

Town of Dover Board of Adjustment

- ☐ William Cook –Chairman
- ☐ Charles Franco-Vice Chair
- ☐ Michael Scarneo
- ☐ Thomas Toohey
- ☐ Cephas Bowles
- ☐ Patrick Donaghy

COUNTY OF MORRIS
Mailing Address
37 NORTH SUSSEX STREET
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- ☐ John R. Frister
- ☐ William Hann (Alternate I)
- ☐ Paul Schmolke (Alternate II)
- ☐ Kurt Senesky - Board Attorney
- ☐ Michael Hantson - Town Engineer/Planner
- ☐ Regina Nee - Clerk/Secretary

MEETING MINUTES OF THE BOARD OF ADJUSTMENT JANUARY 9, 2013

CALL TO ORDER: Chairman Cook called the meeting to order at 7:26 PM.

ROLL CALL:

PRESENT: Commissioners Bowles, Donaghy, Frister, Toohey, Hann, Schmolke, Vice Chairman Franco, Chairman Cook

ABSENT: Commissioner Scarneo

ALSO PRESENT: also present is Attorney Kurt Senesky and Town Engineer and Planner Michael Hantson

PLEDGE OF ALLEGIANCE: was recited by all

ADEQUATE NOTICE OF MEETING was read by Clerk Nee

APPEAL TIME was read by Clerk Nee

Attorney Kurt Senesky swore in Town Engineer and Planner Michael Hantson for the year.

APPROVAL OF MINUTES:

A motion to approve the meeting minutes of December 12, 2012 was made by Commissioner Donaghy, and second by Commissioner Toohey, and followed with a Roll Call vote.

Ayes: Commissioner Donaghy, Frister, Toohey, Hann, Chairman Cook

Nays: None

Motion Approved.

RESOLUTIONS: None

08-12 – Morris Habitat for Humanity; Block 514, Lots 14.01 & 14.02; also known as 32 Spring St. located in the R-3 Zone. The application is for a Variance for a third story above grade, for the construction of a two (2) family three story duplex, and any other variances and waivers that may be required. **Approved with Conditions.**

A motion to approve the resolution with conditions was made by Commissioner Toohey, and second by Commissioner Frister, and followed with a Roll Call vote.

Ayes: Commissioner Frister, Toohey, Hann
Nays: None

Motion Approved.

07-12 – Marlon Holder; Block 1904 Lot 5; also known as 253 E. Blackwell St. located in the IND Zone. The application is for a Use Variance, Parking Variance and Minor Site Plan, for the conversion of second floor office space in the rear building to a two (2) bedroom dwelling unit, and any variances or waivers that may be required. **Approved use variance with Conditions. Site Plan carried until February 13, 2013.**

A motion to approve the resolution with conditions was made by Commissioner Toohey, and second by Commissioner Donaghy, and followed with a Roll Call vote.

Ayes: Commissioner Donaghy, Hann, Chairman Cook
Nays: Commissioner Frister, Toohey

Motion Approved.

CASES:

07-12 – Marlon Holder; Block 1904 Lot 5; also known as 253 E. Blackwell St. located in the IND Zone. The application is for a Use Variance, Parking Variance and Minor Site Plan, for the conversion of second floor office space in the rear building to a two (2) bedroom dwelling unit, and any variances or waivers that may be required. **Approved use variance with Conditions. Site Plan carried until February 13, 2013.**

09-12 – Axel’s Express Limo, LLC; Block 1904 Lot 12; also known as 213 E. Blackwell St. located in the C-1 Zone. The application is for a Conditional Use Standard Deviation and Minor Site Plan approval for a Limousine and Taxi Service Business in conjunction with an existing Motor Vehicle Repair Garage use, and any variances or waivers that may be required. **New Application. Carried to February 13, 2013.**

Commissioner Toohey, and Donaghy cannot hear the application due to conflict of interest.

