





**Lebanon Township Board of Adjustment**

**August 23, 2017**

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Mr. Governali said he wanted to buy more property but that the property was in farmland preservation. Mr. MacQueen asked about the telephone pole in the back portion of the property near the house. Mr. Governali stated that there are no wires attached to the pole or to the house and that they plan on having the telephone pole removed. Mr. Kozlowski asked about the pool. Mr. Governali said the pool was existing when he purchased the property and they only rebuilt the pool. Mr. Governali said the addition is of the most importance and stated they would be willing to remove the pool and decks. Ms. Guevara asked if they are substantially increasing the living space for the house does that exceed an appeal. Attorney Gallina said they are looking to expand a non-conforming structure. They will need to get bulk variance relief. Attorney Gallina said it is up to the board to decide whether the Zoning Officer was correct in the denial.

The board deliberated and in conclusion, motion by Mr. MacQueen and seconded by Mr. Maurizio to uphold the denial by the Zoning Officer.

<b>ROLL CALL</b>	<b>Yes:</b> Mr. Maurizio	Mr. Terzuolo	<b>Absent:</b> Mr. Abuchowski
	Mr. Kozlowski	Mr. Locker	Mr. Eberle
	Mr. MacQueen	Ms. Guevara	Mr. Perry

**Attorney Gallina will prepare the Resolution to be on the next Agenda of September 27, 2017.**

**NEW BUSINESS:**

William Yurgel	Block #35	Lot #51
315 Lanning Lane	Lanning Lane	R1 ½
Glen Gardner, N.J, 08826		

**PUBLIC HEARING**

Variance for Side-yard Setback for Deck

The applicant Mr. William Yurgel was present to present the application to the board. Attorney Gallina announced the notices are in order and the board can proceed with the hearing. The following items were marked into evidence: **A1**-Taxes Paid, **A2**-Affidavit of Proof of Service, **A3**-Certified List of Property Owners & Utilities, **A4**-POD Slips, **A5**-Notice in Newspaper, **A6**-Notice to the Property Owners, **A7**-Ltr from H.C. Planning Board dated July 11, 2017.

Attorney Gallina had Mr. Yurgel sworn in to give testimony. Mr. Yurgel made a presentation to the board. Mr. Yurgel informed the board that his house is 15.4' off the side property line. The lot consists of .50 acres. Mr. Yurgel said the house is a split level and all living area is on the top level and he would like to build a deck which would be off the dining area. The deck would not encroach any further into the side yard. It would be lined up with the house. The deck would be over the existing patio. The

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house was built in 1999. Attorney Gallina asked Mr. Yurgel to describe the surrounding properties. At this time Mr. Yurgel's next door neighbor Mary Troth was sworn in to give testimony. Mrs. Troth said she doesn't have a problem with the variance her neighbor Mr. Yurgel is requesting. Mr. Yurgel reviewed for the board the pictures that were submitted. Mr. Yurgel said there will be stairs with a landing for the deck. At the conclusion of Mr. Yurgel's testimony, Chairman Terzuolo opened the hearing to the public. There were no questions from the public. Motion by Mr. MacQueen and seconded by Mr. Kozlowski to close the public portion of the hearing. Unanimously approved. Mr. Yurgel gave a brief summation at this time.

During the board's deliberations, it was noted that they did not have a problem with the proposal for the deck. At the conclusion of the board's deliberations, motion by Mr. MacQueen and seconded by Mr. Kozlowski to grant bulk variance relief for the side yard encroachment for a deck with the following conditions:

- a. Approval of all outside agencies having jurisdiction.
- b. All fees related to this application to be current.
- c. All permits to be obtained within 18 months of the adoption of the Resolution

<b>ROLL CALL</b>	<b>Yes:</b> Mr. Maurizio	Mr. Terzuolo	<b>Absent:</b> Mr. Abuchowski
	Mr. Kozlowski	Mr. Locker	Mr. Eberle
	Mr. MacQueen	Ms. Guevara	Mr. Perry

**Attorney Gallina will prepare the Resolution to be on the next Agenda of September 27, 2017.**

**PRESENTATION OF BILLS:**

a. John Gallina, Esq.	\$260.00 – Attend ZBA Meeting 7/26/2017
	\$292.50 – Prepare Resolution – <b>(Escrow/Eitner)</b>
	\$227.50 – Prepare Resolution – <b>(Escrow/Braddee)</b>
	\$130.00 – Prepare Resolution – <b>(Escrow/Transtar)</b>
b. Bayer/Risse Engrs.	\$127.50 – Meeting with Applicant Engr. – <b>(Escrow/Ashton)</b>
c. Court Stenographer	\$250.00 – Attend Meeting – 8/23/2017
	<b>Total: \$1,287.50</b>

Motion by Mr. Kozlowski and seconded by Mr. MacQueen to approve the bills as presented. Unanimously approved.

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**CORRESPONDENCE:**

Being no further business to come before the board, nor comments from the public, motion by Mr. MacQueen and seconded by Mr. Maurizio to adjourn the meeting at 8:30 p.m. Unanimously approved.

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**CHAIRMAN BRUCE TERZUOLO**

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**GAIL W. GLASHOFF, BOARD SECRETARY**