



**MORRIS COUNTY CONSTRUCTION BOARD OF APPEALS  
MEETING MINUTES**

Thursday, April 23, 2026 – 6:00 P.M.  
County Commissioners Public Meeting Room  
Administration & Records Building  
10 Court Street  
Morristown, New Jersey 07963-0900  
via Cisco WebEx Video Conference

Join link:

<https://morriscountynj.webex.com/morriscountynj/j.php?MTID=m5fdd4d634c9dd594f888998fde456112>

Webinar number: 2330 328 6237

Webinar password: yJb24rZTC2T (95224798 when dialing from a phone or video system)

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Access code: 233 032 86237

Chairman Theodore Maglione called the meeting to order.

Pledge of Allegiance

Open Public Meeting Statement

Membership: Presentation of Morris County Board of County Commissioners Resolutions #2026-124, dated February 11, 2026, and #2026-189, dated February 25, 2026, CBA Membership appointments of Timothy Braden/Regular Member; David A. Hals/Alternate Member; and Glenn Kovach/Alternate Member.

Chairman Theodore Maglione requested a roll call.

**PRESENT:**

Regular Members: Chairman Theodore Maglione, John Kostrowski, Jr., Keith Lynch, Timothy Braden, (4)

Alternate Members: Kimberly A. Hurley, Larry Ott (2)

ABSENT: Vice Chairman Jeffrey Betz, Sean Donlon, Nick Marucci, (3)

ALSO PRESENT: Staci L. Santucci, Esq., County Counsel,  
Sheila M. Leary, CPM, Board Secretary

**APPROVAL OF MINUTES**: Draft minutes of the meeting held on January 22, 2025, previously distributed and unanimously approved by the Board.

**RESOLUTION(S) FOR APPROVAL**: None

**CASE(S) TO BE HEARD**:

**MC#2026 - 6** TRIDEV LLC 71 Tiffany Drive, East Hanover, NJ v East Hanover, NJ 07936

The Morris County Construction Board of Appeals (hereinafter, “Board”) at their meeting held on Thursday, April 23, 2026, heard in accordance with N.J.A.C. 5:23A, the appeal filed by Appellant, Allie Martinez, TRIDEV LLC.

The appeal was received on March 30, 2026, and accepted on April 6, 2026, by the Morris County Construction Board of Appeals.

The following appearances were noted on the record, and witnesses were sworn in by counsel:

Appearing on behalf of the Appellant, Allie Martinez, Pro se.

Witnesses: No witnesses appeared or were present on behalf of the Appellant

Appearing on behalf of the Township of East Hanover, Gregory F. Kotchick, Esq – Durkin & Durkin LLC

Witness: Thomas Pershouse, Construction Official/Building Inspector

The Board considered the following documents, that were previously received by the Board Secretary, distributed to the Board members, and stipulated to by the parties, constitute the record:

Municipal Exhibits

<u>Exhibit Number</u>	<u>Description</u>
<u>M-1</u>	Construction Permit with Revisions to Reflect Agreed Upon Penalty Reduction
<u>M-2</u>	Requirements for Final Inspection Acknowledged by Rich Glacken, Partner - TRIDEV LLC, Dated 3/9/2026
<u>M-3</u>	Check Payable to the Township of East Hanover in Satisfaction of Permit Fees and Penalty, Dated 3/9/2026, Signed by Richard Glacken
<u>M-4</u>	Architectural Plans, Including Construction, Demolition, Electrical and Zoning Code Analysis
<u>M-5</u>	Pre and Post Construction Photos

