

**GREEN TOWNSHIP BOARD OF ADJUSTMENT MINUTES**  
**Regular Meeting of December 4, 2014**

**@ 7:10 PM**, Board Chairman, Eugene Bambara **CALLED THE MEETING TO ORDER**, then led members in reciting the **PLEDGE OF ALLEGIANCE** followed immediately by his reading the **OPEN PUBLIC MEETING STATEMENT**.

**ROLL CALL**: The Chairman directed the Board Secretary – Desiree L. Dunn to call the Roll finding Eugene Bambara, Chairman; Louis Tommaso; Mathew Fox; Sharon Mullen; and, Dennis Walker, Alternate #2, in attendance. Also in attendance: Lyn Aaroe, Esq., Board Attorney; and, John Miller, P.E.; Board Engineer.

**MOTION TO EXCUSE ABSENT MEMBERS:**

- Fox so moved. Mullen seconded. **VOICE VOTE: All members present voted "aye" in the affirmative. No abstentions. No objections. Motion carried.**

**MOTIONS TO APPROVE MINUTES**

- a. *from October 2, 2014*: No changes requested.
  - Tommaso so moved. Mullen seconded. **VOICE VOTE: All members present and eligible voted "aye" in the affirmative. No abstentions. No objections. Motion carried.**
- b. *from November 6, 2014*: No changes requested.
  - Fox so moved. Walker seconded. **VOICE VOTE: All members present and eligible voted "aye" in the affirmative. No abstentions. Mullen ABSTAINED. Motion carried.**

**RESOLUTIONS:**

1. **#BA 1409: Michael & Nicole Russo – “c” Variances. Bl. 70, L. 13 (23 Forest Road)**

**DISCUSSION:** Board Attorney introduced the Resolution and gave specific details about what variances were granted. Described testimony provided and that there had been no neighborhood opposition. With no further discussion or comment forthcoming, the Chairman entertained a motion for memorialization.

- Tommaso so moved. Walker seconded. **ROLL CALL VOTE OF ELIGIBLE VOTERS: Bambara – YES; Tommaso – YES; Walker – YES; and, Mullen – YES. No abstentions. No objections. Motion carried.**

**OLD APPLICATIONS:**

1. **#BA 1213: DOGGONE FARM – “d” Variance; Bl. \_\_\_ L. \_\_\_ (25 Briton Road).**

**DISCUSSION:** The Chairman offered an UPDATE and correction. The 6-month extension granted expires on December 6<sup>th</sup>. The Sussex County Health Office has yet to approve the application to

operate a kennel facility and nothing to the contrary or in opposition has been presented by the Applicant. Therefore, the **Chairman** asked that the matter be added to the January 15<sup>th</sup> agenda.

2. **@7:17PM, #BA 1405: JAYNE & CHARLES ALLES – “c” Variances; Bl. 45, L. 18 (33 Shore Road) was addressed.**

a. **COMPLETENESS REVIEW:**

**Board Engineer’s December 2<sup>nd</sup> report:** Review allowed by the **Chairman** plus Miller was requested to provide an overview. He gave specific details and described two (2) outstanding items: 1) The Soil Erosion & Sediment Control Plan and corresponding permit application is needed, yet he has no objection to the applicant’s waiver request to be allowed to submit upon approval; and 2) A hardcopy of the Sussex County Board of Health approved aerobic- type septic system is needed. **Miller** stated he favors finding the application complete. The **Chairman** noted no other issues with the checklists - everything asked for in previous correspondence was provided and new Public Notice confirmed by the **Board Secretary**. With no further concerns forthcoming from Board members, he entertained a motion to deem the application COMPLETE.

➤ **Fox so moved. Tommaso seconded. ROLL CALL VOTE: Walker – YES; Muller- YES; Fox – YES; Tommaso – YES; and, BAMBARA – YES. No abstentions. No objections. Motion carried.**

b. **PUBLIC HEARING:**

**Representing the Applicant:** Jayne & Charles Alles were sworn in @ 7:24 PM as well as **Jeff Carreaga, P.E.** introduced themselves and were sworn in. The **Chairman** explained the order that would ensue to those in the Audience. Requested a brief statement from the applicant. **Mr. Alles** described their desire for lakefront property to use as a retirement home. He confirmed that their purchase was conditioned upon Board approval. **Carriega** gave his professional engineering qualifications and involvement with ongoing aspects. Confirmed the Buy/Sell and described the property, including proposed setbacks dependent on lake buffering and adjoining wells. **Exhibit A-1: septic design** presented. Confirmed that NJ DEP found no wetlands present. Described maintenance process for the proposed aerobic septic system. He described the differences with peat systems and his experience installing over 100 such systems. Board questioned what would happen is power loss occurred. He elaborated, then represented site plan for the property. His intent was to limit grading. Septic field up front and the driveway described as 15% grade. The well location was described as well as the Board of Health requirements and subsequent modifications. Flood hazard limitations described as well as the limited disturbance. Board questioned soil erosion plan. **Miller** said he has reviewed said plan but an application is pending. Five foot rock wall surround described. **Carreaga** answered bullet points contained in Miller’s report. He discussed the waiver requested for driveway grade

