

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REORGANIZATION MEETING MINUTES
JANUARY 17, 2017**

The regular meeting of the Bloomsbury Planning Board was held on January 19, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Steven P. Gruenberg, Esq.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:

Todd Dangelo	Michele Stiehler-excused
Ann Ferrero	Martha Tersigni, Mayor
Matt Korbobo - excused	Robert Waterson
Karen Murray	Steve Gruenberg, Attorney
Tom Reilly – arrived 7:46	Richard Roseberry, Engineer
Ryan Smith	Lawrence Creveling, Zoning Officer - excused
	Chuck McGroarty, Planner - excused

Flag Salute

2017 REORGANIZATION

OATH OF OFFICE

Mr. Gruenberg administered the Oath of Office to Todd Dangelo, Karen Murray and Ryan Smith prior to the start of the meeting.

NOMINATIONS:

Mr. Gruenberg requested nominations for Planning Board Chairman.

Mr. Waterson moved the Board appoint Tom Reilly as Chair; seconded by Ms. Ferrero. No further nominations were received. Ms. Ferrero moved the Board close nominations; seconded by Mrs. Murray. All ayes. Motion carried.

ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Tersigni-aye; Waterson-aye; Murray-aye; Smith-aye. Motion carried.

Mr. Gruenberg asked for nominations for Planning Board Vice-Chair.

No nominations were received. The Vice Chair seat will remain vacant until filled.

RESOLUTION # 01-17 – 2017 MEETING DATES

WHEREAS, the Senate and General Assembly of the State of New Jersey have enacted an Act concerning meeting of certain public bodies known as the Open Public Meetings act, approved, October 21, 1975, as Chapter 231, P.L. 1975, effective 90 days after enactment, to wit, on or about January 19, 1976,

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Bloomsbury as follows:

1. The regular meetings of the Borough of Bloomsbury Planning Board shall be held on the third Tuesday of every month during the calendar year of 2017. Meetings shall be held in the Municipal Building, 91 Brunswick Ave., Bloomsbury, NJ at 7:30 PM.
2. Notice of such annual schedule of regular meeting of the Planning Board or any revised schedule thereof, as well as advance written notice of any regular, special or rescheduled meeting of the Board shall be prominently posted at the Municipal Building, published in the Hunterdon County Democrat and shall be on file with the Board Secretary.

REGULAR MEETING SCHEDULE

January 17, 2017
February 21, 2017
March 21, 2017
April 18, 2017
May 16, 2017
June 20, 2017
July 18, 2017
August 15, 2017
September 19, 2017
October 17, 2017
November 21, 2017
December 19, 2017

First Meeting of 2018 and annual re-organization - January 16, 2018

Ms. Ferrero moved the Board adopt Resolution # 01-17; seconded by Mrs. Tersigni.
ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Tersigni-aye; Waterson-aye; Murray-aye; Smith-aye. Motion carried.

RESOLUTION # 02-17 - DESIGNATION OF OFFICIAL NEWSPAPERS

BE IT HEREBY RESOLVED, by the Planning Board of the Borough of Bloomsbury that the Hunterdon County Democrat shall be designated as the official newspaper of the Planning Board, wherein all legal advertising of the Board shall be placed. The Express Times shall be designated as the first alternative and the Courier News shall be designated as the second alternative.

Ms. Ferrero moved the Board adopt Resolution # 02-17; seconded by Mrs. Tersigni.
ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Tersigni-aye; Waterson-aye; Murray-aye;
Smith-aye. Motion carried.

