

**TOWNSHIP OF MENDHAM  
BOARD OF ADJUSTMENT  
MINUTES  
January 14, 2021  
REORGANIZATION and REGULAR MEETING**

**CALL TO ORDER**

Ms. Foley called the meeting to order at 7:36 pm via zoom.

**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. Sposaro administered the Oaths of Office to Mr. Richard Cadmus as Alternate 1, Mr. Nick Lordi, as Regular member and Mr. Gary Kapner as Alternate 2.

**ROLL CALL**

PRESENT Mr. Cadmus, Mr. DiGiacomo, Ms. Grant, Mr. Kapner, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi, Mr. Zairi, Mr. Herbes  
ABSENT: None

**SALUTE TO THE FLAG:** Led by Ms. Foley

**CALL FOR NOMINATION OF CHAIRMAN (by Secretary)**

Ms. Foley stated that she would accept nominations for Chairman of the Board of Adjustment for 2021. Mr. Lordi made a motion to nominate Mr. Stephen Herbes for roll of Chairman of the Board of Adjustment for 2021, and it was seconded by Mr. Roghanchi. A motion was made to close the nominations for Chairman, and it was seconded. All agreed.

Upon roll call:

AYES: All Members

ABSTAIN: Mr. Herbes

Motion carried.

Ms. Foley turned the meeting over to Chairman Herbes.

**CALL FOR NOMINATION OF VICE CHAIRMAN**

Chairman Herbes stated that he would accept nominations for roll of Vice Chairman of the Board of Adjustment for 2021. Mr. Roganchi made a motion to nominate himself, and it was seconded.

A motion was made to close the nominations for Vice Chairman, and it was seconded. All agreed. Upon roll call:

AYES: All agreed

NAYES: None

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 very satisfied with him as the Board attorney and find him quite capable and knowledgeable. Chairman Herbes entertained a motion to reappoint Mr. Anthony Sposaro as the Board of Adjustment attorney for 2021. Mr. Lordi made a motion to reappoint Mr. Sposaro, and it was seconded by Mr. Roghanchi. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant (by hand), Mr. Kapner, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi, Mr. Zairi, Chairman Herbes

Motion carried.

Chairman Herbes opened up for discussion the reappointment of the Board's engineer, Mr. Denis Keenan of French and Parrello. The members agreed that Mr. Keenan was quite effective as the Board's engineer and were very satisfied with him. They fully supported his reappointment. Mr. DiGiacomo made a motion to reappoint Mr. Keenan, and it was seconded by Mr. Roghanchi. Upon roll call:

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant (by hand), Mr. Kapner, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi, Mr. Zairi, Chairman Herbes

Motion carried.

Chairman Herbes referred to the three Reorganization resolutions for approval:

### **APPROVAL OF MINUTES – January 9, 2020**

A motion was made to approve the minutes for the January 9, 2020 meeting, and it was seconded.

AYES: All agreed

NAYES: None

### **REORGANIZATION RESOLUTIONS**

21-01 - OPEN PUBLIC MEETINGS ACT

21-02 - REGULAR MEETING SCHEDULE

21-03 - REAFFIRMATION OF RULES AND REGULATIONS

21-04 - RESOLUTION ADOPTING STANDARD PROCEDURES FOR REQUIREMENTS FOR PUBLIC COMMENT DURING REMOTE PUBLIC MEETINGS PURSUANT TO N.J.A.C. 5:39-1

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

AYES: Mr. Cadmus, Mr. DiGiacomo, Ms. Grant (by hand), Mr. Kapner, Mr. Lordi, Mr. Peruyero, Mr. Roghanchi, Mr. Zairi, Chairman Herbes

NAYES: None

Motion carried.

## **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 attended the meeting remotely via zoom. She began by saying that the project is moving along steadily and that the bathroom is complete with the kitchen also near completion. One of the major issues was the basement ceiling that needed to be sheet rocked since this was not part of their plan to do at this time; however, the building inspector stated that code requires that this be done. Ms. Lombardo went on to say that there is much preparation involved before sheet rocking the ceiling (running electric and gas lines etc.). Also, when the building inspector did the gas fireplace inspection, he opined that sheet rock could possibly be installed just around the boiler area instead of the entire ceiling. She said that she would like the Construction official, Mr. Perre, to make a courtesy visit in order clarify this issue of sheet rocking in the basement along with a general inspection of what needs to be done for a TCO. Mr. Lordi stated that the code was enacted a few years ago whereby a suppression system must be installed in the basement or fire proof rated sheetrock.

Chairman Herbes inquired as to how far off the Lombardo's are from obtaining a TCO. Ms. Lombardo stated that she is hopeful that she would be able to obtain a TCO in a couple of months. The interior doors were just delivered and there will be a working bathroom and working kitchen. She said she tried to get the front patios done before the winter but that the contractors are very difficult to get because they are so busy. Ms. Lombardo stated that she and her husband are doing the best they can to move the project forward and that she appreciates the Board's patience. She is trying to be as up front and as honest as possible. Chairman Herbes agreed that it is certainly a very challenging time.

Mr. Sposaro added that the issue here is the fact that there are two structures on the property with only one being occupied. If both were being occupied, it would be a different situation; however, he opined that there is no harm being done despite the fact that it is a technical violation of the ordinance and that it was hoped to be completed sooner. However, these are trying times, and that the Lombardo's were struggling with this project before Covid, so he opined that they are entitled to some deference. Mr. Sposaro went on to say that he agrees that Ms. Lombardo has been forthright with the Board and asked her to keep the Board apprised of the project's progress with her updates.

Chairman Herbes added that rather than having Ms. Lombardo return to the Board multiple times that she provides the updates over a four-month period and then report back to the Board after that time. Mr. Zairi agreed that it is only a technical issue and that he lives across the street and does not see any building activity that is a nuisance in any way.

Chairman Herbes inquired about any future applications that may be coming to the Board, and Ms. Foley responded that there may be one application but that nothing has been formally submitted. She also confirmed that there is no General Correspondence.

Chairman Herbes opened the meeting to the public. Hearing or seeing no one, Chairman Herbes closed the meeting to the public. He also read the standard procedures required for public comment at a public meeting, which was included on the agenda.

The meeting was duly adjourned at 8:05 pm.

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

Respectfully submitted,

Beth Foley  
Board Secretary