

**ZONING BOARD OF ADJUSTMENT  
MINUTES OF THE MEETING  
SEPTEMBER 6, 2012**

**CALL TO ORDER:** This is a regularly scheduled meeting of the Board of Adjustment of the Borough of Franklin Lakes. In compliance with the Open Public Meetings Law, Notification of this Meeting has been sent to our Official Newspapers and Notice has been posted on the bulletin board at the Borough Hall. I direct that this announcement be entered into the Minutes of the meeting.

**ROLL CALL:**

**Present:** Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Frankel,  
Ms. Schoenberg, Board Attorney Davies, Board Engineer Tiberi  
**Absent:** Mr. Houry, Mr. Bavignoli, Mr. Toronto, Mr. Badenhausen

**ORAL COMMUNICATIONS**

There was no one wishing to address the Board this evening.

**OLD BUSINESS**

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Cal.#2011-10 Continued Application For Presbyterian Church, 730 Franklin Lake Road, Block 2206 Lot 2.01, which is in violation of the following Sections of the Ordinance:

<b>TYPE</b>	<b>REQUIRED</b>	<b>PROPOSED</b>	<b>EXISTING</b>	<b>VARIANCE</b>	<b>CODE</b>
Building Setback (Old Franklin Lake Rd.)	150'	126.0'	126.0'	24'	300-122.A.(3)
(Franklin Lake Rd.)	150'	148.1	148.1'	1.9'	300-122.A.(3)
(Barnstable Lane)	150'	130.5'	130.5'	19.5'	300-122.A.(3)
Parking in Front Yard (Lot Area <i>Resolved 8-9-11, Memorialized 9-1-11</i> )	Prohibited <i>10 acres</i>	Yes <i>8.04 acres</i>	Yes <i>10 acres</i>	Required <i>1.96 acres</i>	300-122.A.(8) <i>300-122.A.(1)</i>
Building Height *Columbarium in	40'	44.54'	44.54'	4.54'	300-122.A.(4)
northern 50' buffer	50'	45.5'**	45.5'	4.5'	300-122.A.(6)
Size of Parking Stalls	10' by 20'	9' by 18'	9' by 18'	1' by 2'	300-71.D.(2)

Dimensional variances.

\*Columbarium is a structure of vaults lined with recesses for cinerary urns.

\*\*This is a scaled dimension. The applicant shall be prepared to testify to the surveyed setback.

We need to know if the subdivision has been perfected.

DEEMED COMPLETE: June 20, 2012

DETERMINATION DATE: October 18, 2012

**HAVE REVISED PLANS.**

Attorney for the applicant, Ben Cascio, stated that at the August meeting, the Board had made several suggestions relative to a modification of the plan. George James, engineer for the applicant, was sworn by Mr. Davies. Mr. James is an engineer employed by Keller and Kirkpatrick, 301 Gibraltar Drive, Morris Plains, N.J. Mr. James reviewed the changes he made to the plan which includes the following:

1. He presented a new site plan depicting the parking at 73 spaces previously shown on the concept plan in December of 2010. The additional parking area at the right rear of the church will be 53.6 feet off the right-of-way line of Barnstable Lane. This change resulted in a reduction of the soil movement amounts by about one half. The new plan was marked as Exhibit A-3.
2. He presented an aerial photograph of church property showing two proposed residential lots. The area behind the existing lots will be cleared and landscaped.
3. The dumpster is to be shared with the school.

Mr. Frankel made a motion to open the public portion of the meeting for questions of Mr. James, seconded by Mr. Messaros, all ayes. No one from the public came forward and Mr. Frankel made a motion to close the public portion of the meeting, seconded by Mr. Messaros, all ayes.

Paul M. Szmajda, Landscape Architect employed by Keller and Kirkpatrick, 301 Gibraltar Drive, Morris Plains, N.J., was sworn by Mr. Davies. Mr. Szmajda stated that the lighting plan has been revised to the Board's specifications. Poles have been removed from the entries on Old Franklin Lakes Road and Barnstable Lane and bollards will be used to mark those entrances. Mr. Szmajda referred to the planting plan and indicated that the existing deciduous trees would be removed and replaced by evergreens and shade trees.

Mr. Frankel made a motion to open the public portion of the meeting for questions of Mr. Szmajda, seconded by Mr. Messaros, all ayes. No one from the public came forward and Mr. Frankel made a motion to close the public portion of the meeting, seconded by Mr. Messaros, all ayes.

Mr. Davies reviewed the conditions of approval that were listed at last month's meeting and noted that the following conditions of approval remain outstanding

1. Roof drains should be connected to the manhole on the church lot which is located in the south center of the church lot which are to lead into the infiltration basin.
2. The existing shed will be removed rather than relocated.
3. Applicant to comply with Fire Safety Official's letter.
4. Programmable lighting system required to be installed.
5. Applicant will keep the lights at no higher than 12 feet.
6. All existing high pressure sodium lights on the property to be removed.
7. Compliance with July 12, 2012 letter from Kris Hasbrouck.
8. A barricade will be located along the edge of the infiltration basin in addition to screening along the entire boundary of the two residential lots.

A motion to approve the application with the conditions as recited by Mr. Davies was made by Mr. Messaros, seconded by Mr. Frankel.

**Roll Call Vote**

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Frankel

Nays: None

Abstain: Ms. Schoenberg

**MINUTES**

The minutes of August 2, 2012 were presented for approval.

Mr. Frankel made a motion to approve the Minutes, as amended, seconded by Mr. Messaros.

**Roll Call Vote**

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Schoenberg, Mr. Frankel

Nays: None

**VOUCHER**

Robert Davies, Esq.	MEET. ATTEND. 7-11-12	\$300.00
	MEET ATTEND. 8-2-12	300.00

Mr. Frankel made a motion to approve the voucher, seconded by Mr. Messaros.

**Roll Call Vote**

Ayes: Mr. DiFlora, Mrs. Gerber, Mr. Messaros, Mr. Frankel, Ms. Schoenberg

Nays: None

The meeting was adjourned at 8:40 P.M.