RESOLUTION # 03-17 - RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH CERTAIN PLANNING BOARD PROFESSIONALS

WHEREAS, the Borough of Bloomsbury Planning Board requires the services of an engineer and attorney; and

WHEREAS, funds are available in the 2017 municipal budget for the Borough of Bloomsbury Planning Board expenses; and,

WHEREAS, C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting is a duly qualified licensed engineer of the State of New Jersey; and

WHEREAS, Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, is a duly licensed attorney of the State of New Jersey; and

WHEREAS, Chuck McGroarty of Banisch Associates, Inc., is a duly licensed planner of the State of New Jersey, and

WHEREAS, the Board members are desirous of retaining the services of the aforementioned individuals;

WHEREAS, the Chief Finance Officer has certified that the contracts (recited below) with , C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting, Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, and Chuck McGroarty, of Banisch Associates, Inc, may exceed \$17,500 in value, and such parties have furnished to the Borough of Bloomsbury (or will furnish to the Borough of Bloomsbury prior to the effectiveness of an award of contract with them) a Business Entity Disclosure Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contribution so reportable; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1et seq.) requires a resolution authorizing the award of contracts for Professional services without competitive bidding must be advertised,

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey as follows:

1. That the Chairman and Secretary of the Borough of Bloomsbury are hereby authorized and directed to execute contracts with the following all being for a period of one year, ending on December 31, 2017, contingent upon receipt from each of the

following where the contract may exceed \$17,500 of a Business Entity Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contributions so reportable:

C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting is appointed Planning Board Engineer for the calendar year 2017.

Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, is appointed Planning Board Attorney for the calendar year of 2017.

Chuck McGroarty, of Banisch Associates, Inc, is appointed Borough Planner for the calendar year of 2017.

2. These contracts are awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5-(1) (a) of the Local Public Contracts Law.
3. This resolution shall be published once in the Hunterdon County Democrat.
4. Copies of said professional agreements shall be maintained in the municipal offices of the Borough.

Mrs. Tersigni moved the Board adopt Resolution # 03-17; seconded by Ms. Ferrero.
ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Tersigni-aye; Waterson-aye; Murray-aye; Smith-aye. Motion carried.

REGULAR MEETING

APPROVAL OF BILL LIST

Ms. Papis moved the Board approve the bill list of January 17, 2017, provided funds are available; seconded by Mrs. Murray.

ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Tersigni-aye; Waterson-aye; Murray-aye; Smith-aye. Motion carried.

APPROVAL OF MINUTES

Ms. Ferrero moved the Board approve the regular meeting minutes of November 15, 2016; seconded by Mr. Waterson. All ayes. Dangelo-abstain; Murray-abstain; Smith-abstain. Motion carried.

ZONING REPORT

The Board accepted the December Zoning Report.

OLD BUSINESS

Ms. Ferrero asked about the status of the boarding house issue. Mr. Gruenberg stated that he was directed to spend an hour looking at definitions of boarding houses and provide guidance to the Board about the same. Mr. Gruenberg will do so for the February meeting.

NEW BUSINESS

COMPLETENESS DETERMINATION - VARIANCE & MINOR SUBDIVISION

Presbytery of Newton – Block 15; Lots 11 & 14; 60 Church Street

Mrs. Tersigni stated she must recuse herself from the application and stepped down from the table.

Mr. Gruenberg stated this is an application for minor subdivision and lot line adjustment. He stated that Mr. Roseberry has provided the Board with a memo dated January 16, 2017 recommending that the application be deemed complete.

Mr. Roseberry stated they are requesting two variances, but no waivers are needed.

Mr. Waterson moved the Board deem the application complete; seconded by Ms. Ferrero. ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Waterson-aye; Murray-aye; Smith-aye. Motion carried.

The Public Hearing will be scheduled for the February meeting.

CORRESPONDENCE

The Board reviewed correspondence.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Ms. Ferrero; seconded by Mr. Waterson. All ayes motion carried. Meeting adjourned at 7:47 PM.

