

**STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
February 27, 2017**

A Regular Meeting of the Stillwater Township Zoning Board of Adjustment was held on Monday, February 27, 2017, at 7:30 p.m. at the Municipal Building in Middleville, New Jersey. The meeting was called to order by Vice Chairman Stachura in accordance with the Open Public Meetings Act. The flag was saluted and roll call taken:

MEMBERS PRESENT: Mr. Stachura, Mrs. Draghi, Mr. Wykoff, Mr. Straub, and Mr. Lippencott.

MEMBERS ABSENT: Mr. Sarni, Mr. van der Haeghen, and Mr. Powell.

MINUTES

Mrs. Draghi made the motion to approve the minutes of January 23, 2017. Mr. Wykoff stated that he has not had an opportunity to read them. The Board agreed to defer the adoption of the minutes to later in the meeting, allowing Mr. Wykoff an opportunity to review them.

HEARINGS:

Calendar 595-Joseph & Susan Staugaard III, Block 4304, Lot 1

Joseph Staugaard III, was sworn in and he stated that he wishes to replace an existing non conforming deck with a new deck. He stated that the old deck is a wood deck and it will be replaced with a new wood deck. He stated that the footings will most likely be replaced. The Board discussed whether the lot is a corner lot. Also present Sydney Uster who was sworn in and she testified that she is the Realtor that sold Mr. Staugaard the home. The following was submitted and marked as an Exhibit:

- A-1 Six Photographs with different views
- The Board continued to discuss the proposal.

At 7:45 p.m. Mr. Stachura opened the hearing to the public. With there being no public comment, the hearing was closed to the public.

Board Attorney Haggerty summarized the matter and the possible conditions of an approval.

Mr. Lippencott made the motion to grant the variance. Motion seconded by Mr. Wykoff. Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Yes, Mr. Straub, Mrs. Draghi-Yes, and Mr. Wykoff-Yes.

Mr. Staugaard asked when they could begin construction. Board Attorney Haggerty stated that the Applicant could request a waiver of the written Resolution, but they do so at their own risk, as the appeal period begins when the Resolution is adopted. Mr. Staugaard requested the waiver.

Mr. Lippencott made the motion to grant the waiver of the adoption of the Resolution, to allow Mr. Staugaard the ability to begin construction. Motion seconded by Mrs. Draghi. Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Yes, Mr. Straub, Mrs. Draghi-Yes, and Mr. Wykoff-Yes

Calendar 596-Robert Venezia & Wailin Lee Diaz, Block 1102, Lo 25

Robert Venezia, Wailin Lee Diaz, and Avery Mulder-the Applicant's Contractor were sworn in. Mr. Venezia stated that they are requesting a variance to construct a garage, with storage space above, onto an existing slab foundation. They stated that it seems as if the slab was poured by a previous homeowner for a garage, but it was never constructed. The Board discussed the existing footing and

they stated that the garage would have electricity but no plumbing. The Applicant and the Board discussed the proposal and the size and height of the proposed garage at great length. Mr. Wykoff suggested that the garage be rotated so that the dormers face the street. The Applicant's agreed. The Board discussed the integrity of the existing concrete. Board Attorney Haggerty then reviewed the possible conditions of an approval.

Mr. Stachura opened the hearing to the public at 8:16 p.m. With there being no public, the hearing was closed to the public.

The Board continued to review the proposal and the waiver of the adoption of the Resolution, to allow construction to begin. Board Secretary Schemm asked that a letter be drafted as the application has been modified.

Mr. Lippencott made the motion to grant the variance as discussed and agreed upon at the hearing. Motion seconded by Mr. Straub. Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Yes, Mr. Straub, Mrs. Draghi-Yes, and Mr. Wykoff-Yes

Mrs. Draghi made the motion to grant the waiver of the adoption of the Resolution, to allow for construction to begin. Motion seconded by Mr. Lippencott. Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Yes, Mr. Straub, Mrs. Draghi-Yes, and Mr. Wykoff-Yes

Board Attorney Haggerty stated that the plans need to be amended and he will get a letter out to the Zoning Officer outlining the possible conditions of the Resolution. .

MINUTES

Mrs. Draghi made the motion to approve the minutes of January 23, 2017. Motion seconded by Mr. Wykoff. Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Abstain, Mr. Straub-Abstain, Mrs. Draghi-Yes, and Mr. Wykoff-Yes

BILLS

Mr. Lippencott made the motion to pay the following bills, seconded by Mr. Straub.

Dolan & Dolan:	General	\$136.05
Dolan & Dolan	Escrow-North Shore House	\$160.00
NJ Herald:	Notices-Reorg	\$ 42.60
NJ Herald:	Notices-Reutsch	\$ 6.90
NJ Herald:	Notice-Reorg	\$ 20.40
Gann Law Books-	2017 Edition of Zoning & Land Use	\$ 43.00

Roll call vote: Mr. Stachura-Yes, Mr. Lippencott-Yes, Mr. Straub, Mrs. Draghi-Yes, and Mr. Wykoff-Yes

OTHER BUSINESS:

Mrs. Draghi noted that the Township Committee had reduced the Zoning Board of Adjustment Budget by \$1000.00.

OPEN TO THE PUBLIC:

The meeting was opened to the public at 8:25 p.m. With there being no public, the meeting was closed to the public at 8:25 p.m.

COMMITTEE LIAISON REPORT:

Mr. Gross commented on the Budget procedure.

ADJOURNMENT

With there being no further business, a motion was made and seconded to adjourn the meeting at 8:28 p.m. In a voice vote, all were in favor.

Respectfully submitted,

Alfia Schemm, Board Secretary

3/21/17

Eric Powell, Chairman