

TOWNSHIP OF GREEN BOARD OF ADJUSTMENT
RESOLUTION #PB2014 / planning services
January 16, 2014 - APPOINTMENT OF BOARD PLANNER

WHEREAS, the Township of Green Board of Adjustment has a need to award a contract for the services of a Board Planner; and,

WHEREAS, the Township Board is permitted to acquire such services through a "non-fair and open" process (as defined by N.J.S.A. 19:44A-20.7), meaning that the award is made in its judgment of which provider will best serve the interests of the citizens of Green, and not by a "fair and open" process (as defined by N.J.S.A. 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is anticipated to exceed \$17,500, as certified in writing by the appropriate Township official; and,

WHEREAS, Jessica Caldwell, P.P., AICP of J. Caldwell & Associates with offices at 122 Main Street, Newton, NJ 07860 has submitted the proposal herein attached as Exhibit A; and,

WHEREAS, Jessica Caldwell has completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2014 budget for this contract; and,

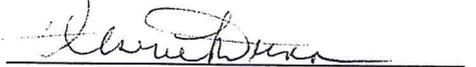
NOW THEREFORE, BE IT RESOLVED that the Township Board of Adjustment of the Township of Green authorizes a contract with Jessica Caldwell pursuant to the attached proposal; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that notice of this contract will be published as required by law within ten (10) days of the passage of this Resolution.

DATED: January 16, 2014

I, Desiree L. Dunn, Secretary for the Planning Board & Board of Adjustment of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at the reorganization meeting held on January 16, 2014



 Desiree L. Dunn, Secretary
 Planning Board & Board of Adjustment

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Bambara	✓			
Mr. Tommaso	2nd ✓			
Mr. Fox	1st ✓			
Mr. Neilan	✓			
Mrs. Mullen	✓			
Mr. Muller	✓			
Mr. Roller				✓
Mr. Torella, Alt. #1	✓			
Vacant				—

TOWNSHIP OF GREEN BOARD OF ADJUSTMENT
RESOLUTION #PB2014 / engineering services
January 16, 2014 - APPOINTMENT OF BOARD ENGINEER

WHEREAS, the Township of Green Board of Adjustment has a need to award a contract for the services of a Board Engineer; and,

WHEREAS, the Township Board is permitted to acquire such services through a "non-fair and open" process (as defined by N.J.S.A. 19:44A-20.7), meaning that the award is made in its judgment of which provider will best serve the interests of the citizens of Green, and not by a "fair and open" process (as defined by N.J.S.A. 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is anticipated to exceed \$17,500, as certified in writing by the appropriate Township official; and,

WHEREAS, John P. Miller P.E. P.P. of Suburban Consulting Engineers with offices at 100 Valley Road, Mount Arlington, NJ 07856 has submitted the proposal herein attached as Exhibit A; and,

WHEREAS, John P. Miller of Suburban Consulting Engineers has completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2014 budget for this contract; and,

NOW THEREFORE, BE IT RESOLVED that the Township Board of Adjustment of the Township of Green authorizes a contract with John P. Miller pursuant to the attached proposal; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that notice of this contract will be published as required by law within ten (10) days of the passage of this Resolution.

DATED: January 16, 2014

I, Desiree L. Dunn, Secretary for the Planning Board & Board of Adjustment of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at the reorganization meeting held on January 16, 2014



 Desiree L. Dunn, Secretary
 Planning Board & Board of Adjustment

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Bambara	✓			
Mr. Tommaso	✓			
Mr. Fox	✓			
Mr. Neilan	2 ✓			
Mrs. Mullen	1 ✓			
Mr. Muller	✓			
Mr. Roller				✓
Mr. Torella, Alt. #1	✓			
Vacant				—

TOWNSHIP OF GREEN BOARD OF ADJUSTMENT

RESOLUTION #BA2014 / legal services

~~December~~ 16, 2014 - APPOINTMENT OF BOARD ATTORNEY

January

WHEREAS, the Township of Green Board of Adjustment has a need to award a contract for the services of a Board Attorney; and,

WHEREAS, the Township Board is permitted to acquire such services through a “non-fair and open” process (as defined by N.J.S.A. 19:44A-20.7), meaning that the award is made in its judgment of which provider will best serve the interests of the citizens of Green, and not by a “fair and open” process (as defined by N.J.S.A. 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, the cost of this contract is anticipated to exceed \$17,500, as certified in writing by the appropriate Township official; and,

WHEREAS, Lyn Paul Aroe, Esquire, with offices at 126 Mansfield Street, Belvidere, NJ 07823 has submitted the proposal herein attached as Exhibit A; and,

WHEREAS, Lyn Paul Aroe, Esquire has completed and submitted the required Business Entity Disclosure Certification; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2014 budget for this contract; and,

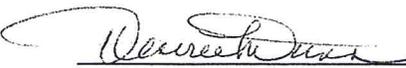
NOW THEREFORE, BE IT RESOLVED that the Township Board of Adjustment of the Township of Green authorizes a contract with Lyn Paul Aroe, Esquire pursuant to the attached proposal; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that notice of this contract will be published as required by law within ten (10) days of the passage of this Resolution.