Respectfully submitted,

Lisa A. Burd Reindel
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
FEBRUARY 21, 2017**

The regular meeting of the Bloomsbury Planning Board was held on February 21, 2017 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Tom Reilly, Chairman.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 26, 2017 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Todd Dangelo	Robert Waterson-absent
	Ann Ferrero-absent	Martha Tersigni, Mayor
	Matt Korbobo	Tom Reilly, Chairman
	Ryan Smith	Steve Gruenberg, Attorney
	Michele Stiehler	Lawrence Creveling, Zoning Officer

FLAG SALUTE

APPROVAL OF BILL LIST

Mrs. Stiehler moved the Board approve the Bill List of February 21, 2017; seconded by Mr. Korbobo.

ROLL CALL VOTE: Dangelo-aye; Korbobo-aye; Reilly-aye; Smith-aye; Stiehler-aye; Tersigni-aye. Motion carried.

APPROVAL OF MINUTES

Mrs. Tersigni moved the Board the Reorganization & Regular Meeting Minutes of January 17, 2017; seconded by Mr. Smith. All ayes; Korbobo-abstain. Stiehler-abstain. Motion carried.

ZONING REPORT

No February Zoning Report was submitted by the Zoning Officer.

ESCROW REPORT

The Board reviewed the escrow report dated February 17, 2017. The Secretary will reach out to the CFO regarding escrow funds for the Presbytery of Newton application.

OLD BUSINESS-

PUBLIC HEARING – VARIANCE & MINOR SUBDIVISION – Presbytery of Newton – Block 15; Lots 11 & 14; 60 Church Street

Mrs. Tersigni recused herself and stepped down from the table.

Mr. Gruenberg stated that he reviewed the proof of service and finds that the Board has jurisdiction to proceed with the hearing.

Richard R. Keiling, Attorney appeared before the Board representing the applicant.

James Vanderveer was sworn in by Mr. Gruenberg.

Mr. Vanderveer testified that he is an elder with the Presbyterian Church and also the real estate agent hired to sell the manse. He explained they had difficulty selling the manse without including the garage with the property sale since the garage is actually on the deed with the church. Mr. Vanderveer testified that it makes more sense to have the garage with the single family home than with the Church. He stated that his ability to market the home without the garage is limited due to the limitation of parking and this will make it more conforming. Mr. Vanderveer testified that if the Board were to grant the lot line adjustment it will make the manse more salable and will not have any negative affect on the Church lot.

Mr. Reilly asked if there were any deficiencies with the garage. Mr. Vanderveer stated there are not.

Mr. Korbobo asked if there is a driveway to the manse. Mr. Vanderveer stated there is not but an easement would be granted for driveway access to the garage behind the home.

The Site plan was marked exhibit A-1 and dated February 21, 2017 and entered into the record.

Mr. Gruenberg asked where the Church parking is. Mr. Vanderveer stated that it is on the opposite side of the Church from the driveway and garage and that granting an easement will not have any adverse effect on Church parking.

Mr. Gruenberg asked who will be responsible for the maintenance of the driveway easement. Mr. Vanderveer stated it will be the Church. Discussion followed. Mr. Keiling stated that he believed it will be the responsibility of the owner of the home and not the Church. He stated that a maintenance agreement will be included in the Deed and that he will forward his proposed agreement to the Board Professionals for their review and approval in advance.

Mrs. Stiehler asked if there is a standard for a shared driveway. Mr. Gruenberg stated that this would not be considered a shared driveway because the Church does not plan to use it any longer. He added that it is important that this Board be sure that an agreement is in place so that in the future no issue arise.

No additional questions for Mr. Vanderveer from the Board were heard.

No questions for the witness from the public.

Eugene Weber, Engineer was sworn in by the Board. Mr. Weber testified that he is a licensed Engineer in the State of New Jersey working for Finelli Consulting Engineers as senior engineering manager. Mr. Weber responded to Mr. Korbobo's question regarding the proposed new lot line placement. Mr. Weber testified that they were trying locate it so that the manse will have access to the garage but not create an irregularly shaped lot. He added that there is 25' between the Church and the garage and they favored the Church allowing 14' to the new lot line because it is a primary structure while they allowed only 11' to the garage.

