

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
December 18, 2014**

The West Orange Zoning Board of Adjustment held a regular meeting on December 18, 2014 commencing 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Chairman Buechler called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and posted on the Township Bulletin Board on November 21, 2013 in accordance with the "Open Public Meetings Act."

Chairman Buechler asked everyone to stand for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

PRESENT: B. Buechler, D. Gabry, P. Neuer, B. Quentzel,
W. Steinhart, M. Sussman, A. Weiss

ABSENT: G. Bullock (excused)
W. Merklinger (excused)

ALSO PRESENT: Paul Grygiel, Consulting Planner
Eric Keller, Consulting Engineer
Alice Beirne, Esq., Board Attorney
Rose DeSena, Board Secretary
D. Dillon, Audio-Digital Transcription Service

ANNOUNCEMENTS

Future Meetings: January 15, 2015 (Regular Meeting) – 8:00 pm
February 19, 2015 (Regular Meeting) – 8:00 pm
March 19, 2015 (Regular Meeting) – 8:00 pm

MINUTES

Adopt Minutes: October 23, 2014 (regular meeting)

Chairman Buechler asked the Board Members if they had any additional comments for the October 23, 2014 regular meeting that were submitted to them for review. Seeing none, he asked for a motion to approve the minutes.

Mr. Sussman made a motion to approve the minutes from the October 23, 2014 regular Zoning Board of Adjustment meeting as submitted to the Board members; Ms. Gabry seconded the motion and all were in favor.

It was noted for the record that Mr. Steinhart was not present at the October 23, 2014 meeting and he did not vote on these minutes.

Adopt Minutes: November 17, 2014 (special meeting)

Chairman Buechler asked the Board Members if they had any additional comments for the November 17, 2014 regular meeting that were submitted to them for review. Seeing none, he asked for a motion to approve the minutes.

Ms. Gabry made a motion to approve the minutes from the November 17, 2014 regular Zoning Board of Adjustment meeting as submitted to the Board members; Mr. Neuer seconded the motion and all were in favor.

It was noted for the record that Mr. Steinhart was not present at the November 17, 2014 meeting and he did not vote on these minutes.

Adopt Minutes: November 20, 2014 (regular meeting)

Chairman Buechler asked the Board Members if they had any additional comments for the November 20, 2014 regular meeting that were submitted to them for review. Seeing none, he asked for a motion to approve the minutes.

Ms. Gabry made a motion to approve the minutes from the November 20, 2014 regular Zoning Board of Adjustment meeting as submitted to the Board members; Mr. Sussman seconded the motion and all were in favor.

It was noted for the record that Mr. Steinhart was not present at the November 20, 2014 meeting and he did not vote on these minutes.

DISCUSSION

Jennifer Porter, Esq., attorney for Quick Chek, approached the podium.

Chairman Buechler stated that at the last special meeting for the ZB-13-15/Quick Check application, that was held on December 11, 2014, Ms. Porter asked to be carried over to another special Zoning Board meeting.

Chairman Buechler asked Ms. Porter if February 26, 2015 works for all of Quick Chek's professionals; she replied yes.

Chairman Buechler stated for the record that the next special Zoning Board meeting for the Quick Chek application will be held on February 26, 2015. He also stated that the applicant will notice for this meeting as agreed.

RESOLUTIONS

1. ZB-14-04/Patin

Denied with prejudice 11-20-14

Block: 165.02; Lots: 4, 5; Zone: B-2/R-4
782 Northfield Avenue & 5 Dogwood Road
Seeking a “D” use variance and several “C” variances to construct an addition to an existing building and to construct parking accessory to the existing building on an adjoining lot.

Chairman Buechler stated that he submitted comments for this resolution to Ms. Beirne after they were circulated. He said that Mr. Neuer also submitted his comments to Ms. Beirne.

Ms. Beirne stated that she received Chairman Buechler and Mr. Neuer’s comments and said that she accepted them and incorporated them into the resolution. She said that she has a correction regarding the sewer pipe stating that the resolution should read that the sewer pipe will run under the existing building. Ms. Beirne said that she will make that correction and send the revised copy to the Board Secretary.

Chairman Buechler asked if the Board reviewed the resolution and if any other Members have any comments; seeing none Chairman Buechler asked for a motion to adopt with said revisions.

Mr. Neuer made a motion to adopt and Ms. Gabry seconded the motion.

