

**TOWNSHIP OF MORRIS  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
MAY 22, 2006**

Call to Order

The regular meeting of the Township of Morris Board of Adjustment was called to order on Monday evening, May 22, 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 May 15, 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. James C. Allison, Chairman  
Ms. Norma Larkin  
Mr. Joseph Calvanelli  
Mr. Rich Haan  
Mr. Thomas Luby

Members Absent

Mr. George Clark  
Mr. Timothy Kronk  
Mr. Lawrence C. Vitale

Also Present

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

On motion duly made, seconded, and unanimously carried, the minutes of the April 24, 2006 meeting were approved as circulated and placed on file in the office of the Board of Adjustment.

## **Regular Meeting**

BA-02-06

Douglas Dethy & Marianne Kozlowski

Block 5902, Lot 2, 3 & 4, 63 Overlook Road, RA-35 zone. Section C.

Continuation of the public hearing from the April 24, 2006 meeting for the construction of an in-ground swimming pool, pool patio, spa and pool equipment. The proposed in-ground swimming pool, pool patio and spa are shown to be located in the rear yard of the property creating a rear yard setback of 20 ft. where a minimum setback of 35 ft. is required and creating a building coverage of 16.1% where a maximum building coverage of 15% is permitted.

As requested by the applicant's attorney the application of Douglas Dethy & Marianne Kozlowski was carried to the June 26, 2006 Board of Adjustment meeting without further notice.

BA-19-05

William W. Howard

Block 2304, Lot 40, 5 Raynor Road, RA-15 zone. Section C.

Construction of a breezeway and attached 24 ft. x 24 ft. rear two car garage. The proposed attached garage will create a rear yard setback of 10 ft. where a minimum rear yard setback of 25 ft. is required and creates a side yard setback of 13 ft. where a minimum side yard setback of 20 ft. is required and a combined side yard of 48.9 ft. where a minimum combined side yard setback of 50 ft. is required.

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

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

The following exhibits were submitted as evidence.

- A-1 Plans submitted with a note from Bernard Senger, Township Assistant Engineer
- A-2 Architectural drawing with front elevations
- A-3 Photo of Existing house before construction
- A-4 Photo of house after construction
- A-5 Photo of West side of Raynor Road
- A-6 View from East Side of Raynor Road
- A-7 View from the Mandato Residence
- A-8 Closer view photo from the Mandato Residence
- A-9 Photo of steep slopes with 6 ft. wall
- A-10 View of the steep slopes
- A-11 View of the back yard
- A-12 Application summary

## **Summary of Testimony**

Mr. Howard stated that the purpose of the variance request is to construct an attached two car garage with a breezeway. Mr. Howard proceeded by reviewing the exhibits submitted with the Board members. Mr. Howard was asked by a Board member if he was willing to provide screening to the neighbor. Mr. Howard stated that he was willing to meet with the neighbor and discuss a landscape plan that was suitable for neighbor and him and that he was willing to pay for the landscaping. He also stated that the shed was moved to the right of the property and that it was placed 5 ft. from the property line. A lengthy discussion was carried in regard to the shed. The Board suggested to Mr. Howard that the shed should not be relocated as identified on the plan. He shall review the shed location with the zoning officer and



The meeting was opened to the public; the following person appeared to be heard.

John Cote

139 Lake Road

Mr. Haan moved, seconded by Mr. Calvanelli that the application of the Kothari family 2000 trust be withdrawn 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 June 26, 2006 meeting.

Roll Call (Voting Members)

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

Other Matters

Mr. Slate stated that the TCC was meeting to review current ordinances related to impervious coverage, fences and walls and that he was looking for suggestions from the Board regarding these issues. He stated that the impervious coverage in the RA-130 zone is 75% which is high for the area.

Amended Site Plan application for Signature Place – Mr. Josh Mann, from Porzio & Bromberg Law firm addressed the Board in regard to the approval granted for the application of Signature Place. Mr. Mann stated that the project had a new owner and that he would like to make some changes to the previously approved application. He stated that the owner would like to place asphalt instead of pavers in front of the garage and that he would like to remove one of the wall structures and the foundation of the unit will become the wall. The height of the units will be 45 ft some less. Mr. Mann stated that the walk out will add more space to the units. The Board recommended Mr. Mann to come back with an amended application for consideration.

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 10:45 P.M.

Respectfully submitted,

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