

# *Town of Dover Board of Adjustment*

- William Cook - Chairman
- Charles Franco - Vice-Chairman
- Cephas Bowles
- Robin Kline
- Antonio Acosta
- Michael Scarneo

COUNTY OF MORRIS  
37 NORTH SUSSEX STREET  
DOVER, NEW JERSEY 07801

Telephone: 973-366-2200 (Ext. 115)  
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- Patrick Donaghy
- William Hann (Alternate I)
- John R. Frister (Alternate II)
- Kurt Senesky - Board Attorney
- Michael Hantson - Town Engineer/Planner
- Regina Nee - Clerk/Secretary

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## **REGULAR MEETING OF THE BOARD OF ADJUSTMENT**

**JANUARY 9, 2008**

### **CALL TO ORDER**

Chairman Cook called the meeting to order at 7:30 PM.

### **ROLL CALL:**

**PRESENT:** Commissioner Bowles, Scarneo, Frister, Donaghy, Bisset, Alternate Hann, Alternate Bocchino, Vice-Chairman Franco, Chairman Cook

**ABSENT:** None

**ALSO PRESENT:** Board Attorney Kurt Senesky and Town Engineer and Planner Michael Hantson

**PLEDGE OF ALLEGIANCE:** was recited by all

**ADEQUATE NOTICE OF MEETING** was read by Clerk/Secretary Nee

**APPEAL TIME** was read by Clerk/Secretary Nee

**APPROVAL OF MINUTES:** Minutes of November 14, 2007, and December 12, 2007 are not available at this time.

**RESOLUTIONS:** None

### **CASES:**

**09-07**- Alba Neggia; Block 1318, Lot 9, also known as 26 E. McFarlan Street located in the C-2 Zone. The application is an Appeal of the Decision of the Administrative Officer, or in the alternative, a Use Variance and Bulk Variances to permit a Used Car Sales business and the reconstruction of the principal structure, and any other variances and waivers that may be required. **Carried until February 13, 2008.**

**10-07**- Frank & Mary Dulfer; Block 1702, Lot 36, also known as 21 Fifth Street located in the R-2 Zone. The application is a side yard setback Variance to construct a kitchen addition, and any other variances and waivers that may be required. **New Application.**

Mr. Frank Dulfer was sworn in as owner of property. The kitchen expansion would go six feet from the back of the house. Part of deck would be removed. The shed is no longer on the property.

Open to the public  
Closed to the property

A motion to approve the construction of a kitchen addition was made by Commissioner Scarneo, seconded by Commissioner Frister and followed with a Roll Call vote.

**ROLL CALL:** Ayes: Commissioner Bowles, Scarneo, Frister, Donaghy, Bisset, Vice-Chairman Franco, and Chairman Cook  
Nays: None

**11-07-** Beauty United Skin Care Corp. % Mallya Howe; Block 710, Lot 8, also known as 2 Davis Avenue, located in the R-2 Zone. The application is a Use Variance to create a new tenancy as a Reflexology & Massage Therapy use, and any other variances and waivers that may be required. **New Application.**

Representing owner Irene S. Wirth is Attorney William Johnson. Irene S. Wirth was sworn in at 7:42:36.Ms. Wirth stated she has been operating in Dover for 19 years as a full service Hair Salon named Trend Setters Hair Salon. There will be no interior or exterior changes to the building except for an additional sign, 2x8 maximum size. There is an existing sign approximately 12x2 ½. Second floor has one dwelling unit with two bedrooms for four people.

Exhibit A-1: drawing of interior of building drawn by Irene S. Wirth. Mr. Johnson explains the layout of the floor plan.

There are six parking spaces which are pre-existing. Two employees are working presently which includes the owner. The residents of the apartment work full time and are not affected by the parking situation during business hours.

A motion to carry to the February 13, 2008 to include a sign with no new notice required was made by Commissioner Bisset, seconded by Commissioner Franco and followed with a Roll Call vote.

**ROLL CALL:** Ayes: Commissioner Bowles, Scarneo, Frister, Donaghy, Bisset, Vice-Chairman Franco, and Chairman Cook  
Nays: None

**05-07-SPV-** Estate of Robert Burt % George Johnson, Esq.; Block 2201, Lot 7, also known as 256-262 E. Blackwell Street located in the IND Zone. The application is an Amended Site Plan to change outdoor lighting and a Variance to construct a sign in excess of the maximum permitted size, and any other variances and waivers that may be required. **New Application.**

Mike Hanston explained to the board the signage and lighting issues.

Mr. Jorge Hemar owner and applicant of La Sierra Coffee Shop was sworn in. Mr. Hemar explained they installed lighting under the canopy because the gooseneck lamps that were previously approved did not provide enough light to light the sidewalk.

Open to the public  
Closed to the public

Exhibit A-1: picture of coffee shop (front)  
Exhibit A-2: Picture of coffee shop (right side of building)

Mr. Hantson suggested carrying the variance for the signage until the next meeting. He will go out and measure himself and see if indeed a variance is required.

A motion to carry the variance for the signage to February 13, 2008 if needed, and a motion to approve the lighting was made by Commissioner Scarneo, seconded by Commissioner Frister and followed with a Roll Call vote.

**ROLL CALL:** Ayes: Commissioner Bowles, Scarneo, Frister, Donaghy, Bisset, Vice-Chairman Franco, and Chairman Cook  
Nays: None

**OLD BUSINESS:**

Chairman Cook asked for the status of I.D. Badges. Mike Hanston stated he had expressed to the Administration Department the need for the Badges and is waiting response.

Kurt Senesky stated the O'Malley brief is scheduled for this Friday.

**NEW BUSINESS:**

Mike Hanston stated he would like to take a picture of the Board members and any new members to change and add to the website.

The next scheduled meeting will be held on Wednesday, February 13, 2008 at 7:30 pm.

**ADJOURNMENT:** A motion to adjourn was made by Vice-Chairman Franco, with all in favor, at 8:44 P.M.

**IF ANY MEMBER CANNOT ATTEND THE MEETING, PLEASE  
CALLCLERK/SECRETARY NEE AT 366-2200 Ext. 115.**

Respectfully submitted,



Regina Nee  
Clerk/Secretary  
Board of Adjustment