

**MONTGOMERY TOWNSHIP ZONING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
NOVEMBER 17, 2020**

MINUTES

Chairman DeRochi called the meeting to order at 7:31 p.m. and read the opening statement: Although this meeting is the regularly scheduled meeting of the Montgomery Township Zoning Board of Adjustment, due to the State of Emergency that exists as a result of the COVID-19 Coronavirus crisis, and in accordance with Executive Order No. 104 issued by Governor Murphy on Monday March 16 limiting public gatherings, this meeting is being held virtually by webcast, simulcast on Comcast Cable Channel 29, and public participation is enabled by Live Zoom Webinar.

BOARD MEMBERS PRESENT: Chairman DeRochi; Mr. Blodgett; Ms. Iyer; Mr. Kabis; Mr. Stenull; Ms. Rosenthal, Alternate #1; Mr. Wallmark, Alternate #2; Mr. Sudol, Alternate #4

ALSO PRESENT: Mark Peck, Esquire, Board Attorney; Joseph Palmer, Zoning Officer

I. SALUTE TO THE FLAG

II. PUBLIC COMMENT - None

III. RESOLUTIONS

Case BA-03-20 Applicant: Alexander and Natasha Wolfson Trustees
Block 31003 Lot 22 – 71 Colfax Road
Bulk Variance

A motion to memorialize the resolution was made by Ms. Rosenthal and seconded by Mr. Stenull. The motion carried on the following roll call vote:

Ayes: Blodgett, Kabis, Stenull, Rosenthal, Wallmark and DeRochi

Nays: None

Resolution Adopting Emergency Remote Meeting Protocols, procedures and Requirements for Public Participation at Remote Meetings

Mr. Peck noted a change on Page 2 to the third WHEREAS from the bottom. The new regulations adopted by the State require all individuals giving sworn testimony, including members of the public, to appear by video.

A motion to memorialize the resolution as amended was made by Mr. Blodgett and seconded by Mr. Kabis.

The motion carried on the following roll call vote:

Ayes: Blodgett, Iyer, Kabis, Stenull, Rosenthal, Wallmark and DeRochi

Nays: None

IV. APPLICATION DENIAL

Case BA-07-06 Applicant: Joan and Peter Philipone
Block 7002 Lot 11 – Township Line Road and Mont Hill Place
Denial Without Prejudice of Bulk Variance Application for Lack of Prosecution

No one appeared on behalf of the applicant.

Mr. Palmer summarized the application which is a request for a variance for various bulk requirements to construct a single family dwelling on a vacant lot. The applicant was before the Board on November 21, 2006 at which time the Board requested additional information. About every six months, the applicant has requested postponements of the application but the last correspondence from the applicant was September 19, 2019 and the application is set to expire on December 21, 2020. Given the amount of time and lack of action by the applicant staff recommends clearing this application from the Board's docket and deny the request. The applicant can file again in the future. A letter was sent to the applicant last month and there was no response back.

A motion to deny the application without prejudice was made by Mr. Wallmark and seconded by Mr. Blodgett. The motion carried on the following roll call vote:

Ayes: Blodgett, Iyer, Kabis, Stenull, Rosenthal, Wallmark and DeRochi
Nays: None

V. APPLICATIONS

Case BA-05-15 Applicant: Sandipan Gangopadhyay
Block 12001 Lot 10.06 – 56 Hillside Terrace
Import/Export of Soil

David Schmidt, PE represented the applicant. Approximately 700 cubic yards of topsoil was brought in from the Country Club Meadows development for the septic system. The contractor did not apply for or receive the required soil hauling permit from the Engineering Department. Since more than 20 cubic yards was imported, the applicant has to seek approval from the Zoning Board. The soil has been tested and the report submitted to the Township Engineer.

The meeting was opened to the public. There being no public comment, the public hearing was unanimously closed.

A motion to approve the application was made by Mr. Kabis and seconded by Mr. Blodgett. The motion carried on the following roll call vote:

Ayes: Blodgett, Iyer, Kabis, Stenull, Rosenthal, Wallmark and DeRochi
Nays: None

IV. MINUTES

August 18, 2020 – Regular Meeting

A motion to approve the minutes was made by Ms. Rosenthal and seconded by Mr. Kabis. The motion carried on the following roll call vote:

Ayes: DeRochi, Blodgett, Kabis, Stenull, Rosenthal and Wallmark
Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:00 p.m.