No question from the board for Mr. Weber.

Mr. Gruenberg asked if a variance was needed for an undersized lot. Mr. Vanderveer testified that a residential lot must be 30,000 sq. ft. The manse lot is currently 11,667 sq. ft. and they will be increasing it by about 3,000 to 14,732sq. ft. He stated that he would argue that they do not need a variance because it is an existing undersized lot and they are actually increasing it. Mr. Gruenberg stated that he believes it would be a variance.

Mr. Vanderveer testified that the lot line adjustment makes sense for functionality, and that including the garage with the single family home, just makes sense. It is a C-2 Variance and the benefits in granting the relief will outweigh any detriment.

No additional variances are required.

No questions from the Board.

No questions from the Public.

Mrs. Stiehler moved the Board Close the Public Hearing; seconded by Mr. Korbobo.
ROLL CALL VOTE: Dangelo-aye; Korbobo-aye; Reilly-aye; Smith-aye; Stiehler-aye. Motion carried.

Mr. Gruenberg stated that this is an application for minor subdivision and lot line adjustment with 3 variances – rear yard for the manse property with 11’ to the garage to rear property line side yard variance if 14’ from church to side yard and an undersized lot of 14742 sq. ft. where 30,000 sq. ft. is required. Mrs. Roseberry’s report was marked exhibit B-1.

Mr. Korbobo moved the Board grant the minor subdivision and lot line adjustment for variance relief subject to the following conditions: Provision of a deed with maintenance agreement to the satisfaction of the board’s professionals compliance with Mr. Roseberry’s report which has been marked exhibit B-1 and any and all outside governmental approvals; seconded by Mrs. Stiehler.
ROLL CALL VOTE: Dangelo-aye; Korbobo-aye; Reilly-aye; Smith-aye; Stiehler-aye. Motion carried.

Mr. Gruenberg will prepare the Resolution memorializing the Board’s action for consideration at the March meeting.

Mrs. Tersigni returned to the table.

BOARDING/ROOMING HOUSE

Mr. Gruenberg provided the Board with a memo regarding definitions of rooming and boarding houses and related definitions found in the Borough code. Discussion followed.

REDEVELOPMENT-

Mr. Reilly stated that he has the draft plan for procedures for Highlands Redevelopment area designations dated October 14, 2016. He stated that we need to reengage our planner and see where we are in the process. Mrs. Tersigni stated that she met with the Director of the NJDEP last Friday and she mentioned that in April something is due out form the Highlands that will do

away with something from earlier. Mr. Gruenberg stated that the rumor has been that they will adjust their septic criteria a bit but he does not feel it will impact the Borough. Discussion followed.

Mr. Reilly mentioned a fiscal impact statement which says that Bloomsbury is quantified as a medium population, medium employment density town where is comparison, Bethlehem Township is listed as low population, low employment density town. Discussion followed.

Mr. Reilly will reach out to Darlene Green to ask if there is any action the Board needs to take or if there is anything pending for our highlands plan conformance.

NEW BUSINESS

Mrs. Tersigni mentioned that the Stem Brothers application to the Highlands Council was denied. The secretary said that JD Stem's email stated that it was close with a final vote of 7 – 6 against and stated that they met the criterial for the redevelopment designation but were still denied. Discussion followed.

CORRESPONDENCE

No additional correspondence.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Mrs. Tersigni; seconded by Mr. Smith. All ayes motion carried. Meeting adjourned at 8:48 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
SPECIAL MEETING MINUTES
APRIL 6, 2017**

The special meeting of the Bloomsbury Planning Board was held on April 6, 2017 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Tom Reilly, Chairman.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on April 1, 2017 by the publication of said notice in the Express Times and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Todd Dangelo	Robert Waterson
	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo - absent	Tom Reilly, Chairman
	Ryan Smith - excused	Steve Gruenberg, Attorney
	Michele Stiehler	Lawrence Creveling, Zoning Officer
	Karen Murray	

FLAG SALUTE

APPROVAL OF MINUTES

Mrs. Stiehler moved the Board approve the Regular Meeting Minutes of February 21, 2017; seconded by Mr. Dangelo. All ayes. Ferrero-abstain; Tersigni-abstain. Motion carried.