and the rationale. Discussion ensued wherein **Miller** expressed concern with steep driveway in winter and recalled that the ordinance limitations were put in place for Lake Tranquility and the predominance of steep driveways and hardships experienced. Board questioned whether adjacent lot owner was aware of the proposed driveway proximity. **Miller** suggested to the **Alles** to explore alternatives because of use as a retirement home. More discussion ensued and the slope issue explored further. Homeowner and visitor safety as well as emergency services' access was of concern. **Chairman** requested consideration of a redesign to provide a lesser grade within the first 20 feet to mitigate water runoff, site distance and safety. Discussion ensued regarding modifications desired by the Board. **Carreaga** confirmed that setback requested is 45 feet to the overhang. Garage door size discussed. **Miller** asked if the driveway would be paved. **Carreaga** confirmed and will provide an amendment to the note which calls for gravel. **Miller** stipulated drainage calculations needed. Various options and Township requirements discussed further regarding undisturbed vegetation and forest area to safeguard water quality of the lake, as well as adjacent properties. Elevation calculations and discrepancies, as outlined in Miller's report, discussed further. Miller questioned if screening proposed to ensure privacy for adjacent lot owners because this house will be set back much further than existing homes.

**@8:18 PM**, Chairman opened the meeting for public comment on the matter. He stipulated that comments would be accepted.

- **Claude Deltieure**, son of owner of 5 Shore Road – concerned with proposed 5 ft. side yard setback. Why was the house not shifted away? Described how storm water always drains onto this property and it may impact the new septic. **Carreaga** said drainage will be diverted away from the septic. Questioned width of driveway. Miller questioned if house design could be flipped with driveway on other side. **Carreaga** said applicant already considered options and because of windows and views. **Charles Alles**, said nice view provided by neighbor's yard and if house lipped would have to see boat storage area. Claude Deltieure questioned whether applicant aggressively pursued purchase of the adjacent property owned by the Association.
- **Wayne Daniel, Trustee of Lake Tranquility Community Club, adjacent property to the north** – Members would be willing to vote on sale of a portion of the lot to enable a sale for more land. Board Attorney said applicant would have to pursue this option because it would solve many problems.
- **Jill Deltieure** – described how a lot of drainage currently occurs onto the subject property.
- **Kim Hart, 25 Shore Road** – Desired to look at the proposal and size of the house. Carreaga accommodated this request. Questioned moving the house closer to her and

proposed tree removal on a currently heavily wooded lot. Questioned square footage.  
Answer – 1,400 square feet.

With no one else offering comment, the **Chairman** closed the meeting and questioned if different house designs have been pursued. Discussed ensued regarding garage placement and / or elimination. **Carreaga** said he would explore with the applicant. Board suggested some consideration of eliminating breakfast / eating area that causes concern to the Deltieure household. Discussion ensued about adjoining deck providing access to the kitchen and/or a patio walkway. Board questioned Daniel if it would take a long time to resolve whether the Association would consider a sale. He answered in the affirmative. The **Chairman** explained the desire of the Board to mitigate neighbors' concerns of the Board by considering reasonable compromise. Suggested a garage on grade level. Board saw this as advantageous. Chairman said the applicant should explore all options. Discussion ensued with Carreaga regarding elevations and the applicant's desire for adequate garage space. **Carreaga** said he would discuss with the applicant. **Chairman** outlined for the public the three (3) proposed design alternatives discussed – 1) Raise house up and change slope of driveway; 2) Take out alcove and a bit of the deck; and, 3) Put the garage on grade in front to eliminate safety concerns and allow house to shift. Board Attorney advised Carreaga to get Daniel's contact info to pursue the sale issue. He entertained a motion to carry the application to the next meeting.

- **Fox so moved. Walker seconded. ROLL CALL VOTE: Walker – YES; Mullen – YES; Fox – YES; Tomasso – YES; Bambara – YES; and, Torella – YES. No abstentions. No objections. Motion carried.**

#### **OTHER BOARD BUSINESS –**

Chairman – updated the Board as to the RFP process for the Board Attorney.  
Secretary – mentioned that employee handbook forms need to be signed.

#### **ADJOURNEMENT –**

- **@ 9:05 PM, Walker so moved. Fox seconded. VOICE VOTE: All members present voted "aye" in the affirmative. No abstentions. No objections. Motion carried.**

Minutes  
Respectfully  
Submitted by:

Desiree L. Dunn, Secretary  
Planning Board & Board of Adjustment

***APPROVED***

