

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
BOARD OF ADJUSTMENT MINUTES
September 26, 2006**

Roll Call: Eller, Hurley, Mangiacotti, and Post – 4 Present.

Absent: Cioni, Nienstedt, Semonche, and Truman – 1 Absent.

Vacancy: Alternate #1 – One Vacancy

Also Present: Stuart Ours, Esq., Board Attorney
Rudy Bescherer, Zoning Officer
Ann Kilduff, Clerk

Vice-Chairman Hurley led the members of the Board in the flag salute and read the Open Public Meetings Act into the Record.

MINUTES:

Regular Meeting – August 22, 2006

Vice-Chairman Hurley entertained additions or corrections to the minutes. After a few minor changes, it was moved by Mangiacotti, seconded by Eller, that the minutes of the regular meeting held August 22, 2006 be approved as submitted.

Roll Call: Eller, Hurley, Mangiacotti, and Post –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

RESOLUTIONS:

Case #2004:13 – Samuel Hicks, Harrison Street/Garfield Avenue

It was moved by Eller, seconded by Post, that the resolution be adopted as approved at the August meeting for an extension of prior variance until September 28, 2007.

Roll Call: Eller, Hurley, Mangiacotti, Post –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

Case #2006:13 – Ronald and Michael Kovacs, 3 Hillcrest Avenue

It was moved by Post, seconded by Mangiacotti, that the resolution be adopted as approved at the August meeting for the determination to continue use of two separate dwelling units.

Roll Call: Eller, Hurley, Mangiacotti, Post –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

Board of Adjustment Minutes
September 26, 2006

Case #2006:14 – Pinakin Patel, 5 Ridgetop Terrace

It was moved by Post, seconded by Mangiacotti, that the resolution be adopted as approved at the August meeting for the construction of a deck.

Roll Call: Eller, Hurley, Mangiacotti, Post –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

Case #2006:15 – Jeffrey Mehl, 30 Taylor Street

It was moved by Post, seconded by Eller, that the resolution be adopted as approved at the August meeting for the denial to convert a 2-family dwelling into a 3-family dwelling and a 20' drive apron.

Roll Call: Eller, Hurley, Mangiacotti, Post –
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

APPLICATIONS:

Case #2006:16 – Michael and Trisha Crans, 8 Grant Street, Block 57, Lot 2 – R2 Zone

This application is filed for the purpose of constructing a second story addition.

In the Zoning Officer's Refusal of Permit this request is denied for noncompliance with the provisions of Section(s) 94-76 B2 of the Municipal Zoning Ordinance for the following reason(s): There shall be a front yard of not less than 30 feet.

Attorney Ours reviewed the notices of service and affidavit of publication and found everything to be in order. The Board has jurisdiction to hear this application.

The Oath was administered to Michael Crans for his testimony.

Mr. Crans stated that since buying his home, he has added value to both it and the community as his home was an abandoned house when he purchased it in 2002. As his family grows, he finds he needs more living space. He is requesting to construct a second story addition because it would be a financial hardship for his family to find a new home and also a personal hardship as his family likes their current neighborhood.

Mr. Ours asked if there are any other two story homes in the neighborhood. Mr. Crans stated his neighbor on the left and the houses across the street are all two story homes.

Mr. Ours asked if the adjoining properties are close to the road. Mr. Crans replied that his house is slightly closer to the road than his neighbors.

Mr. Eller asked what the second story would consist of. Mr. Crans stated there will be two bedrooms, one bathroom, a master bedroom and a den/office.

Board of Adjustment Minutes
September 26, 2006

Mr. Eller asked how many cars can be parked in the driveway. Mr. Crans stated that three cars can park in the driveway, one behind the next.

It was noted that Mr. Crans owns two lots that have been merged into a single lot. Mr. Eller asked if these lots could ever be separated. Mr. Ours stated it would be difficult to build on the second lot. There is enough room for one house, but not two. Per Mr. Ours' request, Mr. Crans will provide the law office with a copy of his deed.

Vice-Chairman Hurley noted that there was no one present in the audience to ask any questions of the applicant.

