

MINUTES
JUNE 7, 2016

BOARD OF ADJUSTMENT

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

Vice Chairman Gerecht called the meeting to order at 8:00 P.M. He then read the following statement: Adequate notice of this meeting has been provided by posting a copy of the public meetings on the municipal bulletin board, by sending a copy to the Courier News and Echoes-Sentinel and by filing a copy with the Municipal Clerk IN January 2016.

MEETING CUT-OFF

Vice Chairman Gerecht read the following statement: Announcement is made that as a matter of procedure, it is the intention of the Board of Adjustment not to continue any matter past 11:00 P.M. at any Regular or Special Meeting of the Board unless a motion is passed by the members then present to extend the meeting to a later specified cut-off time.

CELL PHONES AND PAGERS

Vice Chairman Gerecht read the following statement: All in attendance are requested to turn off cell phones and pagers as they interfere with the court room taping mechanism.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll, the following were Present:

Edwin F. Gerecht, Jr., Vice-Chairman
Richard Keegan, Member
Michael O'Mullan, Member
Michael Pesce, Member
Thomas Sims, Member
Brian Johnson, 2nd Alternate

Cyndi Kiefer, Bd. Secretary

Excused:

E. Thomas Behr, Chairman
Jerry Aroneo, Member
Jeffrey Wills, 1st Alternate

Kevin O'Brien, Bd. Planner
Dan Bernstein, Bd. Attorney
Thomas Lemanowicz, Bd. Engr.

Ms. Kiefer advised Vice Chairman Gerecht that he had a quorum and could proceed.

EXECUTIVE SESSION

It was determined that there was no need to hold an executive session.

APPROVAL OF MINUTES

Ms. Kiefer noted for the record that on page 2 of the minutes of May 3, 2016, she had inadvertently left Mr. Wills' name out of the **ROLL CALL VOTE** taken for approval of the 2015 Annual Zoning Report and advised Vice Chairman Gerecht that she would make the correction. Mr. O'Mullan motioned to except the minutes as amended and Mr. Johnson seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Keegan, Mr. O'Mullan, Mr. Sims, Mr. Johnson, Vice Chairman Gerecht. Those Opposed: NONE. The minutes of May 3, 2016 were unanimously approved as amended. Mr. Pesce was in eligible to vote since he was not present at that meeting.

RESOLUTION OF MEMORIALIZATION

Mr. Pesce moved approval of the 2015 Annual Report on Variances Heard by the Zoning Board of Adjustment. Mr. Johnson seconded the motion and a **ROLL CALL VOTE** was taken. Those in Favor: Mr. Keegan, Mr. O'Mullan, Mr. Pesce, Mr. Sims, Mr. Johnson, Vice Chairman Gerecht. Those Opposed: NONE. The report was unanimously approved as written.

PUBLIC HEARING-EXTENSION OF APPROVAL

FILO/SANTIAGO
413 Elm Street
Block 13005, Lot 7

#13-07Z
Bulk Variances

Jennifer Filo and Esteban Santiago applied to the Board of Adjustment for permission to construct an attached garage and family room with a second story and add a second story to an existing house located at 413 Elm Street, Stirling, on property designated as Block 13005, Lot 7 on the Long Hill Township Tax Map and also located in the R-3 Zone.

The application was approved at the April 29th, 2014 Zoning Board meeting and a memorialization resolution was adopted at the May 20th, 2014 meeting. The applicants have not commenced construction and the variances expired on May 20th, 2014 per Section 172.12.

Ms. Filo appeared at the June 7th, 2016 Zoning Board meeting and was sworn in by Vice Chairman Gerecht. She explained the need for the extension to May 20, 2018.

Section 172.12 of the Land Use Ordinance of the Township of Long Hill provides:

“Any variance from the terms of this Ordinance hereafter granted by the Board of Adjustment permitting the erection or alteration of any structure or structures or permitting a specified use of any premises shall expire by limitation unless such construction or alteration shall have been actually commenced on each and every structure permitted by said variance, or unless such permitted use has actually been commenced, within twelve (12) months from the date of entry of the judgment or determination of the Board of Adjustment, except, however, that the running of the period of limitation herein provided shall be tolled from the date of filing an appeal from the decision of the Board of Adjustment to the Township Committee or to a court of competent jurisdiction until the termination in any manner of such appeal or proceeding.”

Mr. O’Mullan moved acceptance of the resolution to extend approval to May 20, 2018, subject to the conditions in the May 20, 2014 memorialization resolution. Mr. Pesce seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. O’Mullan, Mr. Pesce, Mr. Sims, Mr. Johnson, Vice Chairman Gerecht. Those Opposed: Mr. Keegan. By a vote of 5-1, the motion was approved.

Mr. Keegan motioned, Mr. Pesce seconded and the meeting was adjourned at 8:13 PM.

Date: _____

Cyndi Kiefer
Planning & Zoning Coordinator