



area where 3.5 acres is required and the lot has 1 acre; lot frontage where 275 feet is required and 160 feet exists, lot width where 275 feet is required and 160 feet exists, lot depth where 450 feet is required and 273 feet exists and front yard setback where 125 feet is required and 31.4 feet is proposed. An engineer has been retained to work with the Health Department on a new septic system. There is residual evidence of wetlands in the rear of the property so it would be difficult to locate the septic system and move the house back. The setback of the proposed house appears to be setback a few feet further than the neighbor to the left. Applications have been sent to the Delaware and Raritan Canal Commission (DRCC), Somerset Union Soil Conservation District (SUSCD) and Somerset County Planning Board (SCPB). The SUSCD issued an exemption letter. A SCPB application is not required unless there will be work within the right-of-way. The tax records indicate the house was constructed around 1880. The garage is still in place and the breezeway will be reconstructed. A picture of the proposed house was shown. The new house will be similar in size and scale. The property is unique in that if he had to adhere to the setbacks the rest of the house would have to be demolished. If the house was moved back to conform to the zoning, the new septic location would not be feasible and would impact the wetland buffer. The new dwelling will provide a desirable visual environment. The property slopes back and typically people like the main level of the house at street level. Five evergreen trees will be planted along the property frontage.

Zoning Officer Palmer testified that a permit to renovate the interior of the home was issued. The dwelling was grandfathered under the R-1 requirements. Once the dwelling was demolished it was no longer grandfathered. The existing foundation at 31.4' does not meet the required R-1 setback of 50'.

The Board questioned Mr. Dumas. He testified that the adjacent house has about the same setback and might be a little closer. He estimated the houses across the street have a 75' setback. He does not have an approved septic design at this time. Testing has been completed and the design will be forthcoming in the next week.

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

Conditions of the approval include Delaware and Raritan Canal Commission approval, septic approval and installation of landscaping subject to the Landscape Architect.

Mr. Wu asked if Mr. Dumas would have to come back to the Board if it was found that garage had to be torn down. Mr. Dumas testified there does not seem to be any termite damage. The Board granted permission to rebuild the garage on its existing foundation if it needs to be removed.

A motion to approve the application subject to the conditions was made by Mr. O'Brien and seconded by Mr. Thompson. The motion carried on the following roll call vote:

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

Nays: None

## **V. OLD/NEW BUSINESS**

### **A. Appointment of Professional Services under the "Local Unit Pay-to-Play Law"**

Chairman DeRochi read the resolution to appoint Dr. Eisenstein as the Board's RF Engineer.

A motion to appoint Dr. Eisenstein was made by Vice Chairman Fedun and seconded by Mr. Thompson. The motion carried on the following roll call vote:

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

Nays: None

### **B. Appointment of Chair Pro Temp**

Attorney Drollas explained that the Board appointed Mr. Campeas as Chair Pro Temp at the reorganization meeting. The way the MLUL reads is that an alternate member cannot serve as Chair or Vice Chair in any capacity temporary or not. The question is whether it pertains to the Chair Pro Temp position. The safest thing would be to appoint a regular member. The Board unanimously appointed Mr. Woitach as Chair Pro Temp.

**VI. MINUTES**

**November 29, 2016 – Regular Meeting**

A motion to approve the minutes was made by Mr. O'Brien, which was seconded by Mr. Post. The motion carried on the following roll call vote:

Ayes: DeRochi, O'Brien, Fedun, Post, Thompson, Kristjanson and Wu

Nays: None

**January 17, 2017 – Reorganization and Regular Meeting**

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

Ayes: DeRochi, Fedun, Kristjanson, Post, Campeas, Tuosto and Wu

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:17 p.m.