sup> quarter.

**Motion** made by Mr. Bauer to deem ZB-18-09 – Keith Bauer – B: 39 L: 8 – 21 West Valley Brook Rd Setback and impervious coverage variances application complete.

Second: Mr. Soga

Abstain: None.

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

Ms. Fraser, Esq. swore in Mr. Keith Bauer, owner and Jeff Careaga from Careaga Engineering

Mr. Careaga explained that this application for a 30x60 detached garage on an existing undersized lot in R5 Zone. The lot is encumbered by a C1 stream and wetlands requiring a 300ft buffer. Anything approved by the Board will have to be approved by the NJ DEP also. The proposed garage will require a side yard setback and lot coverage variance of 17.5%.

Mr. Hall spoke regarding NJ DEP permits, suggested applicant apply for a Transition Area Waiver and a lot averaging plan to be able to push it further off roadway. Mr. Hall also mentioned he was not sure what impact this large garage would have on lot 7.01.

Mr. Bauer stated that the existing garage is unusable being too small and routinely floods.

The map of neighboring properties and their structures were reviewed. After some discussion it was suggested that the garage could be moved back 45 feet from the current location.

Mr. Careaga stated that by moving the garage back further off the road would require more pavement with a larger lot coverage variance than is already being requested.

Mr. Banisch stated that by moving the garage back 45 ft further off the road the front yard setback variance will not be required, and the accessory structure could be shifted over towards the dwelling to avoid the side yard setback, then only increasing the lot coverage.

Mr. Careaga indicated it would be cost prohibitive to move the garage to the side by the pool due to the soggy of that area.

Ms. Walter expressed concern regarding the height of this metal fabricated garage.

Mr. Banisch suggested it would be desirable to have a lower roof and match the colors, if not the product type, at least with the house.

Mr. Bauer indicated he would talk to his steel guy and the plan is to re-side the house to white so the garage will be the same color.

[Short recess – 7:57pm]

ZB-18-02A – Life-Giving Fountain Romanian Orthodox Church – B: 51 L: 13.03 – 132 Califon Rd - Site Plan – **Hearing continued from October 3 meeting**

Mr. Selvaggi, Esq. explained that some plan revisions were made by a new Engineer.

Ms. Fraser, Esq. swore in Mr. Guy Lagomarsino

The Board accepted his credentials.

Mr. Hall's November 5 report was reviewed.

Drainage issues previously discussed were reviewed based on deeds for neighboring properties.

Sheet 005 was described.

Mr. Banisch noted that the ordinance requires a 75' landscaping buffer between residential property lines. Even though they are not fully meeting the buffering requirement the variety of landscape elements proposed show substantial efforts to contain noise and provide year round screening.

Mr. Banisch went on to describe their low level lighting plan, requiring a design waiver, and recommended granting Mr. Hall the authority to request additional lighting based on a post construction inspection.

Mr. Selvaggi, Esq. confirmed that 364 days out of the year the lights would be off by 10pm, except for their Easter service.

Mr. Selvaggi, Esq. mentioned that as previously discussed, the church would be willing to make the Cultural Center available to recognized charities and other local groups at no cost.

Mr. Price asked about the existing shed and its use.

Mr. Selvaggi, Esq. confirmed that it is just for storage.

Chairman Spina asked for confirmation that the berm has been extended to the road.

Mr. Lagomarsino stated that the berm is now 260 ft long extending to the road.

Mr. Selvaggi, Esq. continued to review the remaining comments on Mr. Hall's report.

Mr. Selvaggi, Esq. confirmed that the berm would be increased to 2 ft high not including mulch.

Mr. Hall cited Mr. Norton's report of November 6 requesting a set of plans be given to Mr. Norton in conjunction with the Soil Disturbance application already provided.

Mr. Selvaggi indicated compliance with the remaining comments.

Chairman Spina opened to the public  
Chairman Spina closed to the public

[Recess at 8:47pm]

Ms. Fraser, Esq. swore in Mr. Keenan Hughes, Planner with Philips Price

The Board accepted his credentials.

Mr. Hughes discussed C1 hardship variances of this existing non confirming site. Houses of worship are permitted with a height variance previously approved. There will be no change of church placement from the height variance application to this Site Plan application. The residential buffers and other landscape measures are being proposed to address any visual and any other substantial impacts arising from this property. Since this is a residential area there is no need to over light this property.

Mr. Banisch asked about any drawings of the existing church once the 44 ft. steeple is removed.

Mr. Selvaggi indicated that only the bell would be removed from the existing steeple.

Chairman Spina opened to the public  
Chairman Spina closed to the public

Mr. Price asked if there was any comment from the Fire Company.

Mr. Hall stated there was no firefighting memo.

**Motion** made by Mr. Bauer to authorize the attorney to draft a Resolution of approval with numerous conditions from Mr. Hall's and other reports

Second: Mr. Soga

Abstain: None

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

***DISCUSSION – CORRESPONDENCE***

Next meeting December 5

***VOUCHERS***

Motion by Mr. Soga to approve payment of vouchers

Second: Mr. Price

Voice Vote: All members present voted in the Affirmative

***ADJOURNMENT***

Motion by Mr. Soga to adjourn at 9:18 p.m., which was seconded by Mr. Ort.