

**MILLSTONE TOWNSHIP
BOARD OF ADJUSTMENT
MEETING MINUTES
SEPTEMBER 30, 2015**

Meeting called to Order by Chairman Novellino at 7:30 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 - Lambros, Morelli, Novellino, Bailey, Frost, Conoscenti, Ferro and Barthelmes. Absent: Mostyn

APPROVAL OF MINUTES: July 22, 2015

Mr. Frost made a Motion to approve the Meeting Minutes and Mr. Morelli offered a Second. Roll Call Vote: Frost, Morelli, Barthelmes, Bailey, Lambros and Novellino voted yes to approve the meeting minutes.

Z15-05 VINCIGUERRA, NICHOLAS - Block 50, Lot 22. Property located at 2 Applegate Road consisting of 1.08 acres in the R-80 Zoning District. Applicant is located on a corner lot and proposes to install a 6-foot vinyl fencing along Millstone Road portion of his property. Variance is needed for installation of a fence in a front yard setback. Deemed complete 7-6-15. Heard in Part on 7-22-15. Application carried to 8-26-15 without the need for furthering noticing. Applicant asked to be removed from the August Agenda. Applicant must re-notice for hearing. Date of Action: 11-3-15.

Chairman Novellino announced that the above applicant has withdrawn from the meeting tonight and will re-notice for the 10-28-15 Meeting.

NEW APPLICATION:

Z15-08 KENNGOTT, KATE - Block 23, Lot 20.07. Property located at 82 Baird Road consisting of 3.013 acres in the R-130 zoning district. Applicant seeks variance approval to construct a second story to the existing single-family dwelling where the existing rear corner of home is 37'8" from the side yard and 40 feet is required.

Attorney Vella advised that he has read the noticing packet and finds same in order to accept jurisdiction over the application.

Attorney Vella read the following exhibits into evidence:

A-1 Jurisdictional packet

- A-2 Application dated 9-2-15
- A-3 Web Notice
- A-4 Aerial of Property
- A-5 Survey of Property prepared by Charles Surmonte, P.E., P.L.S.
Dated 10-20-10
- A-6 Proposed Rear and 2nd Floor Addition prepared by Zen Architectural
dated 7-23-15

Attorney Vella swore in the applicants, Kate Kenngott and Douglas Kenngott.

Ms. Kenngott stated that they have been residing in Millstone for five years and love the town. She advised that they came from New York. They wish to construct a second story onto their present home. Ms. Kenngott explained that the home was built in 1973. A portion of the home is located in the side yard setback.

Ms. Kenngott explained how they became aware that they would require a variance in order to add onto their home.

Board Planner Fred Heyer advised that a minor deviation exists where the front end of the home meets the setback but the rear is off a few feet. The area is wooded and no one would know that the applicants have a setback issue.

Engineer Shafai asked about the large black oak tree near the home and Mr. Kenngott advised that they just had the tree trimmed and that the tree will remain.

It was discussed that the only variance needed is for the side yard setback.

The Board asked if the Kenngotts would be residing in the home during construction and they advised that they would.

Chairman Novellino opened the application to the public at 7:45 p.m. Seeing no public comment, he closed that portion of the application at 7:45 p.m.

The Board discussed the application. Chairman Novellino does not see any issues since the applicant is not increasing the footprint and it is a pre-existing condition. He drove by and could not see that it was a foot into the setback. Chairman Novellino feels positive about granting this application. Mr. Conoscenti feels it is simple enough.

The Board offered positive feedback on the application.

A Condition of approval would be to protect the large oak tree during the renovation. The tree should be kept unless it becomes diseased or fails to be safe.

Mr. Frost made a Motion to approve the application as conditioned and Mr. Morelli offered a Second. Roll Call Vote: Frost, Morelli, Lambros, Conoscenti, Bailey, Barthelmes and Novellino voted yes to approve the application.

Seeing no Old or New Business, Chairman Novellino asked for a Motion to adjourn. Mr. Frost made a Motion to adjourn, Mr. Conoscenti offered a Second and by unanimous vote, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Pamela D'Andrea