The vote was as follows:

Bullock:	-	Steinhart:	-
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

2. ZB-14-00/Wang

Approved 11-20-14

Block: 161; Lot: 30; Zone: R-5
7 Oak Avenue
Seeking three “C” variances for the expansion of an existing kitchen and the construction of an accessory structure in the rear of the house

Chairman Buechler stated that he submitted his comments for this resolution to Ms. Beirne after they were circulated. He said that Mr. Neuer and Ms. Gabry also submitted their comments to Ms. Beirne.

Ms. Beirne stated that she accepted the changes made by Chairman Buechler, Mr. Neuer and Ms. Gabry and incorporated them into the resolution. She also said that Mr. Wang issued her a copy of the title search for the property, as the Board required, and there are no easements on record.

Chairman Buechler stated that Mr. Wang should have to remove the encroachments before he pulls construction permits.

Ms. Beirne stated that if he cuts the driveway off at the property line and the impervious coverage does not increase he will not have to come back before the Zoning Board but if the impervious coverage increases then he must come back before the Zoning Board.

Chairman Buechler asked if any of the other Board Members had any comments for this resolution; seeing none, he asked for a motion to adopt.

Vice Chairman Neuer made a motion to adopt and Mr. Quentzel seconded the motion.

The vote was as follows:

Bullock:	-	Steinhart:	-
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

SWEARING IN

Consulting Planner for the Township, Paul Grygiel and Consulting Engineer for the Township, Eric Keller, were sworn under oath.

APPLICATIONS

1. ZB-14-11/Nyunt

Carried over from 11-20-14

Block: 167.03; Lot: 35; Zone: R-3AH

9 Efstis Court

“C” variance for a rear yard setback for installing a deck in the rear of the home

Tun Nyunt, applicant, approached the podium and was sworn under oath. Mr. Nyunt stated that he would like to build a deck in the rear of his home. He said that he purchased the house over a year ago and there was no deck in the back of the house; he said that there were only stairs. Mr. Nyunt said that his neighbors all have decks and he would like to increase the living area for their children.

Chairman Buechler asked Mr. Nyunt if he received any negative comments from his neighbors; he replied no.

Chairman Buechler asked Mr. Nyunt if a licensed contractor will be doing the work; he replied yes.

Mr. Neuer stated that Mr. Grygiel's report indicated that nearby properties have decks in the rear yard. He asked Mr. Grygiel if any of these properties that have decks encroach; he said at least one other property did.

There were no further questions for Mr. Nyunt from the Board Members or the Board Professionals.

Chairman Buechler asked if any members of the public had any questions for Mr. Nyunt; there were none.

Chairman Buechler asked if any members of the public had any comments.

Rose DelPreore approached the podium and was sworn under oath. She stated that she lives at 24 Hutton Avenue and asked the Board to allow Mr. Nyunt to build his deck because he has children.

Chairman Buechler declared the hearing closed,

Mr. Sussman asked Mr. Grygiel how much of a drop off there is past the wooden post fence in the rear of the property that is shown in the photos in his report; he said approximately ten (10) to fifteen (15) feet.

Mr. Sussman asked Mr. Grygiel how deep the deck will be; he said 10.5 feet deep.

Mr. Sussman asked Mr. Grygiel how close the deck will be to the fence in the rear yard after it is built; he said approximately eight (8) feet.

There were no further comments from the Board Members or the Board Professionals.

Chairman Buechler asked for a motion.

Mr. Steinhart made a motion to approve the application; Mr. Neuer seconded the motion to approve the application.

Chairman Buechler stated that he would like to add, as a condition of approval, that the applicant use a licensed contractor to build the deck. Board Members Steinhart and Neuer accepted the proposed condition as an amendment to the pending motion.

The vote was as follows:

Bullock:	-	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

2. ZB-14-12/Henry

Carried over from 11-20-14

Block: 172.04; Lot: 2.01; Zone: R-5

899 Pleasant Valley Way

Seeking two (2) "C" variances for the rear and side yard to construct a second story addition to a single family dwelling.

EXHIBITS

A-1 – Sheet PL3.1 Proposed Floor Plans proposed dated 1/15/13

A-2 – Sheet PL2.1 Existing Floor Plans dated 1/15/13

A-3 – Sheet PL1.1 Site Plan and Zoning Chart dated 1/15/13

A-4 – Sheet PL3.2 Elevations dated 1/15/13

Vernon A. Henry, applicant, and Salvatore Corvino, architect, approached the podium and were sworn under oath.

Mr. Henry stated that he would like to expand his bedroom and said that he hired Mr. Corvino as his architect.

