

**MONTGOMERY TOWNSHIP ZONING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
DECEMBER 20, 2016**

**MINUTES**

Chairman DeRochi called the meeting to order at 7:37 p.m. and read the opening statement which affirmed that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

**BOARD MEMBERS PRESENT:** Chairman DeRochi; Vice Chairman O'Brien; Mr. Fedun; Mr. Post; Mr. Thompson; Mr. Voitach; Mr. Campeas, Alternate #2; Mr. Tuosto, Alternate #4

**ALSO PRESENT:** Mr. Drollas, Board Attorney; Ms. Goldman, Board Planner; Mr. Cline, Board Engineer; Mr. Palmer, Zoning Officer

**I. SALUTE TO THE FLAG**

**II. APPLICATIONS**

**Case BA-08-16                      Applicant: John Kessler**  
Block 24001 Lot 29.14  
Submission Waivers and Bulk Variance  
Expiration Date – 120 Days from Submission Waiver  
Affidavit of Notification and Publication Required

Notice was found to be in order. John Kessler and James Maccariella, PE, were sworn in.

The partial submission waiver from providing information within two hundred (200) feet of the property as required in Checklist Item #13 was discussed. Mr. Cline and Ms. Goldman recommended granting the waiver.

A motion to approve the submission waiver was made by Mr. Post and seconded by Mr. Thompson. The motion carried unanimously.

Michael Neilio with Anthony and Sylvan Swimming Pools was sworn in. Mr. Neilio testified that the application is for a lot coverage variance for the construction of an in-ground pool. The allowed coverage is 15% with an additional 4% for a pool if stormwater management is provided. The existing lot coverage is at 18.3% and the proposal is to go to 22.8%. Mr. Kessler purchased the property with the nonconforming coverage.

Mr. Cline testified that applicant is currently 3.3% over what is permitted and is proposing to go to 3.8% over which equates to approximately 227 square feet.

Chairman DeRochi asked the applicant if he could reduce the coverage by a half a percent by reducing the existing patio or trimming the driveway.

Mr. Neilio said the proposed infiltration trench is designed for the new impervious. Mr. Maccariella explained that the infiltration trench is not designed for the patio that was increased prior to Mr. Kessler purchasing the property. The infiltration trench can be redesigned to include the additional patio area. The survey does not show an existing inlet that is on the property which will contain the runoff on the property.

The Board and the applicant discussed the Board Professional's memos. There will be low level landscape lighting around the pool and two underwater lights in the pool. There are trees along the perimeter in the rear yard. Three trees are proposed to be removed. Additional evergreen trees will be planted as requested by the Board Landscape Architect. A planting plan will be submitted at the time of building permit and the plantings will be installed prior to the issuance of a Certificate of Occupancy. The fence will be a four foot black aluminum fence and the detail will be added to the plan. The project will create 15.5 cubic yards of soil so Board approval is not necessary. The backwash from the pool will go into the infiltration system. A blown-up grading detail will be provided in any future submittal. The runoff will go into the trench. The water from slope around the pool will go into the easement area and follow the contours out to the street. The trench is approximately 10' from the rear property line and will most likely expand laterally.

Chairman DeRochi opened the meeting to the public. There was no public comment.

Mr. Palmer told the Board that the pool constructed at 25 Moores Grove Court had issues during construction when they hit bedrock. The pool had to be raised a little and grading had to be changed. Any substantial grading change that may be required for this project would require the applicant to come back to the Board.

Mr. Kessler agreed to amend the application to reduce the impervious coverage by 227 square feet in some way to be approved by the Board Engineer.

A motion to approve the amended application subject to the conditions was made by Mr. Post and seconded by Mr. Fedun. The motion carried on the following roll call vote:

Ayes: Campeas, Fedun, Post, O'Brien, Thompson, Woitach and DeRochi

Nays: None

**Case BA-03-16**

**Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless**

Block 20001 Lot 6

Submission Waivers Associated with Use Variance and Site Plan Application

Expiration Date – N/A

Affidavit of Notification and Publication Not Required

Frank Ferraro, Esquire represented the applicant. The application is for the construction of a new 128' tall tree pole monopine type installation at the Nassau Racquet and Tennis Club.

Mr. Cline reviewed the submission waivers being requested. They include 1) providing natural features within two hundred feet of the subject property 2) providing all existing and proposed water courses within two hundred feet of the subject property 3) providing the isolux curves and foot candles 4) providing sight triangles and radius of curb lines 5) providing the width of cartway and right-of-way and type and width of pavement 6) providing soil borings 7) providing a Soils Report 8) showing the existing and proposed monuments 9) submission of a Traffic Impact Statement 10) providing the cross sections, plans and profiles of all streets, aisles, lanes and driveways 11) providing the storm and sanitary sewers and water mains.

Mr. Cline noted that the soil borings and Soils Report will have to be submitted prior to the issuance of a building permit if the application is approved.

Mr. Cline and Ms. Goldman feel the information provided is enough to allow them to review the application.

A motion to approve the submission waivers was made by Mr. Campeas and seconded by Mr. Post. The motion carried on the following:

Ayes: Campeas, Fedun, Post, O'Brien, Thompson, Woitach and DeRochi

Nays: None

**III. MINUTES**

**November 15, 2016 – Closed Session**

A motion to approve the minutes was made by Mr. Fedun, which was seconded by Mr. Campeas. The motion carried on the following roll call vote:

Ayes: DeRochi, O'Brien, Fedun, Woitach and Campeas

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.