Mrs. Tersigni stepped down from the table and recused herself.

ADOPTION OF PLANNING BOARD RESOLUTION #04-17

Mr. Gruenberg stated that Mr. Roseberry sent a letter stating that the deeds that have been submitted are acceptable.

Mrs. Murray requested a reference to Growmark be corrected in the Resolution on page six.

Mrs. Steihler asked if the Resolution was acceptable to the Engineer. Mr. Gruenberg stated that the Resolution was circulated, and no comments were received from Mr. Roseberry so he assumes it is acceptable.

Ms. Ferrero asked what happens when there is a maintenance agreement on a property like this. She questioned if it passes on to the next owner. Mr. Gruenberg stated that it is recorded in the change of title and it is binding upon both parties and stays with the property. He explained that the document prepared by Mr. Keiling dealt with that issue and has been found to be acceptable by both Mr. Gruenberg and Mr. Roseberry. Brief Discussion followed.

RESOLUTION #04-17 – FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION

REGARDING THE APPLICATION OF PRESBYTERY OF NEWTON FOR MINOR SUBDIVISION/LOT LINE ADJUSTMENT AND VARIANCE RELIEF FOR BLOCK 15; LOTS 11 & 14 (60 CHURCH STREET)

The Planning Board of the Borough of Bloomsbury, in the County of Hunterdon and State of New Jersey, upon motion of Mrs. Stiehler, seconded by Mrs. Murray, adopts the following findings of fact, conclusions and resolutions:

Findings of Fact:

1. Applicant, **PRESBYTERY OF NEWTON** has filed this application for minor subdivision/lot line adjustment and variance relief as to an existing site located at Block 15, Lots 11 and 14. The applicant was represented at all times by Richard Keiling, Esq.

2. The properties are the site of the Bloomsbury Presbyterian Church and Manse/Pastor's House and is located at 60 Church Street (Lot 14) and 25 Main Street (Lot 11) with frontage on both Church and Main Streets. Both lots are located entirely within the R-3 Medium Density Residential Zoning District, in which residential uses, garages, and Churches are permitted. The applicant proposes to modify the lot lines between the 2 lots so that the portion of Lot 14 containing an existing frame garage will be adjoined with Lot 11. As Lot 11 does not currently contain a garage, nor a driveway to Main Street, an access easement will be created across Lot 14 allowing the owners of Lot 11 to utilize the driveway to Church Street.

The proposal requires the following variance relief:

A. Lot 11 is currently an undersized lot in the R3 zoning district. The addition of the portion of Lot 14 will make the lot more conforming, but still undersized. The ordinance requires minimum lot size of 30,000 sq. ft. The Manse/Pastor's House lot, Lot 11, is currently 11,667 sq. ft. Revised Lot 11 will be 14,732sq. ft

B. The creation of the new lot line will require a side yard setback variance for Lot 14 of 14 feet where 30 feet is required.

C. The creation of the new lot line will require a rear yard setback variance for Lot 11 of 11 feet where 25 ft is required.

3. On January 17, 2017, the Board entertained the application for completeness purposes. The Board reviewed Mr. Roseberry's memorandum dated January 16, 2017 recommending that the application be deemed complete.

Mr. Waterson moved the Board deem the application complete; seconded by Ms. Ferrero.

ROLL CALL VOTE: Ferrero-aye; Dangelo-aye; Waterson-aye; Murray-aye; Smith-aye.

Motion carried.

The Public hearing was scheduled for the Board's February meeting.