DATED: January 16, 2014

I, Desiree L. Dunn, Secretary for the Planning Board & Board of Adjustment of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Board of Adjustment at the regular meeting held on January 16, 2014.



Desiree L. Dunn, Secretary
Planning Board & Board of Adjustment

Vote on Resolution:

	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN	ABSENT
Mr. Bambara	✓			
Mr. Tommaso	✓			
Mr. Fox	✓			
Mr. Neilan	2 204 ✓		0 024	
Mrs. Mullen	1 54 ✓			
Mr. Muller	✓			
Mr. Roller				✓
Mr. Torella, Alt. #1	✓			
Vacant				—

**THE GREEN TOWNSHIP ZONING BOARD OF ADJUSTMENT
2013 ANNUAL REPORT OF APPLICATIONS ADMINISTERED BY THE BOARD
(PURSUANT TO N.J.S.A. 40:55D-70.1)**

It is required by the Municipal Land Use Law, particularly N.J.S.A. 40:55D-70.1, that the Board of Adjustment: ... shall at least once a year review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendments or revisions, if any. The board of adjustment shall send copies of the report and resolution to the governing body and planning board.

In furtherance of that mandate, the Green Township Zoning Board of Adjustment issues the following report:

<u>App. No.</u>	<u>Applicant/Property</u>	<u>Relief Sought</u>	<u>Relief Granted</u>	<u>Recommendation</u>
BA1204	Stephen Rosania (Block 19, Lot 49) 9 Summit Road	Construction of a ground-mount solar installation exceeding the maximum (1,300 s.f.) accessory building limitations.	Variance relief granted with respect to maximum accessory building coverage to establish a 708.75 sq. ft. solar array.	See Schedule A Item 1
BA1304	Angie and Bogdan Bienko (Block 1801, Lot 37) 6 Green Farms Road	Construct cabana (pool house) exceeding (by 442 s.f.) the maximum to allow (3,200 s.f.) accessory building coverage limitations.	Variance relief granted construction of the 770 sq. ft. cabana (pool house).	See Schedule A Item 2
BA1213	Doggone Farm, LLC (Steven & Lillian Hartman) (Block 25, Lot 2) 221 Brighton Road	Continued use of boarding (overnight) care facility for not in excess of ten (10) dogs.	Relief granted to enable boarding of not in excess of ten (10) dogs.	See Schedule A Item 3
BA1314 (Prev. 304)	Vincent Stenziano/ Eleanor Baudoin (Block 20, Lot 6) 190 Pequest Road	Revision of prior approved plan reduced to a (28 inch depth by 13 foot width – 30 sq. ft.) closet along east side of the dwelling.	Variance relief granted to enable modifications to prior plan.	See Schedule A Item 4

SCHEDULE A

RECOMMENDATIONS AS TO ZONING ORDINANCE AMENDMENTS OR REVISIONS ARE NECESSARY OR APPROPRIATE

1. With regard to BA 1204 (Stephen Rosania) seeking and receiving approval to establish a ground-mount solar information, the Board of Adjustment is mindful that the Zoning Ordinance allows, among other permitted accessory uses, ground-mounted solar arrays limited to 110% of the energy demands of the residence. Those provisions (Section 30-34.2(j.)) limit the panels to the side and rear yards and require them to meet accessory structure setbacks and maximum accessory structure area limitations for accessory structures. Accordingly, and given that this provision was recently erected (Ordinance No. 2011-03), no revisions are recommended.
2. With regard to BA1304 (Angie and Bogdan Bienko), relief was sought and granted to exceed accessory structure maximum area limitations (3,200 sq. ft. for a 6+ acre property). The administration and approval of this application suggests no revisions are necessary or appropriate to the accessory structure total *footprint* area limitations.
3. With regard to BA1213 (Doggone Farm, LLC), this application sought and was granted use variance relief to establish a boarding (overnight) care facility (kennel) on a 2.74 acre property at 221 Brighton Road and located in the AI-10 Agricultural Industrial Zone District. Although such (kennel) uses are not permitted and are thereby prohibited, the Board of Adjustment was persuaded as to the *particular suitability* of the subject property and the lack of negative criteria, and granted the relief sought in order to address, for the present and foreseeable future, the demonstrated "community need" for such a facility. Accordingly, the Board of Adjustment believes that such use should continue to be prohibited because of its significant potential for adverse impacts to the neighbors and neighborhood (i.e., potential *substantial detriment to the public good*) and the need to review each application for suitability and criteria.
4. With regard to BA1314 (formerly Application No. 304 – Vincent Stenziano/Eleanor Baudoin), this simplistic amended approval (to establish a closet in a residence in a residential zone) generates no Board of Adjustment recommendations.