Mr. Corvino detailed his professional background as a licensed architect and a professional planner in the State of New Jersey. He said that he has appeared before many Planning and Zoning Boards before and that this is the first time he testifying before this Board.

Chairman Buechler accepted Mr. Corvino as an expert in architecture.

Mr. Corvino stated that Mr. Henry is proposing to construct an addition to the rear of his two story house. He presented sheet PL3.1 of the proposed floor plans dated 1/15/13.

Chairman Buechler asked to have sheet PL3.1 of the existing floor plans marked as Exhibit A-1 for identification.

Mr. Corvino referred to Exhibit A-1 and said that Mr. Henry would like to expand one of the bedrooms on the second floor by adding a sitting area and access to a balcony making it a master bedroom.

Mr. Corvino presented sheet PL2.1 of the existing floor plans dated 1/15/13.

Chairman Buechler asked to have sheet PL2.1 of the existing floor plans dated 1/15/13 marked as Exhibit A-2 for identification.

Mr. Corvino referred to Exhibit A-2 and noted on the plans the two existing bedrooms and an existing bathroom on the second floor.

Mr. Corvino said that the house has existing non-conforming conditions. He said it is an irregular shaped lot with a long narrow rear portion that runs towards the west part of the site.

Mr. Corvino said the main portion of the house is the front of the property and detailed the front, side and rear yard lot sizes.

Mr. Neuer asked Mr. Corvino if there is a list of the variances that are required; he said yes on the front cover sheet that was submitted with the application.

Mr. Corvino presented sheet PL1.1 of the site plan and zoning chart dated 1/15/13. Chairman Buechler asked to have sheet PL1.1 of the site plan and zoning chart dated 1/15/13 marked as Exhibit A-3 for identification.

Mr. Corvino referred to Exhibit A-3 and noted the zoning chart on the cover sheet.

Chairman Buechler asked Mr. Corvino if they are proposing changes only on the second floor; he replied yes.

Mr. Sussman asked Mr. Corvino if the second story addition is being built over an existing portion of the building; he replied yes.

Mr. Sussman asked Mr. Corvino if the addition will be on the same footprint; he replied yes.

Mr. Corvino presented sheet PL3.2 of the elevations dated 1/15/13.

Chairman Buechler asked to have sheet PL3.2 of the elevations dated 1/15/13 marked as Exhibit A-4 for identification.

Mr. Corvino referred to Exhibit A-4 and detailed the elevations showing the proposed addition over the existing kitchen on the first floor.

Mr. Corvino stated that the applicant is seeking side and rear yard variances for the addition on a non-conforming structure.

Chairman Buechler asked Mr. Henry if he will be using a licensed contractor for the work; he replied yes.

Alice Weiss asked Mr. Henry if any of his neighbors expressed any concerns regarding the proposed addition; he replied no.

There were no further questions for Mr. Henry or Mr. Corvino from the Board Members or the Board Professionals.

Chairman Buechler asked if any members of the public had any questions for Mr. Henry or Mr. Corvino; there were none.

Chairman Buechler asked if any members of the public had any comments; there were none.

Chairman Buechler declared the hearing closed.

Mr. Neuer stated that this is a positive application. He said that the property has hardships and as Mr. Grygiel pointed out in his report the rear of the house will not be visible from Pleasant Valley Way. Mr. Neuer said that he urges the other Board Members to vote in favor.

Chairman Buechler asked Mr. Henry if the house will be re-sided after the work is completed; he said no. Mr. Henry said that they will be using the same materials on the exterior of the addition that is currently on the house.

Chairman Buechler asked for a motion.

Mr. Neuer made a motion to approve the application with the following conditions:

- Applicant must use a licensed contractor to do the work
- Applicant must match the color, style and materials of the exterior of the addition to the current exterior of the house.

Ms. Gabry seconded the motion to approve the application.

The vote was as follows:

Bullock:	-	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

Chairman Buechler advised Mr. Henry that before the resolution is adopted, he must provide the Board Secretary with a letter from the Township Tax Collector stating that the taxes are current on the property.

3. ZB-14-13/Brice

Block: 176.18; Lot: 7; Zone: R-6

16 Stanford Avenue

Three "C" variances for an addition to an existing house.

EXHIBITS

A-1 – Animated Sketch dated 9/16/14

Marie Brice, applicant, and Edmundo Lopez, architect, approached the podium and were sworn under oath.

