



**STILLWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
October 28, 2024 @ 7:30 pm**

A **REGULAR MEETING** of the Stillwater Township Zoning Board of Adjustment was held on the above date and time. The meeting was called to order in accordance with the Open Public Meetings Act. The flag was saluted, and roll call taken.

MEMBERS PRESENT:

Mr. Lippencott, Mrs. Draghi, Mr. Wykoff, Mrs. Mountford, Mr. van der Haeghen and Mr. Doolittle

MEMBERS ABSENT: Mr. Kochenthal

ALSO PRESENT: Matthew Lynch, Esq., Joe Vuich, PE and Deputy Mayor, Vera Rumsey

SWEARING IN OF BOARD MEMBERS: N/A

APPROVAL OF MINUTES: September 23, 2024

Mr. van der Haeghen made the motion to approve the September minutes, seconded by Mrs. Draghi.

Roll Call: Mr. van der Haeghen – Yes, Mrs. Draghi – Yes, Mr. Lippencott – Yes, Mrs. Mountford – Yes, Mr. Wykoff – Yes, Mr. Doolittle – Yes.

RESOLUTIONS:

McEleney – 926 Emmons Lane

Mrs. Mountford made the motion to approve the above Resolution, pending an amendment to allow a second stove, seconded by Mr. van der Haeghen.

Roll Call: Mrs. Mountford – Yes, Mr. van der Haeghen – Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mr. Wykoff – Yes, Mr. Doolittle – Abstained.

COMPLETENESS: Secofsky – 901 Elm Terrace, Block 4304, Lot 2

The Engineer's report was reviewed by the Board and Mr. Vuich deemed the matter complete for a hearing.

Mrs. Mountford made the motion to deem the matter complete, seconded by Mr. van der Haeghen.

Roll Call: Mrs. Mountford – Yes, Mr. van der Haeghen – Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mr. Wykoff – Yes, Mr. Doolittle – Yes.

HEARING #1:

Secofsky – 901 Elm Terrace, Block 4304, Lot 2

Applicant, Joan Secofsky was sworn in by Attorney Lynch. Her application is for an appeal of a building permit denial and/or a variance to construct an 8x12ft accessory structure which will replace an existing kayak shed. The structure is needed because she and her husband are elderly and cannot continue to carry their kayaks from the water up the steep hill to their home.

OPEN TO THE PUBLIC: The session was opened to the public at 8:03pm. There being no public comment, the hearing was closed to the public.

Mr. Wykoff made the motion to approve the Application, seconded by Mrs. Mountford.

Roll Call: Mr. Wykoff – Yes, Mrs. Mountford – Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mr. van der Haeghen – Yes, Mr. Doolittle – Yes.

HEARING #2:

Monahan – 984 Route 521, Block 2201, Lot 10

The Engineer advised that this matter was complete to be heard by the Board.

Mr. van der Haeghen made the motion to deem the matter complete, seconded by Mr. Wykoff.

Roll Call: Mr. van der Haeghen – Yes, Mr. Wykoff - Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mrs. Mountford – Yes, Mr. Doolittle – Yes.

Richard Valenti, Esq. appeared on behalf of the applicant. The application is for an appeal of the Zoning Officer’s Violation Notice which cited two structures on the property. Mr. Valenti provided proof that both structures existed on the property for approximately 60 years, which is prior to the Zoning/Municipal Land Use Laws. Mr. Monahan testified that his family has lived on the premises for 52 years. He provided copies of three Deeds from 1972, 1969 and 1955 as well as a survey from 1972 depicting both structures on the property. In 1978 the applicant had the septic updated and it was approved by the County.

Mr. Valenti requested that the Board provide a Certification confirming that both structures are a pre-existing, non-conforming use.

OPEN TO THE PUBLIC: The session was opened to the public at 8:40pm. Mrs. Rose Sandford testified that both structures existed in 1972, prior to the Municipal Land Use Law which was enacted in 1975. The hearing was closed to the public at 8:42pm.

