

**Clinton Township Board of Adjustment  
2020 Annual Report**

**Summary of Board Activity**

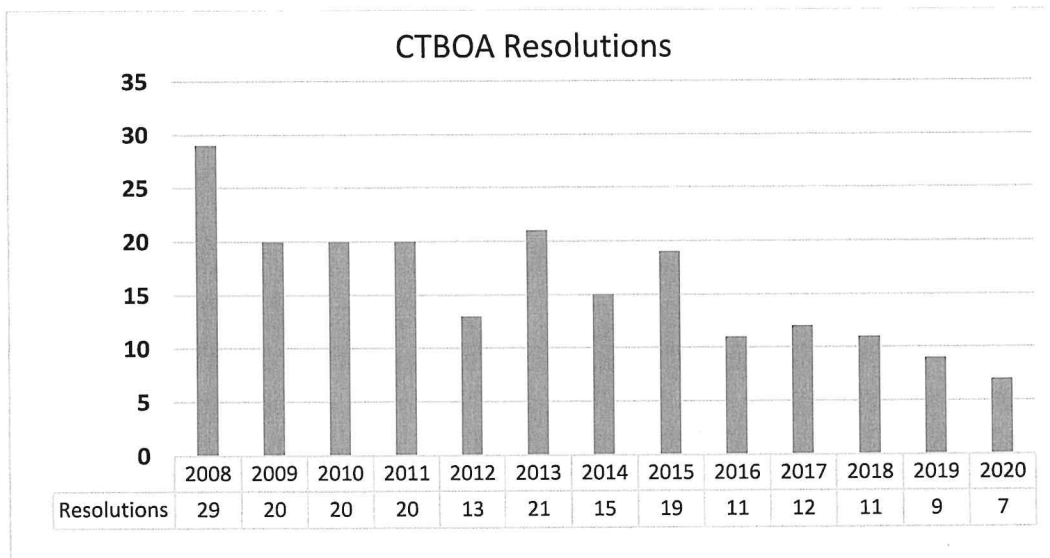
1. The Board of Adjustment met eleven (11) times during 2020.  
Two regularly scheduled meeting were cancelled due to a lack of applications.  
Three of the eleven meetings were for administrative business only and ran about 15 minutes.

Nine of the meetings, beginning in April, were conducted virtually using web conferencing facilities, rather than in-person, due to the COVID pandemic. The Board passed a resolution adopting standards and procedures for the conduct of emergency remote meetings to bring us into compliance with N.J.A.C. 5:39-1.

2. One Board member whose term expired at the end of 2019 was reappointed at the beginning of 2020. A second Board member whose term expired at the end of 2019 did not seek reappointment. The two alternates moved up, as is the custom, and a new member was appointed to fill the vacancy. So, the Board was fully staffed with seven regular and two alternate members for all of 2020.

It is noteworthy that John Matsen completed his term at the end of 2020 and asked not to be reappointed to a new term. John has served on the Board with distinction for 29 years including acting as Board Chair and Vice-Chair. We were a far better organization for John's presence!

3. The Board took action on just seven applications during the year and began hearing one other application which was not completed.



4. A breakdown of the applications by class of applicant and type of request is shown below.

Type of case	Residential	Commercial	Non-Profit/ Church/ Gvmt	Total
- Substantive cases including 'c' and 'd' variances, site plan approvals	3	1	1	5
- Extension of time			1	1
- Interpretations				0
- Appeal of Zoning Officer decision				0
- Administrative, dismissals	1			1
- Waiver of site plan				0
<b>Total</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>7</b>

**Approval Rate**

One of the seven resolutions passed during the year (2020-04, Serrani) was to dismiss an inactive application. In all six of the remaining cases (100%) in which applications were presented the applicant received some, but not necessarily all, of the relief they sought.

**Issues warranting further attention**

**1. Definition of Dwelling** - While considering certain residential applications the Board evaluates whether the proposed project would establish a new dwelling. This is particularly an issue when the application involves the construction of a new garage or a detached building that includes plumbing, electric and perhaps heating. The definition of dwelling in the Township ordinances is as follows: "DWELLING or DWELLING UNIT — A building or part thereof used as the residence of and providing complete living facilities for a family, as defined in this chapter." It would be helpful if the ordinances more clearly defined what criteria defines a dwelling. For example, does a structure that includes a toilet, sink, shower, heat and electric; and is large enough for a bed constitute a dwelling? If not, what is the test?

**Abstract of 2020 resolutions.**

**1. Baker Construction**

- Block 4.03, lot 31
- 1070 Route 22
- Application No. BOA-2019-04
- Resolution memorializing grant of "d(1)" use and "c(1)" variances, exceptions and preliminary and final site plan approval to allow construction and use of improvements as construction company facility with outdoor storage, parking and related improvements
- Resolution No. 2020-01
- Applicant sought relief to construct and operate a construction business on a flag lot off Route 22 West bound.

**2. Borough of High Bridge Well Pump and Treatment Facility**

- Block 70, Lot 17.01
- 99 Grayrock Road
- Application No. BOA-2020-03
- Resolution memorializing grant of “d(1)” use and “c(1)” variances, and waiver of site plan approval to allow installation of an emergency generator as an accessory to an existing municipal well pump and treatment facility
- Resolution No. 2020-02
- Applicant sought relief to install a generator to support a well pump that supplied water to the majority of residents and businesses in the Borough of High Bridge and some residents in Clinton Township.

**3. Joseph Smeltzer**

- Block 16, Lot 52
- Application No. BOA-2020-01
- “c(1)” variance to allow front yard setback encroachment by a detached accessory garage
- Resolution No. 2020-03
- Applicant sought setback relief on an unusually shaped lot to construct a detached garage. This was a partial rehearing of a case that was presented and approved in 2014. The case for the garage was reheard since the applicant never completed the original project and the relief lapsed due to time restrictions.

**4. Joseph Serrani**

- Block 16, Lot 70
- Application No. BOA-2019-02
- Resolution dismissing application No. BOA-2019-02 without prejudice to allow the applicant to proceed with new application No. BOA-2020-05
- Resolution No. 2020-04
- Dismissal of an application that was initiated in early 2019 but never completed, and which was superseded by a newer application.

**5. Richard and Renee Perst**

- Block 3, Lot 4.04
- 9 Burlinghoff Lane
- Application No. BOA-2020-02
- “c(2)” variance to allow construction of an accessory storage building closer to the right of way than the existing principal dwelling
- Resolution No. 2020-05
- Applicant sought relief to construct an accessory building on an unusually situated lot.

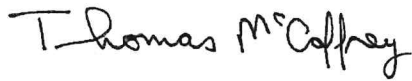
**6. American Baptist Churches of New Jersey / Baptist Camp and Conference Center**

- Block 3, Lot 13 and block 4, Lot 21
- 79 Blossom Hill Road
- Application No. BOA-2018-08
- Resolution memorializing modification of condition #9 of resolution No. 2016-04 to grant a third extension of time within which to obtain construction permits
- Resolution No. 2020-06

**7. Francesca Difazio**

- 11 Round Top Drive
- Block 46, lot 20
- Application No. BOA-2020-08
- "c(1)" and "c(2)" variances to permit a dwelling to be constructed on an undersized and under width lot with rear yard setback deviations
- Resolution No. 2020-07
- Applicant sought relief to construct a residence on an unusual lot. This was a re-hearing of a virtually identical application for the same lot in 2010. The 2010 application was granted, but the residence was never constructed.

Respectfully Submitted,



Thomas McCaffrey  
Chairman – Clinton Township Board of Adjustment