

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
AUGUST 27, 2014**

Meeting called to order by Chairman Novellino at 7:35 p.m.

Reading of Adequate Notice by Vice-Chairman Barthelmes.

Salute to the Flag and observance of a moment of silence for the troops.

Roll Call: Present - Barthelmes, Novellino, Bailey, Mostyn, Frost, Conoscenti and Ferro
Absent - Lambros and Morelli.

APPROVAL OF MINUTES: July 23, 2014

The Board having read the July 23, 2014 meeting minutes Mr. Frost made a Motion to approve the minutes and Mr. Bailey offered a Second. Roll Call Vote: Frost, Bailey, Barthelmes, Mostyn and Novellino voted yes to approve the meeting minutes.

RESOLUTION:

Z14-04 ALSTER, HOLLI AND BRIAN - Block 45, Lot 5.15. Property consists 2.0 acres located in the R-130 Zoning district. Subject property is located on a corner lot which, by definition, has two front yards. Applicant sought variance relief to construct an in-ground swimming pool which is not permitted in the front yard setback. Applicant also sought a variance to install a 54 inch fence in a portion of the front yard setback as well as a 48 inch high chain link fence in the front yard setback. Application approved 7-23-14.

The Board having read the Resolution, Mr. Mostyn made a Motion to approve and Mr. Barthelmes offered a Second. Roll Call Vote: Mostyn, Barthelmes, Bailey and Novellino Voted to memorialize the resolution.

Z14-03 SEASONAL WORLD – Block 57.01, Lot 21.01. Property consists of 2.91 acres located in the HC-1 Zoning district known as 532 Monmouth Road. Applicant sought amended major preliminary and final site plan approval and potential variance relief to have an installed 1,914 s.f. tent along the southwest building facade to be used for storage and display of retail merchandise. This area was previously approved by the Board to display three (3) above ground pools. Board to consider waiver request for submission of site plan checklist documents. Application approved 7-23-14.

The Board did not have a chance to review the Resolution and the memorialization of that Resolution would be tabled to the September 24th Meeting.

NEW APPLICATION:

Z14-05 GARY BORSUK - Block 29, Lot 16. Located at 895 Perrineville Road, property consists of 1.01 acres located in the R-130 Zoning District. Applicant seeks variance relief to construct a 10' x 13" covered porch on the front of his home, along with a 283 s.f. round enclosed glass sunroom. Variances needed for front yard and side yard setbacks. Deemed Complete 8-11-14. Date of Action 12-9-14. Noticing required.

Board Attorney Vella advised that he had reviewed the noticing packet and found same to be in order in order to accept jurisdiction over the application.

Attorney Vella entered the following exhibits into evidence:

- A-1 Noticing jurisdictional packet
- A-2 Application dated 7-24-14
- A-3 Web Notice
- A-4 Survey of Property Showing Proposed Porch prepared by Crest Engineering dated 11/23/13
- A-5 Aerial of Property Dated 7-30-14
- A-6 Proposed Floor Plan (1 pg)
- A-7 Hand-drawn Front View of Porch additions
- A-8 Photographs of existing home (5)

The Board thanked Mr. Borsuk for being a volunteer First Aid member and Captain.

Attorney Vella swore in the applicant and advised the Board that they are reviewing a variance request for a front yard setback and side yard setback.

The photographs of the property (Exhibit A-8) were passed around the Board for them to see.

Mr. Borsuk stated that he had lived in area all his life. His family came over on the Mayflower. He is serving his 7th term as their Captain of the First Aid Squad and is a member of the Township OEM. He explained that he purchased the home 40 years ago and he and Mrs. Borsuk wish to live there the rest of their lives.

Mr. Borsuk explained that he had removed an oil tank that was located in his front yard and had to remove the landscaping to do so. He stated that due to that removal, the front porch is crumbling.

His neighbors are the Township and the County.

MR. Borsuk advised the Board that he had done all of the carpentry work himself and wishes to remove the old porch and add a covered front porch approximately 10 x 19 feet and a 14 foot round enclosed glass sun room. The sketch was provided to the Board and marked into evidence as Exhibit A-7.

Mr. Borsuk explained that the roof covered porch will tie in with the existing roof. All gingerbread and wood work will match. He stated that the covered Porch will be stabilized with pilings and the glass sunroom is on a concrete slab. The front porch will go across the front of the house.

There are two setbacks the Board is to consider. The front yard setback is approximately 40 feet however, there is a proposed widening by the County on Perrineville Road. When the applicant constructs the porch as proposed, the set back will be 31 ft. to 34 ft. from the new right of way.

The Board discussed that there are no dates established for widening the right of way, they only know that it is planned. The Board discussed that the distances should be clarified in the Resolution.

The Board discussed that the right of way is owned by the applicant and that the County has not taken the property by eminent domain and they may not do that. The Board Engineer clarified where the setback begins. The County right of way line would be 40 feet from the center of the road. Where 50 feet is required, 39.8 are provided.

The Board agreed that a number of farmhouses along Sweetman's Lane have covered front porches and are located close to the road. The Board used Albivi's Restaurant as an example of an establishment with a porch that is located close to the road.

Board Planner Richard Coppola advised that this lot is an undersized lot in the R-130 zoning district and stated that all of the lots in this area are developed and that there is no available land to purchase to increase the lot size. It is a hardship for the applicant due to the narrowness and shape of the lot. Mr. Coppola stated that the property to east is the Township owned and to the west, County owned. Mr. Coppola offered that this addition is going to be tastefully done. It will mirror the rest of the home and be compatible with it.

Mr. Coppola's only concern is the front yard. The configuration of this lot is similar to what is around Mr. Borsuk.

Chairman Novellino opened the application to the public at 7:55 and seeing no public comment on the application, he closed the public portion at the same time.

Mr. Borsuk offered that the house was built in 1950.

The Board discussed the application. Chairman Novellino visited the property and looked at the home from the front. He found the home to be as attractive as depicted in the photos and fairly well set back from the road so that the home was not right on top of the road as other homes in the area are.

It was discussed that the porch is in the optimal spot and the Board found no visual negative impacts or impact to the zone plan.

Mr. Ferro stated it would be a nice addition and very pleasing visually. Mr. Frost offered that the photographs speak for themselves.

Mr. Borsuk did state that with the removal of the oil tank, he will landscape again.

Mr. Conoscenti stated that the appearance of the home is incredible and the addition of the porch would add to it.

Attorney Vella asked for clarification that the porch would not be a living area in the future. Mr. Borsuk stated that it is not an all season's room.

Chairman Novellino asked for a Motion on the application. Mr. Ferro made a Motion to approve the application and Mr. Frost offered a Second. Roll Call Vote: Ferro, Frost, Bailey, Barthelmes, Conoscenti, Mostyn and Novellino voted yes to approve the application.

Seeing no Old or New Business on the Agenda, Chairman Novellino asked for a Motion to adjourn the meeting. Mr. Frost made the Motion to Adjourn, Mr. Conoscenti offered a Second and by unanimous vote, the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Pamela D'Andrea