Ms. Brice stated that she owns a Cape Cod house that has two bedrooms on the second floor and the master bedroom on the first floor. She said that she wants to move the master bedroom because it is currently located above their recreational room and it is very noisy at times when

her children are playing in that room. Ms. Brice said that they want to extend the existing sun room on the first floor and make that the master bedroom.

Mr. Lopez detailed his professional background as a licensed architect in the State of New Jersey. He said that he has appeared before many Boards before and that this is the first time he is before this Board.

Chairman Buechler accepted Mr. Lopez as an expert in architecture.

Mr. Lopez stated that this is a non-conforming site. He said that the front and back yards will be violated with the construction of the master suite addition being proposed.

Ms. Weiss asked Mr. Lopez if they are proposing a bathroom in the bedroom because he is referring to it as a master suite; he replied no. Mr. Lopez said they are not proposing an additional bathroom.

Mr. Sussman asked Mr. Lopez if the addition will only be for one room; he replied yes.

Mr. Lopez presented a Google sketch of the existing house and the proposed addition.

Chairman Buechler asked to have the animated sketch dated 9/16/14 marked as Exhibit A-1 for identification.

Mr. Lopez referred to Exhibit A-1 and detailed what is existing and what is being proposed for the master bedroom addition.

Chairman Buechler asked Mr. Lopez if there is a bathroom on the main level; he replied yes. Mr. Lopez said that the bathroom is between the kitchen and the existing bedroom on the main level.

Mr. Lopez detailed the exterior and said that the siding on the addition will match the existing siding on the house.

Chairman Buechler asked Mr. Lopez if the applicant will be using a licensed contractor to do the work; he replied yes.

Mr. Neuer referred to Mr. Grygiel's report and asked Mr. Lopez if the existing exterior door on the existing sun room will remain; he replied yes.

There were no further questions for Ms. Brice or Mr. Lopez from the Board Members or the Board Professionals.

Chairman Buechler asked if any members of the public had any questions for Ms. Brice or Mr. Lopez; there were none.

Chairman Buechler asked if any members of the public had any comments; there were none.

Chairman Buechler declared the hearing closed and asked for a motion.

Mr. Quentzel made a motion to approve the application with the following conditions:

- The exterior of the proposed addition must match the color, style and materials of the existing building.
- The applicant must hire a licensed contractor to perform the work.

Ms. Weiss seconded the motion to approve the application.

The vote was as follows:

Bullock:	-	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

Chairman Buechler advised Ms. Brice that before the resolution is adopted, he must provide the Board Secretary with a letter from the Township Tax Collector stating that the taxes are current on the property.

4. ZB-14-09/Hutton Lafayette Apartments

Block: 78.02, 71.03; Lot: 1, 1.02 and 1.03; Zone: R-G

60 Randolph Place

Seeking a "D" and "C" variances for the expansion of a parking lot.

EXHIBITS

A-1 – Site Plans

A-2 – Survey

A-3 – Planning Exhibit – Three (3) Pages

Richard C. Stewart, Esq., attorney for the applicant, approached the podium.

Mr. Stewart detailed the application stating that the applicant is proposing a parking lot expansion. He said that the Engineer and the Professional Planner for this project will be testifying at this meeting tonight.

Mr. Stewart called his first witness.

Richard J. Adelson approached the podium and was sworn under oath. Mr. Adelson detailed his professional and educational background as a licensed Professional Planner and a Professional Engineer in the State of New Jersey. He said that he has testified before the Township's Planning Board before and that he will be testifying as an Engineer only tonight.

Chairman Buechler accepted Mr. Adelsohn as an expert in Engineering.

Mr. Adelsohn presented Site Plans; Chairman Buechler asked to have the site plans marked as Exhibit A-1 for identification.

Mr. Adelsohn referred to Exhibit A-1 stating that the Hutton Gardens was constructed in 1952 and that this project has never been before this Board before. He said that the property is located in an R-G garden apartment zone district but the Hutton Gardens is technically not a garden apartment because it does not meet the definition of the term according to the West Orange Land Use Regulations Ordinance.

Mr. Adelsohn presented the survey of the property.

Chairman Buechler asked to have the survey marked as Exhibit A-2 for identification.

Mr. Adelsohn referred to Exhibit A-2 and stated that the applicant is proposing to expand the parking lot behind building #7 by adding nine (9) additional parking spaces and one handicap parking space. He said that they are also proposing to add a sidewalk, repair the stairs and add one inlet in the back yard.

Chairman Buechler asked Mr. Adelsohn if they inspected the inlet pipe; he replied no. Mr. Adelsohn said that he visited the site and watched the storm water.

