

**TOWNSHIP OF MORRIS  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
FEBRUARY 27, 2006**

Call to Order

The regular meeting of the Township of Morris Board of Adjustment was called to order on Monday evening, February 27, 2006, at 7:30 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris.

Statement of Adequate Notice

Chairman Allison issued the following:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Board of Adjustment by preparing a notice dated February 21, 2006 specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and forwarding, by mail, the said notice to all persons on the request list, and I hereby hand a copy of such notice to the Secretary of the Board of Adjustment for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

The Pledge of Allegiance was led by Mr. James Allison, Chairman

Roll call of Board Members and Professionals

Members Present

Mr. Lawrence C. Vitale  
Ms. Norma Larkin  
Mr. Joseph Calvanelli, Alternate #1  
Mr. George Clark  
Mr. Rich Haan  
Mr. James C. Allison, Chairman

Members Absent

Mr. Thomas A. Zelante  
Mr. Timothy Kronk

Also Present

Mr. Rich Oller, Board Attorney  
Mr. James R. Slate, Township Engineer  
Ms. Tirrell Loftin, Zoning Officer  
Ms. Sonia Santiago, Board Secretary

On motion duly made, seconded, and unanimously carried, the minutes of the January 23, 2006, meeting were approved as circulated and placed on file in the office of the Board of Adjustment.

**Resolutions**

BA-03-03

Verizon @ St. Mary's Abbey

Block 4501, Lot 2, 230 Mendham Road., OS/GU zone.

Amended site plan and use variance approval for the installation of a cellular tower and associated equipment. Additional variance required for the monopole located in the front yard.

Mr. Vitale moved, seconded by Mr. Clark, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the December 19, 2005 meeting.

Roll Call: (Voting Members)

Mr. Vitale	YES
Mr. Clark	YES
Mr. Haan	YES
Mr. Allison	YES

BA-14-05

Steven Bosacki & Debra Bampton

Block 8501, Lot 14, 7 Kitchell Road, RA-15 Zone. Section C.

Construction of an 8'8" x 4'6" front entrance stoop with uncovered stairs creating a front yard setback of 45 feet where a minimum of 50 ft. is required. Construction of 25 ft x 24.6 ft one story side rear addition creating a side yard setback of 16.13 ft. where a minimum side yard setback of 20 ft. is required and a 25 ft. x 24 ft. two car garage addition creating a side yard setback 9.16 ft. where a minimum side yard setback of 20 ft. is required. The proposed side/rear yard addition and the proposed side yard garage addition will create a combined side yard of 25.29 ft. where a minimum combined side yard setback of 50 ft. is required.

Mr. Calvanelli moved, seconded by Mr. Clark, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the January 23, 2006 meeting.

Roll Call: (Voting Members)

Ms.Larkin	YES
Mr. Clark	YES
Mr. Calvanelli	YES

BA-10-05

Gerard & Carol Tourgee

Block 8406, Lot 4, 2 Bradley Road, RA-15 zone. Section C.

Construction of a 10 ft. x 6.5 ft. covered front entrance portico creating a front yard setback of 48.3 feet where 50 feet is required and an uncovered front stairs front yard setback of 46.5 feet where a minimum of 48 feet is required.

Mr. Haan moved, seconded by Ms. Larkin, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the January 23, 2006 meeting.

Roll Call: (Voting Members)

Ms. Larkin	YES
Mr. Clark	YES
Mr. Calvanelli	YES
Mr. Haan	YES
Mr. Allison	YES

BA-18-05

Mark & Rose Sullivan

Block 103, Lot 21, 10 Fairchild Avenue, RA-7 zone. Section C.

Applicant seeks approval for the construction of a 1187 SF two story addition, 912 SF covered porch addition and a 240 SF shed. The proposed two story addition will create a 5.6 ft. side yard setback where a minimum side yard setback of 10 ft. is required. The proposed covered porch addition will create a 15 ft. front yard setback where a minimum front yard setback of 25 ft. is required and the proposed shed is to be located 8 ft. from the side property line where a minimum side yard setback of 10 ft. is required. This shed is to be located 7 ft. from the rear property line where a minimum rear yard setback of 25 ft. is required.

