

**MONTVILLE TOWNSHIP  
ZONING BOARD MINUTES**

**August 4, 2021**

**IN PERSON**

**195 Changebridge Road, Municipal Building  
7:30PM**

**NOTE: No New Business to be conducted past 10:00 P.M.**

**STATEMENT OF COMPLIANCE**

As required by the Open Public Meetings Act, adequate notice of this meeting has been provided which notice specified the time and place of the meeting to the extent known at that time. The notice was posted on the bulletin board at the Municipal Building, sent to the Daily Record, and the Citizen, posted on the Township's website calendar, and placed on file at the Township Clerk's office. This meeting has been properly noticed to the public in accordance with the Open Public Meetings Act.

**ROLL CALL:**

Richard Moore - Present

Annabel Pierce - AE

Deane Driscoll - AE

Kenneth Shirkey - Present

Margaret Miller-Sanders - Present

Ron Cain - Present

James Marinello - Present

Ray Giordano (Alt #1) - AE

VACANCY (Alt #2)

**PLEDGE OF ALLEGIANCE**

Swearing in of Professionals

Jamie Giurintano, PE – Attendance not required

Tom Behrens, PP - Present

Also present: Bruce Ackerman, Esq.

**OPEN PUBLIC COMMENT**

The Chairman opens the session to public comment for items not listed on the agenda related to land use matters.

Mr. Marinello advised the public not to infer anything from the Board members who chose to wear masks or not to wear masks, conditions are changing.

**OLD BUSINESS**

None

**NEW BUSINESS**

**ZC05-21 – Bilenski, Douglas & Tina** – 2 Woodhill Rd – B: 91, L: 1 – front setbacks for addition to single family home – Notice Acceptable  
ACT BY: 10/12/21

Present on behalf of the applicant: Steven Schepis, Esq; Frank Matarazzo, PE, PP; Tina & Doug Bilenski, applicant

Mr. Schepis – The applicant is requesting front yard setbacks from both Pine Brook and Woodhill roads. They are putting on a 2<sup>nd</sup> story addition.

A-1 Zoning History Certification by Steven Schepis, Esq

Mr. Schepis – The ordinance was changed in 1957 which made the setback non-conforming.

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Frank Matarazzo, PE, PP – sworn

A-2 – colored version of the variance plan that was previously submitted

Mr. Matarazzo – Existing 1 story ranch. R-20A zone. CRW zone. Undersized site. Pre-existing non-conforming front yard setbacks. Front setback to Woodhill 50' required, 34.7' existing, and 32.4' proposed to the front porch. Front setback to Pine Brook Road 50' is required and 40.35' is existing and proposed to Pine Brook Rd for the 2<sup>nd</sup> story addition. Exceptionally narrow lot. 16,643 s.f. lot area existing where 27,000 s.f. required. Complies with building and impervious coverage. Substantial improvement of the premises. Benefits outweigh detriments. No negative impact. Second floor bump out only creates a minimal further encroachment.

Mr. Behrens – Corner lot. Existing dwelling with non-conforming setbacks. Addition is going up. Covering the stoop enhances the property. Is the proposed consistent with the neighborhood. Mr. Matarazzo – Some of the setbacks in the neighborhood are more than applicant and some are closer to the road.

Mr. Shirkey – Is the generator in the front yard? Mr. Matarazzo – Yes. Mr. Schepis – The homeowner will testify to the generator. Mr. Marinello – Will the addition create a canyon effect? Mr. Behrens – Mr. Matarazzo testified to a variety of setback in the area. Mr. Matarazzo – The house across Woodhill Rd is at around 50+. Mr. Behrens did not see an impact in this case.

Tina Bilenski, applicant – sworn

Our home is a 2-bedroom house. Our 2 daughters have been sharing a room for years. We do not want to move and have always wanted to improve on our home. Want to add a master bedroom and an additional bedroom with a master bath and another bath. My mother is older and wish to provide space in the home if need be. We put the generator in about a year and a half ago with a permit.

Mr. Schepis – We request a variance for the generator in the front yard and we will screen it to make it less visible. The notice includes all other variances required.

