

**SPARTA TOWNSHIP
ZONING BOARD OF ADJUSTMENT
MEETING OF FEBRUARY 28, 2018**

The Zoning Board of Adjustment Meeting of the Township of Sparta was held in the Sparta Township Municipal Building and was called to order by Chairman Wilbur Goldschmidt at 7:30 PM, with announcement that adequate notice of this meeting had been given to the public and the press under provision of the “Open Public Meetings Act”.

Members Present: William Makowitz, Tim Parker, Randy Burke, Michael Jozefczyk, and Wilbur Goldschmidt

Members Absent: Thomas Molski, Kenneth Laury and Ellen Maloney

Others Present: Christopher Quinn, Esq.
Maureen R. Donnelly, Zoning Officer

**SCHEDULED APPLICATIONS:
ANDRZEJ TOMASZEWSKI # 4-18
BRANZAK ENTERPRISES LLC # 6-18**

MINUTES APPROVED:

Mr. Makowitz made a motion to approve the minutes of January 10, 2018. Dr. Parker seconded the motion and the roll was as follows:

Dr. Parker	Yes	Mr. Burke	Yes
Mr. Jozefczyk	Yes	Ch. Goldschmidt	Yes

RESOLUTIONS MEMORIALIZED:

Dr. Parker made a motion to memorialize the resolution granting a variance to eliminate a garage for Karl Hauck # 22-17 relating to Block 4020 Lot 4 decided on December 13, 2017.

Mr. Burke seconded the motion and the roll was as follows:

Mr. Jozefczyk	Yes	Dr. Parker	Yes
Mr. Burke	Yes	Ch. Goldschmidt	Yes

Dr. Parker made a motion to memorialize the resolution granting a rear yard setback variance to John Whitney # 27-17 relating to Block 6001 Lot 20 decided on December 13, 2017. Mr. Burke seconded the motion and the roll was as follows:

Mr. Jozefczyk	Yes	Mr. Burke	Yes
Dr. Parker	Yes	Ch. Goldschmidt	Yes

OATH OF OFFICE:

Mr. Quinn issued the Oath of Office to new Board Member Richard LaRuffa. Chairman Goldschmidt welcomed him to the Board.

**PUBLIC HEARING:
ANDRZEJ TOMASZEWSKI # 4-18
292 MAIN STREET**

Andrzej Tomaszewski, the Applicant of 292 Main Street and Peter Kalafut of Elizabeth Reeves Architecture located at 200 Woodport Road, were sworn in to testify.

Mr. Kalafut explained that he works as an Assistant to Ms. Reeves and designed the plans for the proposed structure. He is a Graduate of the Architecture School of Design but is not a licensed Architect.

The Board discussed this and Mr. Quinn advised that the Applicant should present the testimony for the application.

Mr. Tomaszewski explained the plan to demolish an old shed/barn structure in the front of the house and re-construct a new one in the same location. It will be a metal pre-fab building with a shed style design and will be built on the same pad. A variance is requested for an accessory structure in the front yard since the existing one will be removed.

Dr. Parker asked what the size of the existing shed is? He noted the large size of the new structure and asked what is will be used for?

Mr. Tomaszewski replied the existing shed is 30 wide by 20 deep. The new one will be 25 by 42 and will store his motorcycles, ATV's, snowmobiles and other equipment. The current garage has two vehicles in it as well as lawn equipment and storage.

Ch. Goldschmidt asked why the structure cannot be located in the side or rear yard?

Mr. Tomaszewski explained that the property slopes down from the road to the back and this is the only flat section. He would also like to use the existing pad and there is an existing turnaround there for his truck.

Mr. LaRuffa asked about the orientation of the structure and if the door faces the front or rear?

Mr. Tomaszewski explained that the slope will hide the structure and from the road you will only see the peak. There are two doors on each side.

Mr. Jozefczyk asked if the new structure will have electricity or water?

Mr. Tomaszewski replied yes there is electricity and an old spicket from when it was used as a barn.

Mr. Makowitz asked what the height of the existing shed is and what the new one will be and if additional screening will be planted? He also asked if any gravel or pavement will be installed?

Mr. Tomaszewski stated the existing shed is 15 feet and the new one will be 16 feet. He planted trees last year but many of them died and he hopes to replace them. They not only provide screening but also buffer the noise from the road. He will add some stone or QP as needed for the turnaround area. He submitted four photos of the property which were marked as Exhibit A-1. The first photo is of the house and the current shed on the left side.

The second photo was taken from Route 517 and shows the house on the right. The third photo shows the existing shed in the middle of the photo and was taken from the turnaround area. Photo four was taken from the driveway and shows the side of the shed and the slope to Route 517.

Mr. LaRuffa referred to the plans and stated the new garage appears to be 12 feet closer to the road. He asked if they will have to dig into the hill and put the foundation closer? He also asked if they will remove trees in the area where the backhoe is parked?

Mr. Tomaszewski replied they will not need to cut into the hill or trees. He referred to photo #2 and stated there is 18 feet before they get near the road. The area is flat where the "bobcat" is parked and then it slopes down after the trees.

The Board discussed this further and Ch. Goldschmidt stated that the new shed appears to encroach further into the front yard and is much larger than the current one. He would like to see the berm located on the plan as well as "topo" and grades since they can't see the slope from the photos. He further stated that the Board does not have the information to support the variance at this time and would recommend they get the additional information and a licensed professional to testify if they want.

Mr. LaRuffa recommended they consider rotating the building 90 degrees to move it further back from the road.

Dr. Parker expressed concerns with the close proximity to the road and advised if any gravel is being added to include it in the impervious coverage calculation.

Mr. Tomaszewski will update the site plan and show the contours and "topo" of the hill. He further stated that he spoke to Soil Conservation regarding the location and there were no issues.

The application was adjourned to March 28, 2018 without further notice.

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**BRANZAK ENTERPRISES LLC # 6-18
485 GLEN ROAD**

Mr. Quinn referred to the letter received from Steven Schepis, Attorney for the Applicant requesting a one year extension of the Site plan approval granted by the Board. The letter indicates that there are other governmental agency approvals required before they can proceed with the proposed site improvements. Mr. Quinn recommended the Board grant a one year extension as permitted under the MLUL.

Dr. Parker made a motion to approve a one year extension of the Site plan approval granted under application # 15-15 as requested by the Attorney subject to all the conditions of the resolution. Mr. Burke seconded the motion and the roll was as follows:

Mr. Makowitz	Yes	Mr. Jozefczyk	Yes
Mr. Burke	Yes	Dr. Parker	Yes
Mr. LaRuffa	Yes	Ch. Goldschmidt	Yes

With no further business, the meeting was adjourned at 8:25 PM.
Respectfully submitted,

Maureen R. Donnelly
Land Use Administrator