Mr. Calvanelli moved, seconded by Mr. Haan, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the January 23, 2006 meeting.

Roll Call: (Voting Members)

Ms. Larkin	YES
Mr. Clark	YES
Mr. Calvanelli	YES
Mr. Haan	YES
Mr. Allison	YES

BA-21-05

Michael & Tammy Resnikoff

Block 1602, Lot 5, 11 Walt Whitman Trail, RA-35 zone. Section C.

Applicant seeks approval for the construction of a 156 SF screened porch and a 475 SF deck creating a rear yard setback of 26.7 ft. where a 35 ft. rear yard setback is required. Applicant has agreed to reduce the size of the deck to 12 ½ feet from the exterior wall of the master bedroom.

Ms. Larkin moved, seconded by Mr. Clark, roll call as indicated that resolution of approval, attached hereto and by reference made part of the official minutes of this meeting, be adopted as presented, memorializing the action taken by the Board at the January 23, 2006 meeting.

Roll Call: (Voting Members)

Ms. Larkin	YES
Mr. Clark	YES
Mr. Calvanelli	YES
Mr. Haan	YES
Mr. Allison	YES

**Regular Meeting**

BA-13-05

Robert Miller

Block 8407, Lot 5, 12 Bradley Road, RA-15 zone. Section C.

Continuation from the November 21, 2005 public hearing for construction of a 355 sq. ft. deck addition creating a front yard setback on Crescent Drive of 34.5 feet where 50 feet is required.

Mr. Miller entered his appearance, being previously sworn in by the Board Attorney and briefly gave the Board an overview of the application.

The following professional sworn in by the Board Attorney appeared to be heard.  
Joseph DeMaria, Professional Architect

No exhibits were submitted as evidence.

**Summary of Testimony** – Joseph DeMaria, Professional Architect

Mr. DeMaria stated that Mr. Miller was asked at the last meeting to reconsider his application. The new plans that were submitted are for a 14 ft. x 14 ft. deck and a blue stone patio which will create a front yard of 44.5 ft. rather than 34.56 ft. this will encroach a lot less than the original design. Mr. Miller stated he will be placing evergreens to screen the deck and patio.

The meeting was opened to the public; no one appeared to be heard.

Mr. Vitale moved, seconded by Ms. Larkin that approval be granted to the application of Robert Miller thereby permitting on Block 8407, Lot 5 the placement of deck and a blue stone patio with conditions stipulated and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the March 27, 2006 meeting.

BA-17-05

Paul & Kelly Horan

Block 7303, Lot 13, 19 Woodland Avenue, RA-15 zone. Section C.

Construction of a front porch creating a front yard set back of 25.47 ft. where a 50 ft. front yard setback is required and a 900 sq. ft. detached two car garage to be located 10 ft. from the rear property line where a 25 ft. rear yard setback is required. This detached garage is to be located 10 ft. from the side property line where a side yard setback of 20 ft. is required and creating a combined side yard of 30.33 ft where 50 ft. combined side yard is required. This detached garage is to be constructed with a height of 21 ft. where a maximum permitted height for any accessory building is 15 ft.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Mr. Horan, being duly sworn, presented the application to the Board.

The following professional sworn in by the Board Attorney appeared to be heard.  
Frank J. Rawding, Architect

The following exhibits were submitted as evidence.

- A-1 One sheet with two photographs of the proposed garage.
- A-2 Photographs of garages in the neighborhood.
- A-3 Photograph of garage in neighborhood, directly behind the subject property.
- A-4 Photograph of a garage in the neighborhood located on South Street.

A-5 Photograph of a garage in the neighborhood located on Dwyer Road.

