

**MINUTES OF THE HARDYSTON TOWNSHIP JOINT LAND USE BOARD MEETING
HELD JULY 10, 2023**

CALL THE MEETING TO ORDER: Chairman Hickerson called the meeting to order at 7:00 p.m., read the *Statement of Compliance* inserted below, and led the Flag Salute.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Brian Kaminski – Absent
Carl Miller – Present
Jim Homa – Present
Sally Goodson – Present
Tony Alfano – Present
Carl Paladino – Present

Scott Lobban – Present
William Hickerson – Present
Vally Cicerale – Present
Ed Zinck – Absent
James Caiazzo – Present
Savas Savidis – Present

APPROVAL OF MINUTES: A motion to approve the *Minutes of the Hardyston Township Joint Land Use Board Organization Meeting Held June 12, 2023* was made by Carl Miller and seconded by Sally Goodson. There was no discussion. Roll Call: Carl Miller – yes, Sally Goodson – yes, Tony Alfano – yes, Carl Paladino – yes, Scott Lobban – yes, Bill Hickerson – yes, Vally Cicerale – yes, James Caiazzo – yes. The motion carried.

RESOLUTION:

LB-5-23-3, Sieber, Christopher. “c” Variances, Block 101 Lot 47. A motion to memorialize the resolution was made by Carl Miller and seconded by Sally Goodson. There was no discussion. Roll Call: Carl Miller – yes, Sally Goodson – yes, Tony Alfano – yes, Scott Lobban – yes, Bill Hickerson – yes, Vally Cicerale – yes, James Caiazzo – yes. The motion carried.

LBRD-6-23-1, Block 75 Lots 53, 72.01, and 72.02 – designation as a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5. A motion to memorialize the resolution was made by Carl Miller and seconded by James Caiazzo. Roll Call: Carl Miller – yes, Sally Goodson – yes, Tony Alfano – yes, Scott Lobban – yes, Bill Hickerson – yes, Vally Cicerale – yes, James Caiazzo – yes. The motion carried.

HEARINGS: LB-4-23-1, Brown, Juliette and Jim. “C” Variances, Block 84 Lot 39: Richard W. Wenner, Esq., appeared on behalf of the Applicant. Mr. Wenner noted the location of the site as 14 Glen Road, Stockholm, New Jersey. He presented the applicant’s request for ancillary “c” variance relief to permit the demolition of a dwelling damaged by fire and the construction of a new 2.5 story dwelling and associated improvements. Mr. Wenner stated the property is in the R-3 Zone Single-Family Lakeside Residential District, which is in the Highlands Preservation Area.

Juliette Brown was sworn. She provided a history of the matter stating the home was destroyed by fire. She stated her family has owned the home since 1969 and she wants to stay in the community. She confirmed the proposed home would be her family’s primary residence.

John Babula, RA, was sworn, qualified, and accepted as an expert witness. Mr. Babula confirmed that the height of the proposal did not exceed the 30' maximum standard. He noted ground level is a basement as 50% of the level is below grade. He submitted Exhibit A-1, a sealed six-sheet set of architectural plans that he prepared and dated 7/10/23. Referring to sheet A2.20, Mr. Babula reviewed the plans with the Board and stated the Applicant would rebuild the first floor and add a second floor as well as a two-car garage. He stated the home would have three bedrooms, and he confirmed the septic is designed to accommodate it.

Mr. Babula described the exterior noting the home would have vertical white vinyl siding with black shutters and wood treatments. He stated the existing utility pad would be used and exterior lighting would be reset spot lighting.

Daniel Davies, P.E., was sworn, qualified, and accepted as an expert witness. He reviewed the existing conditions with the Board stating the existing lot coverage is 4,206 sq.ft. and the Applicant's propose to reduce lot coverage to 3,529 sq. Mr. Davies noted the undersized lot is 9400 sq.ft. and 75' wide. He opined there is little opportunity to do more on the property than what is proposed. He informed the Board that one tree would be removed. He identified the locations of the both the well and septic noting the septic is at the rear of the property and the well is in front. Mr. Davies asked the Board to allow the fire pit, bench, and shed as pre-existing conditions. He noted the Applicant has septic and Soil Conservation approvals.

With reference to the proposed garage and parking, Mr. Davies confirmed that the driveway could accommodate two to three cars. He stated the application meets RSIS standards. He noted the Applicant would locate the air conditioning condenser and propane tank to the rear of the house on the right side of the building. He stated the home would be heated using oil heat and the propane would be used for cooking.