Hearing no further discussion from the Board, a motion was made by Eller, seconded by Post, that the Board approve Michael and Trisha Crans' request to construct a second story addition on their house due to the fact that the construction of this second story addition will not be a detriment to the neighborhood and it will not substantially impair the intent and purpose of the zone plan.

Roll Call: Eller, Hurley, Mangiacotti, and Post
Ayes: 4, Nays: 0, Abstained: 0

Motion carried.

Case #2006:17 – Steven Black, 182 W. Washington Avenue, Block 10, Lot 1 – OB Zone

This application is filed for the purpose of constructing a 6' x 18' deck.

In the Zoning Officer's Refusal of Permit this request is denied for noncompliance with the provisions of Section(s) 94-82 B3 of the Municipal Zoning Ordinance for the following reason(s): No side yard shall be less than 6 feet.

Attorney Ours reviewed the notices of service and affidavit of publication and found everything to be in order. The Board has jurisdiction to hear this application.

The Oath was administered to Mr. Black for his testimony.

Mr. Hurley asked if there is any type of deck on the house now. Mr. Black stated there is a small porch where the proposed deck would be.

Mr. Eller noted there is an alleyway along the side of the house. Mr. Black stated the alleyway is not used.

A brief discussion took place with the applicant over the map.

Mr. Ours asked Mr. Black if his next door neighbor had any concerns with the deck since they each share half of a double house. Mr. Black replied that his neighbor has no concerns.

Vice-Chairman Hurley noted that there was no one in the audience with any questions of the applicant.

Board of Adjustment Minutes
September 26, 2006

Hearing no further discussion from the Board, a motion was made by Eller, seconded by Post, that the Board allow Mr. Black to construct a 6' x 18' deck on his property. The construction of this deck will not be a detriment to the neighborhood and it will not substantially impair the intent and purpose of the zone plan.

Roll Call: Eller, Hurley, Mangiacotti, and Post –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

**Case #2006:18 – Diane and George Cousineau, 88 Alvin Sloan Ave, Block 2.12, Lot 7
RIC Zone**

This application is filed for the purpose of constructing a 12' x 24' deck.

In the Zoning Officer's Refusal of Permit this request is denied for noncompliance with the provisions of Section(s) 94-75 B4 of the Municipal Zoning Ordinance for the following reasons: uncovered decks may be constructed in the rear yard, provided that a rear yard of at least 35' be maintained.

Attorney Ours reviewed the notices of service and affidavit of publication and found everything to be in order. The Board has jurisdiction to hear this application.

The Oath was administered to Mr. Cousineau for his testimony.

Mr. Ours asked what adjoins the house in the rear. Mr. Cousineau stated there is a fence and retention basin, but no houses. His house backs up to open space. Mr. Cousineau stated there is a house a few down from him with the same size deck.

Mr. Hurley asked Zoning Officer Rudy Bescherer if he had been out to see the property. Mr. Bescherer replied that he had been out to the property.

Vice-Chairman Hurley noted that there was no one in the audience with any questions of the applicant.

Hearing no further discussion from the Board, a motion was made by Eller, seconded by Post, that the Board allow Mr. Cousineau to construct a 12' x 24' deck on his property. The construction of this deck will not be a detriment to the neighborhood and it will not substantially impair the intent and purpose of the zone plan.

Roll Call: Eller, Hurley, Mangicotti, and Post –
Ayes: 4, Nays: 0, Abstained: 0
Motion carried.

Board of Adjustment Minutes
September 26, 2006

COMMUNICATIONS:

A letter from Mr. Miller regarding the revised grading plan of JB Properties was received and duly noted. Mr. Ours stated that no action is needed by the Board.

A responding letter from Alan Lowcher, Esq. was also received and duly noted.

REPORTS:

There were no reports at this meeting.

REMARKS:

Hearing no further business to come before the Board, a motion was made by Post, seconded by Mangiacotti, that the meeting be adjourned at 9:02 pm.

Ayes: 4, Nays: 0.
Motion carried.

Respectfully submitted,

Frank Mangiacotti, Secretary