5. On February 21, 2017, the applicant provided appropriate Proof of Service and Publication of a Notice of Hearing and the board was found to have jurisdiction to proceed with the hearing.

Richard R. Keiling, Esq. appeared before the Board representing the applicant. Sworn testimony under oath was received from James Vanderveer, elder of the Presbyterian Church and realtor and Eugene Weber, P.E. The following exhibits were marked into evidence:

Exhibit A-1 Plan dated February 21, 2017

Exhibit B-1 Report of Board Engineer dated January 16, 2017

6. James Vanderveer testified that he is an elder with the Presbyterian Church and also the real estate agent retained to sell the Manse or Pastor's House. The church is located at 60 Church Street (Lot 14). To the left of the church is a driveway that leads back to the garage. To the left of the garage is the Manse or Pastor's House which is located on 25 Main Street (Lot 11). The garage is located on the Church property. The proposal is to adjust the property lines in order that the garage would be on the Manse/Pastor's House property. The intention is to sell the Manse/Pastor's House to be utilized as a single family home.

7. Mr. Vanderveer testified that the Church does not need the garage and merely stores a lawnmower in it at the present time. However, it makes more sense for the garage to accompany the lot with the Manse/Pastor's House since there is difficulty parking on the street and the people purchasing the property would then have off-street parking available.

Mr. Vanderveer testified that he has had difficulty in marketing the property without a garage and that houses with a driveway and garage are much more marketable. He has been a realtor since 2000. The property is presently under contract and the agreement requires the provision of a garage. There is no possibility to provide a driveway from 25 Main Street (Lot 11) and he could see no negative impact as no changes are taking place on site other than an adjustment of the boundary line. Exhibit A-1 was identified as the Subdivision Plan dated December 20, 2016 and last revised February 21, 2017. Questions were raised as to the maintenance responsibilities of the driveway to the garage which will remain on the Church property. The applicant agreed to provide a Deed of Easement and Maintenance Agreement to the Satisfaction of the Board's professionals as a condition of approval. The proposal will not affect parking for the church which is located on the other side of the church lot. The matter was opened to the public for questions of Mr. Vanderveer. None were received.

8. Sworn testimony under oath was next received from Eugene Weber, P.E. of Finelli Consulting Engineers. Mr. Weber's qualifications were reviewed by the Board and he was accepted as an expert in the field of Engineering.

9. Mr. Weber reviewed the proposed minor subdivision/lot line adjustment plan with the Board. Mr. Weber considered moving the lot line to accommodate the driveway on Lot 11 as well, but it was his believe that this would make the residential lot irregular and the Church intends to maintain its property but provide an easement to the Manse/Parish House instead. Moreover, the configuration as proposed is limited due to the existence of the cemetery on the church property.

10. Mr. Weber identified the variances as follows:

A. Lot 11 is currently an undersized lot in the R3 zoning district. The addition of the portion of Lot I4 will make the lot more conforming, but still undersized. The ordinance requires minimum lot size of 30,000 sq. ft. The Manse/Pastor's House lot, Lot 11, is currently 11,667 sq. ft. Revised Lot 11 will be 14,732sq. ft

B. The creation of the new lot line will require a side yard setback variance for Lot 14 of 14 feet where 30 feet is required.

C. The creation of the new lot line will require a rear yard setback variance for Lot 11 of 11 feet where 25 ft is required.

Mr. Weber testified that the general welfare would be advanced by granting the variances as the lots are being made "more conforming" in that the garage will be on the same lot as the single family dwelling. Moreover, the single family home lot will be increased so as to make it more conforming with the area standards. The proposal provides a more logical use of both properties and the benefits outweigh any detriments.

11. The matter was opened to the public for questions of Mr. Weber. None were received.

12. The matter was opened to the public for comments or testimony in conjunction with the application. None were received.