Mr. Wykoff suggested a refund the Applicant’s application and escrow costs in the respective amounts of \$100.00 and \$1,000.00. Mr. Vuich advised he would waive his professional fee. Mr. Lynch will check with Mr. Haggerty to see if he will also waive his fee.

Mr. Wykoff made the motion to overturn the Zoning Officer’s Notice of Violation, seconded by Mr. van der Haeghen.

Roll Call: Mr. Wykoff – Yes, Mr. van der Haeghen – Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mrs. Mountford – Yes, Mr. Doolittle – Yes.

Mr. Wykoff made the motion to Certify that both structures existed as a pre-existing, non-conforming use, seconded by Mrs. Draghi.

Roll Call: Mr. Wykoff – Yes, Mrs. Draghi – Yes, Mr. Lippencott – Yes, Mrs. Mountford – Yes, Mr. van der Haeghen – Yes, Mr. Doolittle – Yes.

A brief recess was held beginning at 8:46pm. The hearing returned to session at 8:50pm.

BILLS:

Mr. van der Haeghen made the motion to pay the following bills, seconded by Mr. Lippencott.

Dolan & Dolan – General	\$ 384.20
Dolan & Dolan – Hinchman 2501/57	\$ 340.00
Dolan & Dolan – McEleney 3602/6	\$ 76.50
Dolan & Dolan – Secofsky 4304/2	\$ 110.50
Dolan & Dolan – Fairview Lake West (General)	\$ 42.50
Van Cleef Engineering – Stillwater Farms 2401/19.07	\$ 882.00
Van Cleef Engineering – Swartswood Deli	\$ 735.00
Van Cleef Engineering - Hinchman 2501/57	\$ 808.50

Roll Call: Mr. van der Haeghen – Yes, Mr. Lippencott – Yes, Mrs. Draghi – Yes, Mrs. Mountford – Yes, Mr. Wykoff – Yes, Mr. Doolittle - Yes.

Mrs. Draghi made the motion to release the following escrows, seconded by Mrs. Mountford.

Zelinsky – 203/30	\$ 600.00
Armenante – 3603/23	\$ 187.25
Makrinos – 2401/30.03	\$ 172.50

Roll Call: Mrs. Draghi – Yes, Mrs. Mountford – Yes, Mr. Lippencott – Yes, Mr. Wykoff – Yes, Mr. van der Haeghen – Yes, Mr. Doolittle - Yes.

CORRESPONDENCE: None

OLD/NEW BUSINESS:

Mrs. Rose Sandford of 905 Mount Benevolence Road spoke regarding an ongoing situation with her neighbor. She owns a flag lot with an easement for ingress and egress. Her neighbor continually interferes with her access/rights to her property by placing large rocks to obstruct her right of way. In addition, she has concerns about fire and/or EMS vehicles being able to access her property.

She was advised by our Mr. Lynch that this is a property owner dispute, and she should seek counsel from her personal attorney to resolve the issue. Deputy Mayor Rumsey will contact the Fire Chief and have him perform an inspection to ensure a fire truck can safely access the property.

OPEN TO THE PUBLIC: The session was opened to the public at 9:12pm. Being no business, the hearing was closed to the public.

COMMITTEE LIAISON REPORT:

Deputy Mayor, Vera Rumsey:

- Milling has begun. Parking Lots are first. The Community Center parking lot will be paved for Election Day. Mt. Benevolence and Middleville will be milled and paved in the next few days.
- The Fall Festival was well attended
- Budget workshop meetings for the Township have begun
- Mayor Chamings collected supplies and donations and drove them to North Carolina in an enclosed trailer. THANK YOU, MAYOR!
- Deputy Mayor Rumsey and Dawn Delaney hung old tax records from the 1800 and 1900's, a few pictures and a scroll from the mid-1970s. It was from a contest 3 women held for Stillwater's 150-year celebration.

EXECUTIVE SESSION: The hearing went into executive session at 9:20pm.

ADJOURNMENT: At approximately 9:50 pm the meeting was opened back up. With there being no further business, a motion was made to adjourn. With a voice vote, all were in favor.

Respectfully submitted,

Penny Bair, Board Secretary
October 28, 2024