Jessica Caldwell, P.P., A.I.C.P., was sworn, qualified, and accepted as an expert witness. Ms. Caldwell identified the variances as follows: Minimum Lot Area, Minimum Lot Width, Front Yard Setback, total of two side yards, Maximum Impervious Lot Coverage, Accessory Structure Side Yard, Accessory Structure Rear Yard, and Number of Accessory Structures. She testified the c-1 hardship criteria were satisfied as the lot is undersized and there is no ability to expand the lot size. Further, she stated the c-2 criteria were satisfied as the single-family home would contribute to the community and fit nicely in the neighborhood with no substantial detriment to the public good, impairment to the zone plan and the ordinance. She stated the dwelling is similar in size to other homes in the lake community, and the addition of a garage modernizes the home.

The meeting was opened up to the public and no members of the public addressed the Board.

A motion to approve the application was made by Tony Alfano and seconded by Vally Cicerale. Roll Call: Carl Miller – yes, Jim Homa – yes, Sally Goodson – yes, Tony Alfano – yes, Savas Savidas – yes, Scott Lobban – yes, Bill Hickerson – yes, Vally Cicerale – yes, James Caiazzo – yes. The motion carried. The specific conditions of approval require the provision of an as-built prior to the issuance of a Certificate of Occupancy, the provision of a landscaping plan acceptable to the Board Engineer, the provision of engineering information relative to stormwater management compliance, and the standard conditions.

LB-6-23-1, Casterlin II, Reginald D. Appeal. Block 74 Lots 9 & 10: Scott Lobban recused. William T. Haggerty, Esq., appeared on behalf of the Applicant. He presented a request for approval of a pre-existing non-conforming use in regard to property located at 3199 Route 94, Hardyston, New Jersey. He submitted Exhibit A-1, a report of title prepared by Evident Title Agency, Inc., and dated June 14, 2023. Mr. Haggerty explained that the deed conveyed title to the Casterlins in 1964. Mr. Haggerty presented the RC Zone was created by ordinance in 1972.

Rosemarie Casterlin was sworn. She stated her husband created the Hardyston Paving business and operated it until his death eleven years ago. She stated her son continued operating the business. Mrs. Casterlin stated the business had five dump trucks, a paving machine, and rollers.

The Applicant submitted Exhibit A-2, a Plot plan of property situated on Block 74 Lot 9 prepared by William E. Beardslee, P.E., dated 8/3/88. A Google Earth aerial of the property was submitted and identified as Exhibit A-3.

Reginald Casterlin, II, was sworn. He stated he worked with his father his entire life. He stated he shut the doors of the business in 2016 after the loss of his son and stored Hardyston Paving's equipment. Mr. Casterlin stated he intended to liquidate. Mr. Casterlin confirmed he is currently renting the property to a similar contractor. He stated he has no intent to abandon the property. He stated the current use existed before the ordinance, and the property has been used for business through Hardyston Paving. Following discussion, the applicant agreed to have no more than ten pieces of equipment to be used strictly for paving.

The meeting was opened to the public. Mr. John Schultz stated he is one property to the south of

the subject property and nothing has been going on at the property for the last seven years. He stated the property is a dumping ground and there is no fence or hedge to block the view. He stated he has been a neighbor since 2003 and he is concerned with the filling in of property as well as the quantity of equipment on site.

Mr. Joseph Gunderman was sworn. He stated he is concerned about stormwater runoff from the property and the traffic from the construction company currently using the property.

No other members of the public addressed the Board.

A motion to find the use of the property for trucks and paving equipment associated with Hardyston Paving as a pre-existing nonconforming use was made by Carl Miller and seconded by Sally Goodson. A specific condition of approval limits the parking of trucks and paving equipment associated with Hardyston Paving to a maximum of ten pieces of equipment. Roll Call: Carl Miller – yes, Jim Homa – yes, Sally Goodson – yes, Tony Alfano – yes, Savas Savidis – yes, Bill Hickerson – yes, Vally Cicerale – no, James Caiazzo – no, Carl Paladino – yes. The motion carried.

PUBLIC COMMENT: The meeting was opened to the public. No members of the public addressed the Board. The meeting was closed to the public.

OLD BUSINESS: Bylaws Review: Board members agreed to restore the use of pronouns he/she to the document. A mark-up was provided to the Board Secretary.

BILLS: A motion to pay the bills on the July 2023 bill list was made by Jim Homa and seconded by Vally Cicerale. All were in favor. The motion carried.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Carl Miller. All were in favor. The meeting concluded at 9:40 p.m.

Respectfully submitted by,

Anne-Marie Wilhelm

Anne-Marie Wilhelm
Land Use Administrator