13. Mrs. Stiehler moved the Board Close the Public Hearing; seconded by Mr. Korbobo.

ROLL CALL VOTE: Dangelo-aye; Korbobo-aye; Reilly-aye; Smith-aye; Stiehler-aye. Motion carried.

14. Mr. Korbobo moved the Board grant the minor subdivision and lot line adjustment with variance relief subject to conditions, seconded by Mrs. Stiehler.

ROLL CALL VOTE: Dangelo-aye; Korbobo-aye; Reilly-aye; Smith-aye; Stiehler-aye. Motion carried.

Conclusions:

1. The applicant has established the necessary “positive” and “negative” criteria for the granting of the requested variances pursuant to N.J.S.A. 40:55D-70(c)(2) .

2. While lot 11 will still be an undersized lot, the proposal will make Lot 11 more conforming in size. The side yard setback variance and rear yard setback variance is not of concern to the Board since no new structures are proposed and the lot line adjustment as proposed is the best solution to "redraw" the lot lines so as to include the garage on the same lot as the single family dwelling that will use it. The public good will be advanced by a granting of the deviations requested as the lots shall be made more conforming and the benefits of granting the variance outweigh any detriments.

3. The Board finds that the variances can be granted without substantial detriment to the public good and won't substantially impair the intent and purpose of the zone plan and zoning ordinance. No visible change will take place on the properties.

4. As to subdivision/lot line issues, the remaining plan is fully conforming with the Borough's ordinances with the granting of the variances, and the Board finds that minor subdivision/lot line adjustment approval will be appropriate in light of the conditions imposed and the unique circumstances presented.

Resolution:

RESOLVED, that the Applicant, **PRESBYTERY OF NEWTON_GROWMARK, F.S.** is granted minor subdivision/lot line adjustment relief together with the requested variance relief set forth above subject to the following conditions:

- A. Applicant shall supply deeds perfecting the minor subdivision/lot line adjustment to the satisfaction of the Board's professionals.
- B. Applicant shall supply a Deed of Easement with Maintenance Agreement as to the driveway for the Garage to the satisfaction of the Board's professionals.
- C. Compliance in all respects with Mr. Roseberry's letter marked exhibit B-1.
- D. Applicant shall obtain any and all outside Governmental approvals including, but not limited to Hunterdon County Planning Board, Hunterdon County Soil Conservation District and a Highland's Exemption Determination either by the Borough or as appropriate.
- E. Applicant shall maintain a positive balance in the escrow account to insure continued review of the project and satisfaction of these conditions of approval by the Board and Borough's professionals.

Mrs. Stiehler moved the Board adopt Resolution #04-17; seconded by Mrs. Murray.

ROLL CALL VOTE: Dangelo-aye; Murray-aye; Reilly-aye; Stiehler-aye.
Ferrero –abstain; Waterson-abstain. Motion approved.

OPEN TO THE PUBLIC

Mrs. Murray questioned why the Resolution was not handled at the regular meeting last week and why a special meeting was needed. Mr. Gruenberg stated that he asked Mr. Keiling if the Resolution needed to be dealt with at the last meeting because he had a family emergency that Friday and he said Mr. Keiling was ok with the Resolution being put off until the next meeting. Mr. Gruenberg stated that he then spoke to the Secretary about it and we agreed that there was no reason to have a meeting if they were ok with it. Mr. Gruenberg stated that then about a week later the Mayor spoke to someone and found they had already scheduled the closing. He added that the buyer could have lost their mortgage commitment and the way to deal with that was to hold a special meeting.

Mrs. Tersigni stated that she sent a reminder to all professionals that everything needs to be into the Clerk by the Tuesday before the meeting. If she has it in by the end of day Tuesday the week before she has time to put together the packets for distribution. Mr. Reilly stated that the secretary went above and beyond to get everything together for this meeting before she left for vacation.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Ms. Ferrero; seconded by Mr. Waterson. All ayes motion carried. Meeting adjourned at 7:51 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

