

A meeting of the Township of Hamilton Zoning Board of Adjustment was held on the above date with Chairperson, Elaine Valentino, presiding. Members present were Wayne Choyce, William Christman, George Samuelson, Bruce Strigh, & alternate members Joseph Leyenaar and Debra Kraus. Also present was the Board Solicitor, Robert Cooper and Phil Sartorio, Zoning Officer.

The Statement of Compliance was read.

**Announcements:** Item #7 will be heard first (Julie Forshaw).

**Julie Forshaw; App. #16-14; Block 18 lot 8;** located at 7416 Jackson Road was present and is seeking a variance for an accessory structure (solar panel array) in the front yard area. The application tonight relates to the June resolution.

Solicitor, Robert Cooper verified that the proof package had been executed properly.

Ms. Forshaw & Mr. Joe Carew (Sun Up Zero Down) were sworn in.

Mr. Sartorio was also sworn in.

Mr. Carew stated the applicant would like to place a ground mount solar array in the front yard area of her property. The panels will be located closer to 4<sup>th</sup> Avenue than the June Resolution stated. The panels will now be 75' from Jackson Road & 25' from 4<sup>th</sup> Avenue. The size of the panels will remain the same. A new survey was performed to confirm the property lines.

Mr. Sartorio stated there is a berm located on Jackson Road along with natural vegetation on 4<sup>th</sup> Avenue.

Ms. Valentino asked if anyone would like to speak for public comment. Mr. Strigh moved, seconded by Mr. Choyce to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Mr. Strigh moved, seconded by Mr. Christman on App. #16-14, Block 18 Lot 8 located at 7416 Jackson Road to amend a previous variance (10-2014) for an accessory structure (solar panel array). It will be located 75' from Jackson Road, 25' from 4<sup>th</sup> Avenue and 50' from the rear property line. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY," and "NO ABSTAIN."

ROLL CALL ON THE ABOVE MOTION

MR. CHOYCE-AYE  
MR. STRIGH-AYE  
MS. VALENTINO-AYE

MR. CHRISTMAN- AYE  
MR. LEYENAAR-AYE

MR. SAMUELSEN-AYE  
MS. KRAUS-AYE

SAID MOTION CARRIED.

**NOTE:** The following Board Members made comments

**MR. CHOYCE:** I see no detriment to the master plan or zoning in that area. The rural aspect along with the heavily wooded lot and solar arrays are inherently beneficial, I vote yes.

**MR. CHRISTMAN:** Yes.

**MR. SAMUELSEN:** Yes.

**MR. STRIGH:** Yes.

**MR. LEYENAAR:** Yes.

**MS. KRAUS:** Yes.

MS. VALENTINO: I vote yes in accordance with the new survey dated 9/19/14 and with the setbacks represented which are represented (75' from Jackson Road, 25' from 4<sup>th</sup> Avenue and 50' from the adjoining lot line).

Bithika Bhowmik; App. #14-14; Block 496 Lot 11; located at 6961 Harding Highway was present along with his attorney, Michael Learn (filling in for Brian Callaghan). A variance for a change made to the roofline on the back of the dwelling, changing it from 2.5 stories to 3 stories, is being requested. This is a continuation from the September 22, 2014 meeting. This is also a Use Variance for the expansion of a non-conforming lot.

Solicitor, Robert Cooper verified that the proof package had been executed properly.

Ms. Kraus recused herself.

The Secretary stated Mr. Samuelson listened to the tape and will sign the certification at a later date. Ms. Kraus also listened to the tape and signed the certification. These members were not in attendance at that meeting.

Mr. Learn has concerns that there is not a full board in attendance tonight.

Ms. Valentino sketched a floor plan of the dwelling based upon her inspection. Mr. Learn confirmed it was an accurate representation.

The following members visited the site:

Elaine Valentino  
Debra Kraus  
Bruce Strigh

Mr. Learn stated the application was started last month (September) & requested to continue this month due to having 7 members & this is the situation tonight. He would like to know the likely hood of having the 7<sup>th</sup> member if this was carried to November. He also would like to invite any other Board members for a site visit if it is carried.

Mr. Cooper noted there may not be an appointment to replace Mr. Cain and Ms. Kraus is disqualified from this hearing. Ms. Zimmerman had a family emergency which is why she is not here tonight.

Mr. Samuelson & Mr. Leyenaar expressed interest in visiting the property. This will be coordinated with the Secretary & Mr. Learn.

This matter will be carried to November without need to renounce & republish.

Mr. Learn will have copies of all exhibits at the next meeting pertaining to this application.

Mr. Strigh moved, seconded by Mr. Choyce to carry this application to the following meeting. SAID MOTION CARRIED WITH SIX (6) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY," and "NO ABSTAIN."

Approval of Minutes – Mr. Strigh moved, seconded by Mr. Christman to approve the minutes from the September 22, 2014 meeting as amended. SAID MOTION CARRIED WITH FIVE (5) MEMBERS VOTING "AYE," NO "NAY," and ONE (1) "ABSTAIN."

ROLL CALL ON THE ABOVE MOTION

MR. CHOYCE-AYE                      MR. CHRISTMAN-AYE                      MR. STRIGH-AYE  
MR. LEYENAR-AYE                      MS. VALENTINO-AYE

SAID MOTION CARRIED.

Memorialization of Resolution – Mr. Choyce moved, seconded by Mr. Christman to adopt the resolution for Anthony & April Perrone-App. #15-2014; Block 852 Lot 15. SAID MOTION CARRIED WITH FOUR (4) MEMBERS VOTING "AYE," NO "NAY," and NO "ABSTAIN."

ROLL CALL ON THE ABOVE MOTION:

MR. CHRISTMAN-AYE  
MS. VALENTINO-AYE

MR. STRIGH-AYE

MR. LEYENAAR-AYE

SAID MOTION CARRIED.

**Public Comment-** Ms. Valentino asked if anyone would like to speak for public comment. Mr. Strigh moved, seconded by Mr. Choyce to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Discussion ensued regarding a previous application.

Mr. Sartorio noted that RFPs will be going out during the 1<sup>st</sup> week of November.

Ms. Valentino requested the Secretary to forward any material submitted by Mr. Learn to Board members.

Mr. Cooper reiterated what the applicant (Bhowmik) is seeking in variances.

**Executive Session-** There were no items to discuss.

**Adjournment** – Mr. Choyce moved, seconded by Mr. Samuelsen to adjourn the Zoning Board of Adjustment meeting at 9:36 p.m. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Respectfully submitted,

Deborah Ohnemuller, Secretary  
Zoning Board of Adjustment