**Summary of Testimony** – Frank Rawding, Architect

Mr. Rawding stated that the proposal is to construct a second level, rear addition, front porch and a detached two car garage. The addition to the house creates a variance for the front yard setback. The present house existing front yard setback is 34.9 ft. Mr. Horan is proposing a 25.4 ft. from the front stoop where a 50 ft. front yard set back is required. The front porch is consistent with the neighborhood. We are also proposing the construction of a detached two car garage in the rear of the property with a rear yard setback of 10 ft. where a 25 ft. is required and a side yard setback of 10 ft. where a 20 ft. is required. The rear of the property has an irregular shape and creates the need for the sideyard setback relief. Mr. Horan has a construction related business vehicle and two other cars and would like to house his vehicles within the garage. Placing the garage behind the house will keep it out of site from the street and it would be consistent with the neighborhood.

The meeting was opened to the public; no one appeared to be heard.

Ms. Larkin moved, seconded by Mr. Calvanelli that approval be granted to the application of Paul Horan thereby permitting on Block 7303, Lot 13 the construction of front porch and a 30x30 ft detached garage and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the March 27, 2006 meeting.

BA-20-05

Manford & Denise Ayers

Block 7306, Lot 1, 83 Woodland Avenue, RA-15 zone. Section C.

Construction of a 312 sq. ft. rear addition creating a building coverage of 26% where 20% is allowed.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Mr. Manford Ayers, being duly sworn, presented the application to the Board. Mr. Ayers stated that he proposes to expand his house being that the family is growing.

The following professional being duly sworn in by the Board Attorney appeared to be heard.

Carolyn Young, Architect

The following exhibits were submitted as evidence.

A-1 Floor Plan

A-2 Rendered Elevations

**Summary of Testimony** – Carolyn Young, Architect

Ms. Young stated that this is an undersize lot and the proposed 15 x 21 ft. addition is to rear of the property this will increase the building coverage to 26% where 20% is allowed. She also stated that the impervious area being increased is only approximately 4' x 15' and that there would not be drainage issues resulting from the proposed addition.

The meeting was opened to the public; no one appeared to be heard.

Mr. Vitale moved, seconded by Mr. Clark that approval is granted to the application of Manford & Denise Ayers thereby permitting on Block 7306, Lot 1 the construction of a 312 SF rear addition and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the March 27, 2005 meeting.

BA-22-05

Ted & Michelle Zangari

Block 6502, Lot 12, 26 Armstrong Road, RA-15 zone. Section C.

Construction of a 24 ft. x 24 ft. detached two car garage to be located 5 ft. from the rear property line where a rear yard setback of 25 ft. is required and 5 ft. from the side property line where a 20 ft. is required and creating a combined side yard setback of 26.62 ft. where 50 ft. is required.

Proof of Publication and Affidavit of Service filed and approved by the Board Secretary and Board Attorney.

Peter Wolfson, Attorney for the applicant presented the application to the Board.

The following professional sworn in by the Board attorney appeared to be heard.  
Andrew Pessacantando, Architect

The following exhibits were submitted as evidence.  
A-1 Photo Board consisting of 12 photos  
A-2 Photo Board with different garages on Springbrook Road.  
A-3 Computer generated drawing of proposed garage.

Summary of Testimony – Mr. Zangari, Homeowner  
Mr. Zangari stated that the purpose of building the garage was to give the family extra room in the house. The house is about 80 years old and builders then didn't consider growing families. Mr. Zangari also stated that they had met with the neighbors to the right and left of the property to discuss their plans and that the neighbors suggested that they keep the garage with the existing house color and roof shingles. The proposed garage will match the house.

**Summary of Testimony** – Andrew Pessacantando, Architect  
Mr. Pessacantando reviewed the exhibits submitted with the board members and explained the elevations of the proposed garage. The proposed garage will be consistent with the character of the existing house.

The meeting was opened to the public; no one appeared to be heard.

Mr. Haan moved, seconded by Mr. Clark that approval is granted to the application of Ted & Michelle Zangari thereby permitting on Block 6502, Lot 12 the construction of a detached two car garage and that the Board Attorney be authorized to prepare a formal resolution memorializing the action taken by the Board, same to be presented for consideration at the March 27, 2006 meeting.

Other Matters

None to be heard.

With no further business for consideration by the Township of Morris Board of Adjustment, on motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:47 P.M.

Respectfully submitted,

Sonia M. Santiago, Secretary  
Township of Morris Board of Adjustment