

**TOWNSHIP OF MENDHAM
BOARD OF ADJUSTMENT
MINUTES
January 9, 2020
REORGANIZATION and REGULAR MEETING**

CALL TO ORDER

Ms. Foley called the meeting to order at 7:30 pm.

ADEQUATE NOTICE

“ADEQUATE NOTICE of this meeting of the Board of Adjustment of the Township of Mendham was given as required by the Open Public Meetings Act as follows: notice was given to the DAILY RECORD and the OBSERVER TRIBUNE, notice was posted on the bulletin board in Township Hall, and notice was filed with the Township Clerk on January 11, 2019.”

OATHS OF OFFICE

Mr. Herbes administered the Oaths of Office to Mr. Richard Cadmus and Mr. Juan Peruyero.

ROLL CALL

PRESENT Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi, Mr. Herbes

ABSENT: Mr. Zairi

SALUTE TO THE FLAG: Led by Ms. Foley

CALL FOR NOMINATION OF CHAIRMAN (by Secretary)

Ms. Foley called for a nomination for Chairman of the Board of Adjustment for 2020.

Mr. DiGiacomo made a motion to nominate Mr. Stephen Herbes for roll of Chairman of the Board of Adjustment for 2020, and it was seconded by Mr. Guthrie.

Ms. Foley closed the nominations for roll of Chairman of the Board of Adjustment for 2020 after there were no further nominations.

A motion was made, and it was seconded to approve Mr. Herbes as Chairman of the Board of Adjustment for 2020. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi,

ABSTAIN: Mr. Herbes

Motion carried.

Ms. Foley turned the meeting over to Chairman Herbes.

CALL FOR NOMINATION OF VICE CHAIRMAN

Chairman Herbes called for a nomination for roll of Vice Chairman of the Board of Adjustment for 2020. Mr. Guthrie made a motion to nominate Ms. Grant, and it was seconded.

Chairman Herbes closed the nomination for roll of Vice Chairman of the Board of Adjustment for 2020 after there were no further nominations. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi,
Chairman Herbes

ABSTAIN: Ms. Grant

Motion carried.

Chairman Herbes opened up for discussion the reappointment of the Board's attorney, Mr. Anthony Sposaro. The members agreed that Mr. Sposaro should be reappointed since they were quite happy with him. Chairman Herbes entertained a motion to reappoint Mr. Anthony Sposaro as the Board of Adjustment attorney for 2020. A motion was made by Mr. Guthrie, and it was seconded by Mr. DiGiacomo. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr.
Roghanchi, Chairman Herbes

Motion carried.

Chairman Herbes opened up for discussion the reappointment of the Board's engineer, Mr. Denis Keenan. There were no comments from the Board members. Chairman Herbes entertained a motion to reappoint Mr. Denis Keenan from the firm French & Parrello Associates as the engineer for the Board of Adjustment for 2020. A motion was made by Mr. DiGiacomo, and it was seconded by Mr. Roghanchi. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr.
Roghanchi, Chairman Herbes

Motion carried.

Chairman Herbes referred to the three Reorganization resolutions for approval:

REORANIZATION RESOLUTIONS

OPEN PUBLIC MEETINGS ACT

REGULAR MEETING SCHEDULE - 2020

REAFFIRMATION OF RULES AND REGULATIONS

Chairman Herbes entertained a motion to approve the three resolutions. A motion was made, and it was seconded. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Mr. Peruyero, Mr.
Roghanchi, Chairman Herbes

Motion carried.

APPROVAL OF MINUTES – October 10, 2019

A motion was made to approve the minutes for the October 10, 2019 meeting, and it was seconded. Upon roll call:

AYES: Mr. DiGiacomo, Ms. Grant, Mr. Lordi, Chairman Herbes.

OLD BUSINESS

Case 3-16

Block 117, Lot 55: 17 Calais Road

APPLICANT: Sal & Jennifer Lombardo

APPLICATION: Additional Extension to Ordinance 12-2009

Ms. Lombardo approached the microphone. She began by saying that the electrician has continued doing electrical work in the house. The tile is currently being installed throughout the house with several rooms completed. Also, the kitchen cabinets will be installed shortly. Ms. Lombardo went on to say that her husband had to do the venting on the roof because it is a concrete tile roof and none of the plumbers or HVAC wanted to cut through the roof. This was very time consuming, and he has been working on this every Saturday and Sunday. She stated that it is difficult to estimate a date for when the family can move in since she does not have a GC managing the project.

Chairman Herbes inquired as to what is needed for the TCO. Ms. Lombardo opined that she believes they need the railings, the kitchen and one working bathroom (according to the Construction Official at the time, Russ Heiney). Also, it must be safe to live in. She would like the building inspector to pay a courtesy visit to let her know what she needs to do to move in besides the kitchen and bathroom so that this could be on the next update to the Board. Chairman Herbes stated that this would be helpful to know what the outstanding items are that need to be completed before the TCO can be issued. Chairman Herbes pointed out that there is an entry on the update that indicated that the stairs and railings are projected to be completed in April, 2019. Ms. Lombardo stated that the stairs are already installed but not the railings. This entry should be corrected to April, 2020. She went on to say that the water line is connected to the well with a temporary gas line installed. She said that once the kitchen is completed along with two bathrooms, then the family could move in.

Mr. Guthrie asked Ms. Lombardo to explain again why she must appear before this Board with regards to her project. Ms. Lombardo responded that the ordinance does not allow for two principle structures on the same lot. Chairman Herbes explained this further and said that the ordinance does not allow for two principle structures on a property for more than a year. Without this variance, one of the houses would have to have been demolished. Ms. Lombardo stated that she has tried to be honest and forthright with the Board throughout this whole process and that whatever the Board needs from her she will provide to them. The entire family has been working diligently in order to move into the house as soon as possible.

Chairman Herbes stated that it does not make sense for Ms. Lombardo to come back before the April 9, 2020 Board meeting as long as she is submitting the monthly updates. Ms. Grant inquired whether the second house on the property has already been demolished. Ms. Lombardo clarified that they are living in it and confirmed that it will be demolished once the family moves into the new house. A demo permit would need to be obtained to demolish the house.

Mr. Cadmus added that since there is a short list of items needed for the TCO that perhaps there could be a separate category just bulleting each of those TCO items with the projected start and end dates so that they can be isolated and the status of each of these may be tracked. Ms. Lombardo agreed to this.

Chairman Herbes entertained a motion to extend Ordinance 12-2009 for another three months to the end of April, 2020 with the request that Ms. Lombardo submit a monthly update with an itemized section discussing the TCO requirements and the projected start and end date for each of these items in order to track the critical path to the TCO. A motion was made, and it was seconded. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Guthrie, Mr. Lordi, Ms. Peruyero, Mr. Roghanchi, Chairman Herbes

Motion carried.

NEW BUSINESS

None

DISCUSSION

Mr. DiGiacomo welcomed the newest members to the Board. Mr. Lordi inquired about the last application regarding a variance request for the garage at 7 Combs Hollow Road (Douglas). Chairman Herbes responded that the garage is renovated and matches the house.

The meeting was duly adjourned at 7:51 pm.

Chairman Herbes entertained a motion to adjourn. A motion was made, and it was seconded. All agreed.

Respectfully submitted,

Beth Foley
Board Secretary