

LIVINGSTON ZONING BOARD OF APPEALS

April 04 2017

The meeting opened at 7:00 pm with the Pledge of Allegiance.

Attendance:

Chairman Thomas Alvarez
Charles Schneider
Stan Yarian
Robert Fleming
Charles Dickens
Sarah Price.

Attorney Ted Hilscher.

The minutes of the March 07, 2016 meeting were read and a motion to accept the minutes as read with corrections was made by Charles Dickens and 2nd by Stan Yarian. All present voted AYE.

Motion passed unanimously.

Correspondence: None.

The application for Robert Brugna continued an area variance application as the pre-existing deck and staircase was replaced without appropriate approval before construction was completed. Fee paid.

Mr. Brugna provided a survey, demonstrating the ownership of a 15 foot wide strip from County Rt. 19 to the Lake. He submitted pictures and drawing of his new deck and staircase. According to Mr. Brugna, the old deck was 10 feet wide. The new deck is 14 feet 2 inches wide and is built on the property line of the neighbor to the west. The new staircase encroaches on the property line of the neighbor to the east by 4 inches.

LDR2 has a 20 foot set back requirement.

The Board discussed ARTICLE V from the Livingston Zoning Book.

5.5 NONCONFORMING SITE DEVELOPMENT

1. Except as provided elsewhere in this law, a structure or element of a site which may be conforming in use but does not conform to the height, yard, building coverage, or other dimensional requirements, or to the parking, landscaping, buffering, sign, lighting, drainage, or other site plan standards or supplementary regulations of this law shall be allowed to remain provided that :
 - A. No permit shall be issued nor shall any changes be made in such structures, land, or site development that will result in any increase of such nonconformity, and

B. The nonconformity shall not constitute a hazard to public health and safety. After much discussion there was some confusion about the dimensions of the old deck.

Ed Schollmeier the neighbor on the west side spoke briefly and was advised he would be heard at the public hearing.

A public hearing will be held May 02 2017 at 7:05. To be advertised.

Mr. Brugna was advised when he returns the following:

1. Notify his adjoining neighbors of the hearing.
2. Submit updated drawings with clear measurements.
3. Address the encroachment of 4 inches on the lands of the neighbor to the east.

There being no further business before the Board, a motion to adjourn was made by Charles Schneider and 2nd by Charles Dickens. All present voted AYE.

Motion passed unanimously. Meeting closed at 8:00.

Next scheduled meeting will be held May 02 2017.

Respectfully submitted

Eileen Yandik
Secretary ZBA