Doug Bilenski, Applicant – sworn

We received approval from Mr. Calabrese at the building department for the generator. The gas and electric come in from that side. Mr. Behrens – When does the generator get exercised? Mr. Bilenski – Thursdays at 2pm and I have installed bushes.

Open to public – none – closed

Mr. Shirkey – Mr. Calabrese is the construction official but in a different office from Land Use/Zoning, for clarification purposes only. Screening of the generator should be at least 1' higher than the unit on 3 sides to allow for access for service. A material that remains green and full throughout the year. The location of the generator is logical.

Motion to approve uniquely shaped undersized lot, corner lot, generator location logical due to corner lot and restriction resulting in two front yard setbacks, screening of generator as noted, required made by: Shirkey; Second by: Moore; Roll call: Yes – Cain, Shirkey, Moore, Miller-Sanders; Marinello

## MINUTES

Minutes of July 7, 2021- Eligible: Moore, Shirkey, Miller-Sanders, Cain, Weaver, Giordano, Marinello

Motion to adopt made by: Miller-Sanders; Second by: Moore; Roll call: Yes – Moore, Shirkey, Miller-Sanders, Cain, Marinello

## INVOICES

**Burgis Associates - Trust for:** \$1,387.50 (Augustus Automotive); \$225.00 (Donohue); \$375.00 (Galezowski); \$225.00 (Lakeland); \$1,550.00 (Monarch); \$150.00 (Morris Animal); \$112.50 (Mutts on Main)

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**Dorsey & Semrau: - Trust for:** \$651.00 (Mutts on Main)

**Omland Associates - Trust for:** \$262.50 (Bilenski); \$337.50 (Galezowski); \$501.25 (Lakeland); \$525.00 (Monarch); \$562.50 (Mutts on Main)

**Pashman Stein PC – O/E:** \$360.00 (Board Business June 2021) **Trust for:** \$120.00 (Augustus Automotive); \$255.00 (Galezowski); \$105.00 (Lakeland); \$645.00 (Monarch)

Motion to adopt made by: Moore; Second by: Shirkey; Roll call: unanimous

## **RESOLUTIONS**

**ZC02-21– Guzman, Stephanie** – 9 Millers Ln – B: 72, L: 3 – side setback variance for addition to single family home – Approved – Eligible: Moore, Shirkey, Miller-Sanders, Cain, Weaver, Giordano, Marinello

Motion to adopt made by: Miller-Sanders; Second by: Moore; Roll call: Yes - Moore, Shirkey, Miller-Sanders, Cain, Marinello

**ZSPP/FDC0/ZSOIL05-20– Monarch Communities** – 205-207 Changebridge Road– B: 131.02, L: 6 & 7 – pre/final site plan/c&d variances and soil movement – denied– Eligible: Moore, Shirkey, Miller-Sanders, Weaver, Giordano

Motion to adopt made by: Moore; Second by: Miller-Sanders; Roll call: Yes - Moore, Shirkey, Miller-Sanders

**ZEXT09-21 Jennette, Franca** – 6 Montville Ave – B: 51.2, L: 3 – 1 year extension of approvals to 7/1/2022 – Granted – Eligible: Moore, Shirkey, Miller-Sanders, Cain, Weaver, Giordano, Marinello

Motion to adopt made by: Moore; Second by: Miller-Sanders; Roll call: Yes - Moore, Shirkey, Miller-Sanders, Cain, Marinello

Rich Cook Thanked the board for their service especially during the last year and a half. He also advised the board that they are working to replace Mr. Weaver but it is getting harder and harder to find volunteers; cited statistic on number of building applications in the Township; advised re potential new multifamily application that was not anticipated.

## **OTHER BUSINESS**

RFP Subcommittee (Marinello, Pierce, Miller-Sanders) – Mr. Marinello – The RFP subcommittee is working on Legal firms and will look into Engineering firms

Ms. Mowles updated the Board on the DRC meeting next week on Sterling.

## **CORRESPONDENCE**

None

## **CLOSED SESSION**

RFP Subcommittee & Litigation

Mr. Shirkey made a motion to go into closed session; Second by: Moore; Roll call: Unanimous

Upon return from closed session, the board adjourned.

## **ADJOURNMENT**

Respectfully submitted,

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Jane Mowles, Land Use Administrator