

CLARK BOARD OF ADJUSTMENT

MINUTES FROM THE PUBLIC MEETING

TUESDAY, MARCH 19, 2013

A public meeting of the Clark Board of Adjustment was called to order at 8:05 p.m. by Chairman Steve Kaminsky. He asked all present to participate in a flag salute and moment of silence. He stated that meeting was being held under and pursuant to the Rules and Regulations of the Sunshine Law of the State of New Jersey.

This meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by mailing the Annual Schedule of Meetings to the Union County Local Source, NJToday.Net and Star Ledger, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

ROLL CALL

Members Present: Edward Ruth, John Tierney, Douglas Krok, John Moricz, William Helm and Steve Kaminsky

Members Absent: Patrick Campione, John Caliguire and Thomas Meade

Also Present: Board Attorney Howard D. Spialter and Board Secretary; Janet Gentry

Alternate Board Members were sworn in by Mr. Spialter and welcomed by the board.

OLD BUSINESS

Minutes from the January 28, 2013 public meeting were reviewed. John Tierney brought a motion to accept the minutes. Motion was seconded by Edward Ruth and carried unanimously by voice vote

NEW BUSINESS

Calendar #3-13, Richard Vigliotti, 44 Stonehenge Terrace. Richard and Susan Vigliotti were both sworn in by Mr. Spialter. Mr. Vigliotti stated that they have two proposals. One is to construct a 14' by 14' rear deck and the other is to construct a patio roof over an existing patio 14' by 25', also in the rear yard. Mr. Vigliotti stated that while applying for the permit he was told that he needed 35' for the rear setback, we are proposing a 21' setback for both patio and deck. Our backyard tends to flood and drains towards the reservoir and becomes muddy back there. It stays that way even after the rain. We have three boys who play in the yard

with their friends so instead of tracking mud in the house we can clean them off before coming into the house. With the patio roof we can do some entertaining out there and with the deck being elevated we would be able to sit back there. *Four pictures of the rear yard were submitted to the board and marked as A1.*

Questions from board members: Kaminsky: looking at the application the patio is to the rear of the house to the right and that's existing? Yes, and we would like to put the roof over that patio. If you look at the Google overhead that I gave you, the side view, the other homes on Stonehenge all have the same setback but our home; at the end, has been pushed back, we have more front yard but less rear yard.

Tierney: that lot coverage on your survey, is that impervious? Yes, it comes out to another 1% than what it was before. Tierney: you have an entrance getting onto that deck, aren't you going to raise it up? Yes, there is a set of stairs that will take us down to that older portion towards, not out, but along the sides down onto the existing concrete patio. To get on the deck there are existing French doors off the dining room now and a little set of stairs that were there when we bought the house. *Mr. Kaminsky added that he would like a restriction that they can't enclosed this or make this another room. Mr. Spialter stated that he recommends that the restriction would be that no walls be added and no enclosure on the deck or patio.*

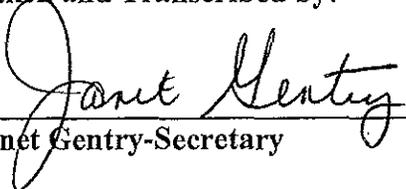
Mr. Ruth brought a motion to approve Calendar #3-13 with the condition that at no time can walls be added and no enclosures on the deck or patio. Motion was seconded by Douglas Krok. *Vote: All Ayes.*

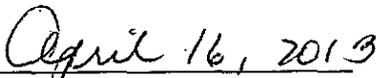
Mr. Ruth brought a motion to waive the 45-day waiting period. Motion was seconded by Douglas Krok and carried unanimously by voice vote.

ADJOURNMENT

John Tierney brought a motion to adjourn. Motion was seconded by Douglas Krok and carried unanimously by voice vote. Meeting adjourned at 8:37 p.m.

Taken and Transcribed by:


Janet Gentry-Secretary


Dated