Mr. Adelsohn detailed the lighting plan and said that presently there is no lighting in the parking lot. He said that they are proposing to add four (4) pole mounted fixtures and two lights on the building.

Chairman Buechler asked Mr. Adelsohn if he is referring to the existing parking lot; he replied yes.

Mr. Adelsohn said that the light fixtures will be 16' high down light fixtures.

Chairman Buechler asked Mr. Adelsohn if they could lower the light fixtures a little; he replied no. Mr. Adelsohn said that the reason is that they have to keep the lights uniform or else they would have to add more lights. He said that all of the lights will be LED fixtures.

Chairman Buechler asked Mr. Adelsohn what size the parking stalls will be; he replied 9' x 18'. Mr. Adelsohn said that the handicap parking space will comply with the ADA code.

Mr. Adelsohn said that he would like to address the Omland Engineering memo dated 11/7/14.

Chairman Buechler asked Mr. Adelsohn if he has had any conversations with Mr. Keller; he replied yes.

Mr. Adelsohn addressed the following items in the Omland Engineering memo dated 11/7/14:

- Item #1 regarding the boundary and topographic surveys being attached to the site plans for any future submissions – applicant will comply.
- Item #2 regarding the plans depicting a four foot wide walkway – applicant will comply.
- Item #3 regarding extending the sidewalk along the easterly side of the new parking spaces – Mr. Adelson stated that in order to do that they would have to remove a tree; Mr. Keller said he is satisfied with them not extending the sidewalk for said reason.
- Item #4 regarding confirming that there is an accessible route from the ADA parking stall to the nearest building entrance – Mr. Adelson stated that the building is not ADA accessible so therefore changing it to accommodate a wheelchair is not feasible.
- Item #5 regarding not using flush curbing around the passenger loading zone and re-grading the proposed parking area – applicant will comply.
- Item #6 regarding providing additional top and bottom wall grades – applicant will comply.

Mr. Neuer asked Mr. Grygiel if item #6 requires a variance; he replied he is not sure. Mr. Grygiel said that he thinks that it only requires a building permit. He said that he would check the Township's Ordinance

- Item #7 regarding complying with the Township Ordinance for providing one shade tree plus ground level plantings for every ten (10) parking spaces – applicant will comply.
- Item #8 regarding clarification about the lights being on a timer or left on from dusk to dawn – Mr. Adelson stated that the lights will be left on from dusk to dawn.
- Item #9 regarding the hydraulic analysis of the existing outlet pipe. Mr. Keller stated that he has not received any calculations yet and advised Mr. Adelson to get them to him so that he can review them.
- Item #10 regarding the use of more traditional residential access drive materials – Mr. Adelson said that they will comply with changing the surface course but they will leave the base course pavement. Mr. Keller said that was acceptable.
- Item #11 regarding the soil erosion and sediment control plan publishing the proposed area of disturbance – the applicant will comply.
- Item #12 regarding the inlet detail specifying which type of Eco curb piece is being provided – the applicant will comply.
- Item #13 regarding providing an above and below ground “as-built” of the constructed improvements – the applicant will comply.
- Item #14 regarding submitting an engineer's estimate of probable construction costs – the applicant will comply.
- Item #15 regarding approvals from the Hudson Essex Passaic Soil Conservation District and the Essex County Planning Board – the applicant will comply.

Chairman Buechler asked Mr. Keller if he had any other comments; he replied no.

There were no further questions for Mr. Adelson from the Board Members or the Board Professionals.

Mr. Grygiel stated that after checking the Township's Ordinance regarding the height of the wall, he said that the Ordinance is not clear. He said that the height of the wall is permitted up to 6' high in the rear. Mr. Grygiel said that he thinks the wall is in the interior of the property.

Mr. Neuer asked Mr. Stewart if he wanted to amend the application and add a variance for the height of the wall; he replied yes.

Chairman Buechler asked if any members of the public had any questions for Mr. Adelson.

Stacey Fields approached the podium and stated that she lives at 33 Glenside Drive. Ms. Fields asked Mr. Adelson if the parking lot will create a space for kids to play or loiter once the lights are installed. Mr. Adelson said that the parking lot will be lit to levels for safe parking and not for kids to hang out.

Mr. Stewart called his next witness.

John McDonough approached the podium and was sworn under oath. Mr. McDonough detailed his professional background as a Professional Planner licensed in the State of New Jersey.

Chairman Buechler accepted Mr. McDonough as an expert in Professional Planning.