10-12 – Citi Limo & Taxi, Inc.; Block 2031 Lot 13; also known as 135 E. McFarlan St. located in the C-2 Zone. The application is for a Conditional Use Standard Deviation and Minor Site Plan approval for a Limousine and Taxi Service Business in conjunction with an existing Motor Vehicle Sales Lot use, and any variances or waivers that may be required. **New Application.**

George Johnson Attorney representing the applicant Alex Acevedo. Mr. Acevedo was sworn in. Citi Limo & Taxi has been owned by Mr. Acevedo’s wife for the past 4 and half years located at 15 N. Salem Street, and a second location at 13 E. Blackwell Street, Dover Taxi. Owner of 13 E. Blackwell Street gave notice to applicant to vacate by July 2013. Applicant would also like to vacate 15 N. Salem Street if application is approved. Applicant has 46 limos, and one taxi. 20 vehicles are used for special medical transport services.

13 East Blackwell Street used for dispatching, and 15 N. Salem Street is used for billing. Applicant is seeking to use 135 E. McFarlan Street to do both. Applicant currently has 3 employees. Business is open 24 hours, 7 days a week.

Mr. Hantson would like the Board to consider that any preexisting signage be removed, and any proposed new signage will conform to the zoning rules..

Open to the Public: None

Closed to the Public

Kevin Edwards was sworn in. Mr. Edwards resides at 10 Lawrence Road in Randolph owns 135 E. McFarlan is selling the building to Mr. Acevedo but will keep his car dealership license there. He sells mostly trucks, and now does most of his buying, and selling over the internet. Mr. Acevedo will run his limo & Taxi Service at the site, and rent space to Mr. Edwards. Mr. Edwards will have a total of three parking spaces, one to display a vehicle for sale, as per state regulations, one for employee parking, and one for customer parking. Signs for a Better Deal will be able to remain, until the time Mr. Edwards vacates the property. Then all signage will be removed, including the roof sign and pole sign. Then all signage will have to be in compliance with the sign ordinance.

Open to the Public: None

Closed to the Public

Chairman Cook called a recess.8:38 PM

Chairman Cook called the Board back to order.8:49 PM

ROLL CALL:

PRESENT: Commissioners Bowles, Donaghy, Frister, Toohey, Hann, Schmolke, Vice Chairman Franco, Chairman Cook

ALSO PRESENT: still present is Attorney Kurt Senesky and Town Engineer and Planner Michael Hantson

Mr. Steve Smith was sworn in and goes over the application as a Planner, and Surveyor. Site has 21 existing parking spaces. The dealership will use up 3 spaces leaving 18 spaces for the Taxi limo business. Route 46 will be used as an entrance only, and Locust Avenue would be used as entrance, and exit. There will be no outside storage except for vehicles that are damaged and they shall be covered with car covers. At no time shall there be more than five damaged vehicles on the site at any one time

Mr. Acevedo testified he has approximately a total of 50-60 employees which are full and part time.

A motion to approve the resolution with conditions was made by Commissioner Bowles, and second by Commissioner Donaghy, and followed with a Roll Call vote.

Ayes: Commissioner Bowles, Donaghy, Hann, Vice Chairman Franco, Chairman Cook

Nays: Commissioner Frister, Toohey

Motion Approved.

OLD BUSINESS: None

NEW BUSINESS: None

THE NEXT SCHEDULED MEETING IS ON FEBRUARY 13, 2013 at 7:00 PM.

A motion to adjourn was made by Commissioner Donaghy, with all in favor, at 9:34 P.M.

**IF ANY MEMBER CANNOT ATTEND THE MEETING,
PLEASE CALL CLERK NEE AT 366-2200 Ext. 2141**

Respectfully submitted,

A handwritten signature in black ink that reads "Regina Nee". The signature is written in a cursive style with a large, prominent initial "R".

Regina Nee
Clerk/Secretary
Board of Adjustment