

Town of Dover Board of Adjustment

- ↘ Michael Scarneo - Chairman
- ↘ Charles Franco - Vice-Chairman
- ↘ Cephas Bowles
- ↘ Robin Kline
- ↘ Joseph Corsetto
- ↘ William Cook

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

Telephone: 973-366-2200 (Ext. 115)
Fax: 973-366-0039

- ↘ Patrick Donaghy
- ↘ Steve Wagoner (Alternate I)
- ↘ John R. Frister (Alternate II)
- ↘ Kurt Senesky - Board Attorney
- ↘ Michael Hantson - Town Engineer/Planner
- ↘ Regina Nee - Clerk/Secretary

REGULAR MEETING OF THE BOARD OF ADJUSTMENT

MAY 10, 2006

CALL TO ORDER

Chairman Scarneo called the meeting to order at 7:32PM.

ROLL CALL:

PRESENT: Commissioner Bowles, Cook, Kline, Donaghy, Alternate Wagoner, Alternate Frister, Vice-Chairman Franco (Arrived 7:34PM), Chairman Scarneo

ABSENT:

ALSO PRESENT: Board Attorney Kurt Senesky

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:

A motion to approve the minutes of the April 12, 2006 meeting was made by Commissioner Cook, seconded by Commissioner Bowles and followed with a Roll Call vote.
Correct the spelling of Commissioner Kline's name on page two.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Donaghy, Wagoner, Frister, Chairman Scarneo
Nays: None

Approval of Special Meeting Minutes, April 13, 2006, will be done at the next meeting.

RESOLUTIONS

10-05 SP- 2005 Dover Associates, LLC; Block 1317, Lot 1, also known as 37 Myrtle Ave. in the C-2 Zone. The application is a Minor Subdivision and Preliminary & Final Major Site Plan for the construction of a Walgreens Drugstore and associated site improvements, and variances for

impervious lot coverage, required parking and parking setback, and any other variances and waivers that may be required.

Commissioner Kline requested a change to the Resolution noting that the Town Engineer will consult with the RVRSA to seek cooperation in terms of the plan. (Page 8)

A motion to approve the Resolution was made by Commissioner Cook, seconded by Commissioner Frister, and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Donaghy, Frister
Nays: None

CASES

01-06- Brian Shaw; Block 1221, Lot 1, also known as 66 West Blackwell St. in the C-1 Zone. The application is a Use Variance and Minor Site Plan approval for a change in use from Retail Furniture Sales to a proposed Recreational Gaming business, and any other variances and waivers that may be required.

This application has been carried twice. The applicant must re-notice. Prior to being heard by this Board, the applicant must receive approval from the Mayor and Board of Alderman. The applicant was advised to take a voluntary dismissal without prejudice which means the applicant can re-file the application without having to pay the application fees again. The applicant must still re-publish and re-notice at a time when he determines he can be heard.

A motion to accept a voluntary dismissal without prejudice was made by Commissioner Cook, seconded by Vice-Chairman Franco and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Donaghy, Wagoner, Vice-Chairman Franco, Chairman Scarneo
Nays: None

02-06- Gilbert Quiros; Block 1702, Lot 30.02, also known as 8 Sixth St. in the R-2 Zone. The application is a variance to construct a roof structure over a deck with insufficient rear yard setback and excessive lot coverage, and any other variances and waivers that may be required.

Gilbert Quiros and his sister were sworn in. Gilbert Quiros was representing himself and he is the owner of the house. He advised that they built a roof over the deck to protect it from the elements. With the construction of the roof, the applicant is a little under 100 square feet of additional building coverage. The roof is twenty-four feet from the property line. The deck is not enclosed. This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

A motion to approve the variance was made by Commissioner Kline based on the conditions that the proper building permit is submitted, fees collected, and construction is in compliance, the deck may never be enclosed, seconded by Vice-Chairman Franco and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Wagoner, Vice-Chairman Franco, Chairman Scarneo

Nays: None

Abstained: Commissioner Donaghy

03-06- Spruce Senior Housing, LP; Block 1111, Lot 16, also known as 2 Spruce St. in the IND Zone. The application is a Minor Site Plan for the construction of a 10' X 16' gazebo, and any other variances and waivers that may be required.

Attorney, William Johnson

Witness: James Walsh was sworn in. The applicant is proposing to add the gazebo to a center traffic island which would require installment of pavers through the island to create a safe pedestrian walkway. The gazebo will be used by all residents from the Spruce Senior residence and will be landscaped with shrubs and flowers.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

A motion to approve the gazebo, with proviso that all past conditions have been met, was made by Commissioner Cook, seconded by Commissioner Bowles and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Donaghy, Wagoner, Vice-Chairman Franco, Chairman Scarneo

Nays: None

OLD BUSINESS: Review of draft of Board of Adjustment Rules/By-Laws – next meeting.

NEW BUSINESS: “No Left Hand Turn” sign is missing at the infamous Mobile Station. Commissioner Cook brought up the subject of newly installed above ground oil tanks.

A motion to authorize Attorney Senesky to send a letter to the Governing Body recommending an ordinance be adopted requiring shielding of the above ground oil tanks was made by Vice-Chairman Franco, seconded by Chairman Scarneo and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Bowles, Cook, Kline, Donaghy, Wagoner, Frister, Vice-Chairman Franco, Chairman Scarneo

Nays: None

DATES: The next regular meeting is scheduled for June 14, 2006 at 7:30PM.

ADJOURNMENT: A motion to adjourn was made by Commissioner Frister, seconded by Commissioner Bowles with all in favor at 8:30 P.M.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Regina Nee".

Regina Nee
Clerk/Secretary
Board of Adjustment