Mr. McDonough detailed all of the variances being requested in this application. He said that Hutton Gardens has been in existence since 1951, not 1952 as Mr. Adelson stated in his testimony. Mr. McDonough said that the complex looks like a Garden Apartment complex but, under the law, it does not fully conform to the definition of garden apartment and requires a D2 variance to expand an existing non-conforming use. He said that in addition to the use relief, bulk relief is required for front and rear yard and onsite parking supply even though they are proposing to increase the number of parking spaces.

Mr. McDonough continued his testimony by detailing what is being proposed and what is allowed by Township Ordinance.

Chairman Buechler asked Mr. McDonough if parking is a problem at this site; he said yes and that there is parking on the street many times. Mr. McDonough said that some of the other units in this project were built with garages under them but this area does not have them.

Mr. Grygiel stated that the plan shows adding nine (9) parking spaces is proposed. He said they are also re-striping so they will gain one more parking space for a total of ten (10). Mr. Grygiel said there will be a grand total of 162 parking spaces.

Mr. McDonough presented a planning exhibit consisting of three pages of photographs.

Chairman Buechler asked to have the planning exhibit consisting of three pages of photographs marked as Exhibit A-3 for identification.

Mr. McDonough referred to page one of Exhibit A-3 stating that it is an aerial photo that he downloaded from the Bing website and that he did not alter or photo shop it.

Mr. McDonough detailed the surrounding area.

Mr. McDonough referred to the photos on pages two (2) and three (3) of Exhibit A-3 and detailed them.

Chairman Buechler asked Mr. McDonough if he took the photographs; he replied yes. Mr. McDonough said that he took the photographs on 8/23/14.

Mr. Quentzel asked Mr. McDonough what area that was in photograph #4 on page two of Exhibit A-3; he replied it is a clothes line area. Mr. McDonough said that the clothes lines are not being used.

Mr. McDonough stated that 2,000 sq. ft. of space will be impacted by this development. He said that there are hundreds of apartments and that the lights will not be pointed into any of the surrounding properties.

Mr. Sussman referred to photograph #2 on page two of Exhibit A-3 and asked Mr. McDonough if that area is going to be re-stripped; he replied yes.

Mr. McDonough detailed the positive criteria stating that the general welfare will be improved. He said that it is a conversion and not an expansion of the buildings on site.

Mr. McDonough detailed the negative criteria and stated that the parking is being improved.

Chairman Buechler asked Mr. McDonough if any people contacted him, whether positive or negative, about the project; he replied no.

Mr. Quentzel asked Mr. McDonough why the applicant is requesting additional parking; he said tenant demand.

Mr. Quentzel asked Mr. McDonough if there is any other place that additional parking can be proposed; he said that he did not know because he did not inspect the entire site.

Mr. Neuer referred to page #5 of Mr. McDonough's report and asked him where the map was from; he said google maps.

There were no further questions for Mr. McDonough from the Board Members or the Board Professionals.

Chairman Buechler asked if any members of the public had any questions for Mr. McDonough; there were none.

Chairman Buechler asked Mr. Adelsohn to approach.

Chairman Buechler asked Mr. Adelson if there are any other locations in the complex to add additional parking; he said that he only walked the property and there were no other obvious spots.

Chairman Buechler asked if any members of the public had any comments.

Rose DelPreore approached the podium and was sworn under oath. Ms. DelPreore stated that she lives at 24 Hutton Avenue and that she is in favor of the application. She said that any additional parking is a good thing.

There were no further comments from the members of the public.

Chairman Buechler closed the hearing.

Ms. Weiss stated that this is a positive addition.

Chairman Buechler made a motion to approve the application with the following conditions;

- All agreements to the items in the Omland Engineering report shall be included as conditions of approval.
- The trees that will be planted are subject to the approval of the Township Planner and must be resolved before the resolution is adopted at the next Zoning Board Meeting on January 15, 2015.

Mr. Neuer stated that before the resolution is adopted, they must provide the Board Secretary with a letter from the Township Tax Collector stating that the taxes are current on the property.

Mr. Neuer also stated that the application is amended for the variance for the retaining wall.


Ms. Gabry seconded the motion to approve the application.

The vote was as follows:

Bullock:	-	Steinhart:	Yes
Gabry:	Yes	Sussman:	Yes
Merklinger:	-	Weiss:	Yes
Neuer:	Yes	Chairman Buechler:	Yes
Quentzel:	Yes		

The meeting was adjourned by Chairman Buechler at 9:40 pm

Adopted: January 15, 2015



 Rose DeSena
 Zoning Board Secretary