

**HAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

Minutes of December 1, 2016

The minutes of this meeting have not been formally approved and are subject to change and or modification at the next regular meeting.

The meeting the Hampton Township Zoning Board of Adjustment was called to order at 7:30 PM by Chairman Ambrosi who led us in the Flag Salute.

ROLL CALL: Mr. Ostrander, Absent; Mr. Daniels, Yes; Mr. Goytil, Absent; Mr. Walthers, Absent; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; Mr. Lake, Yes; Mr. Sivulich, Absent; Attorney Morgenstern, Yes and Engineer Simmons, Yes.

STATEMENT: Chairman Ambrosi advised that this meeting is being held in compliance with the provisions of P.L. 1975, Ch. 231, Sec. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplied to the Official Newspapers of the Zoning Board of Adjustment that being the Daily and Sunday New Jersey Herald and is posted in the usual location of posted notices. Testimony will not be received after 10:00 PM.

MINUTES: A motion to approve the minutes of November 3rd 2016 was made by Mr. Nazzaro and 2nd by Mr. Zawacki.

ROLL CALL: Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

APPLICATIONS:

16-04ZB Diamond Communications – Verizon Wireless – Block 3102, Lot 15.01 – New Monopole Tower – Old Stage Coach Rd. – Request To carry to January 5, 2017

A motion to carry to the January 5, 2017 was made by Mr. Nazzaro, and 2nd by Mr. Daniels with all members present in Favor.

14-02ZB James Van Ness – Block 2802, Lot 5 – 213 Highland Ave Build House on the lot - Carried to December 2, 2016

Mr. Walthers arrived 7:38 PM

Applicant was again represented by Thomas Molica of Vogel, Chat and Schneider and Kenneth Dykstra of Dykstra Walker Design Group and the applicant James Van Ness

The value of the property was discussed by Mr. Molica and the appraised value of the property being \$ 45,000 for market value. Dr. Landauer did not agree with and offer \$10,000. As Fair Market Value. Mr. Van Ness said no to that offer.

A motion to NOT accept the offer was made by Mr. Daniels and 2nd by Mr. Walthers.

ROLL CALL: Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

Mr. Simmons letter of February 24, 2016 was discussed at great length with the following comments:

Variances – required

Lot Area - required 65,340 Sq. Ft. and Provided 44,055 Sq. Fr.
Lot Depth - required 225 Ft. Min and Provided 150 Ft.
To construct a dwelling on a lot not fronting on an approved public street.

The application revised the proposed dwelling for the lot. New dwelling will be 38' long x 24 ft. wide with an attached garage approximately 22' wide and 22' long. The Entrance now faces the northwest or rear of the subject property. Plans for the dwelling need to be furnished for review.

Drainage on the site needs to be addressed.

1. A portion of the existing stone wall along the rear property line of Lot 5 has been removed, allowing some flow to come down through the subject property to Highland Avenue. The latest plan calls for the opening in the stone wall to be restored.
2. A new swale/ditch through the subject property as outlined above would be in close proximity to the proposed septic disposal bed on the subject property. The design would have to be submitted to the Sussex County Health Department for confirmation that they would not treat the swale/ditch as a "water course" which could alter the design of the septic disposal bed

Sight distance to the northeast needs to be improved via grading within the proposed sight easement. Some clearing/grading work remains to be completed.

Applicant shall record a deed for the subject lot stating that the dwelling shall be constructed only within the building envelope as shown on a variance map that may be approved by the Board.

Applicant shall work with the adjacent property owner of Lot 1, Block 2802 to secure a conservation easement for the rock wall adjacent to the subject property.

The applicant shall record a deed with the following provision: " The above described lands front on private roads. There shall be no responsibility by the Township of Hampton for the maintenance of those roads."

The recorded deed shall contain the following restrictive covenant: " The purchaser of the above described lands is obligated to become a member of the Clearview Lake Property Owners' Association and to pay dues which shall be used, among other things is con for road maintenance"

The applicant shall file a revised variance map with this board showing the building envelope, lot improvements, drainage, grading and sight distance after same is

approve by the Township Engineer. The Zoning Board of Adjustment shall approve the revised variance map.

Escrow money shall be provided for necessary reviews.

Construction vehicles shall use Haggerty Road to gain access to the property in question and shall not use Clearview Drive.

All deeds and easements shall be reviewed and approved by the Township Engineer and Zoning Board of Adjustment Attorney.

The map shows the plan view of a proposed septic disposal bed and well on the lot, but not the construction details and detailed septic system plans. The applicant will have to apply for septic and well permits from the Sussex County Health Dept.. A new permit is required.

Mr. Van Ness was unable to purchase Lot 3 which would have made this application much better. The house could have been more on Lot 3 instead of being in the middle of Lot 5.

Julie Dietz President of the Clearview Lake Property Owners Association presented her comments on the situation. Along with a history of events that have happened in this area. Glen Dietz expressed is concerns for the BIG expense to the Association and how much more they will to increase the Lake Dues since he is the treasurer.

A motion to grant the Three Variances for this application that being Lot Area Variance, Lot depth Variance and for the Home on an unimproved road by Mr. Walthers and 2nd by Mr. Lake

ROLL CALL: Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

A motion to have Attorney Morgenstern prepare a Resolution with the Conditions that need to be completed before a building permit is issued for the January 5th meeting was made by Mr. Daniels and 2nd by Mr. Nazzaro.

ROLL CALL: Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

BILLS:

Dolan & Dolan – General	598.88
Dolan & Dolan – Diamond Communication	287.00
Dolan & Dolan – Delaney	54.12
Dolan & Dolan – J. van Ness	164.00

A motion to pay the Bills as presented was made by Mr. Nazzaro and 2nd by Mr. Walthers.

ROLL CALL: Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Nazzaro, Yes; Mr. Zawacki, Yes; and Mr. Lake, Yes.

CORRESPONDANCE

Letter from Dolan & Dolan in regards to the increase in hourly fee for 2017.

ADOURNMENT

A motion to adjourn and 10:00 PM was made by Mr. Nazzaro and 2nd by Mr. Walthers with all member present in Favor and None Opposed.

Respectfully submitted;

Mary Whitesell
Mary Whitesell, Secretary