

**TOWNSHIP OF MENDHAM  
BOARD OF ADJUSTMENT  
MINUTES  
MAY 12, 2022  
REGULAR MEETING**

**CALL TO ORDER**

Ms. Foley called the meeting to order at 7:00 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 14, 2021.”

**ROLL CALL**

PRESENT Mr. Cadmus, Mr. Kapner, Mr. Lordi, Mr. Strafaci, Chairman Roghanchi

ABSENT: Ms. Grant, Mr. Peruyero, Mr. Zairi, Mr. Witczak

OTHERS PRESENT: Mr. Clifford Gibbons, Designated Board Attorney

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

**DESIGNATION OF VOTING MEMBERS WAS DETERMINED**

**MINUTES** – April 14, 2022 Regular Meeting

Chairman Roghanchi stated that the minutes to the April 14, 2022 Regular Meeting were approved by the Board.

**RESOLUTION**

CASE 1-22

APPLICANT: SAM & DANIELLA REED

16 BROWNING COURT

BLOCK 142, LOT 8

D4 VARIANCE

Chairman Roghanchi entertained a motion to adopt the Resolution for 16 Browning Court. A motion was made and it was seconded. Upon roll call:

AYES: Mr. Cadmus, Mr. Kapner, Mr. Lordi, Mr. Strafaci, Chairman Roghanchi

## **NEW BUSINESS**

CASE 3-22

APPLICANT: MATT & JEN GILMORE

2 TRIMINGHAM COURT

BLOCK 145.02, LOT 25

BULK VARIANCE

Mr. Gibbons swore in Mr. Denis Donatelli and Mr. Jason Werner, witnesses for the applicants.

Mr. Werner stated that the applicant is seeking a variance for a pool for the Gilmore family to be located in the lower left corner of the property in the rear yard. The side yard setback requirements have been met; however, the rear yard setback requirements are not in compliance with the zoning ordinance. The rear yard set back requirement is 35 feet and the applicant is requesting five feet. He stated that Tempe Wick Road runs along behind the house and that there is also a large open space with no houses on it that would not be affected adversely by putting the pool in this location. He went on to say that by locating the pool elsewhere in order to comply with the zoning requirements would require the removal of two old, beautiful trees. Furthermore, if the pool was located further up to the house that in addition to removing the one tree on the left-hand side, a substantial retaining wall would need to be built with the removal of the existing patio. This would be cost prohibitive for the project. Mr. Werner reiterated that there are no neighbors who would be affected adversely by the intended location of the pool. Also, he stated that the stormwater regulations will be met, and Mr. Donatelli went on to say that the Township requires a drywell or another stormwater system for the increased impervious (3 inches of rain for every square foot of increased impervious). This dry well will be installed with plans submitted to engineering for review and approval. Also, he added that the other area Mr. Werner mentioned that would meet the requirements for a pool location but would necessitate a retaining wall would require a regrading of steep slopes in excess of 15% slope with steep slope excavation.

Chairman Roghanchi inquired as to whether there is another variance for lot coverage being sought for this application other than the rear setback variance since the plans reflect a lot coverage variance. Mr. Donatelli confirmed that there is another variance that would need to be sought for lot coverage. This is not stated in the application, but is stated in one of the comments in Mr. Keenan's report dated April 9, 2022. Chairman Roghanchi asked Mr. Gibbons if this can be accepted procedurally, and Mr. Gibbons inquired as to whether this second variance request or a second general variance request was part of the Notice that was published in the paper. After reading the notice that Ms. Foley gave him, Mr. Gibbons stated that the second variance request for lot coverage was not noticed. Therefore, he opined that the Board cannot exercise jurisdiction over this application until the next meeting when the meeting has been properly re-noticed stating that both variances are being sought.

There was some discussion with regards to hearing the application that was noticed for the one variance being sought in order to allow for the building permit process to move forward with the second variance for lot coverage to be heard at a future meeting under a separate new application. Mr. Keenan added that the Lot Grading Permit process must also be considered when submitting plans to the Township. It was agreed that the application should be carried to the next meeting on June 9, 2022. Mr. Gibbons opined that the applicant may wish to consult an attorney as to the formal content of the notice to the paper for the next meeting since it should mention every variance being sought. Chairman Roghanchi stated that the application for 2 Trimmingham Court will be carried to the June 9, 2022 Board of Adjustment meeting at 7:00 pm.

## **READING AND GENERAL CORRESPONDENCE**

Chairman Roghanchi stated that Ms. Foley will no longer be Secretary to the Board of Adjustment beginning June 1, 2022 and that Ms. Wendy Parrinello will be the new Secretary to the Board of Adjustment.

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

The meeting was duly adjourned at 7:40 pm.

Respectfully submitted,

Beth Foley  
Board Secretary