Appellant's Exhibits

<u>Exhibit Letter</u>	<u>Description</u>
A-A	Appeal Statement
A-B	C/O Application and Receipts .
A-C	Fire Department Certificate
A-D	Alarmtronic NFPA 72 Report
A-E	Smoke Detector Tech Spec Emails .
A-F	Architect Certifications
A-G	Lorianne Thread (20+ inspection requests)
A-H	Inspector Conduct Complaint
A-I	NJAC 5:23-2.18 Emails .
A-J	Loss of Sale Email ....
A-K	Permit Fee Errors Thread
A-L	Penalty Reduction Thread
A-M	Builders Inspection Thread
A-N	OPRA Request Thread
A-O	Inspector Names Email
A-P	DCA Investigators Praise Emails
A-Q	Certificate of Compliance
A-R	Township Signed Statement
A-S	Notice and Order of Penalty

This matter was heard, Thursday, April 23, 2026, at 6:00 PM, in the Morris County Commissioners Public Meeting Room. Chairman Maglione began with a description of the violations issued by the Township of East Hanover to the Appellant, TRIDEV LLC, NOTICE AND ORDER OF PENALTY/WORK WITHOUT A PERMIT/FAILED TO REQUEST INSPECTIONS N.J.A.C. 5:23-2.14(a), dated March 6, 2026.

Chairman Maglione briefly described the procedure to be followed in which the Municipality would present their case, and the Appellant would be provided an opportunity to cross examine the Municipal witnesses. Thereafter, the Appellant would present their case, and the Municipality would likewise be provided an opportunity to cross examine the Appellant's witnesses.

Mr. Kotchick, on behalf of the East Hanover, began his opening remarks with a brief history of the events associated with the subject property to include the payment, in full, of the reduced penalty and fees, having been made by the TRIDEV LLC Partner, Richard Glacken, leaving him uncertain as to the purpose of the appeal and hearing.

Chairman Maglione asked Mr. Kotchick to clarify and confirm that there were no outstanding penalties at this time.

Mr. Kotchick confirmed Chairman Maglione's understanding, referencing Municipal Exhibits, further identified as, M-1, M-2 and M-3.

Chairman Maglione directed his statements to the Appellant, explaining that if the penalties were paid there was nothing further for the Board to consider.

The Appellant, Allie Martinez, testified that Richard Glacken is not a partner, rather a friend, and due to the Notice and Oder of Penalty having been received while she was out of town, Mr. Glacken simply tried to help the Appellant. Ms. Martinez further testified that her friend, Mr. Glacken was told by the representative of municipal building department that he had to pay for both the permit and the penalty at the time of his visit on March 9, 2026.

Chairman Maglione asked the Board if they had any questions with Board member John Kostrowski, Jr. asking the Chairman if there was rule that precluded the Board from hearing the appeal. Chairman Maglione explained that the issue was that the penalty had already been paid and to hear the Appellant's appeal was duplicative and this case should be closed.

After a brief discussion, Board member John Kostrowski, Jr., made a motion to deny the appeal application with Board member Keith Lynch seconding the motion and the following statements of reason were provided:

Statement of Reasons – Chairman Theodore Maglione

The Appellant paid the fees and penalties and to hear the appeal would be duplicative.

Statement of Reasons – John Kostrowski, Jr.

The penalties had been paid.

Statement of Reasons – Keith Lynch

The original violation had been negotiated and the Appellant sent her agent to act on her behalf.

The Board, pursuant to the authority granted to it under N.J.A.C. 5:23A - 2.3, may affirm, reverse, or modify the action, decision, notice or order of the enforcement agency or remand the matter to the enforcing agency for further action.

A vote was taken of the five (5) voting Board members, by unanimous vote, denied the Appellant's appeal application as shown on the voting record below.

<b>VOTING RECORD</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
<b>Ted Maglione, Chairman</b> Builder, Professional Engineer, Construction Official, Building Subcode Official/Insp. HHS, Special member - Escrow	✓			
<b>John Kostrowski, Jr.</b> Master Plumber, Plumbing Subcode Official/Insp. ICS/HHS, Construction Official, Building Inspector RCS/ICS	✓			
<b>Keith Lynch</b> Certified Fire Official, Fire Protection Subcode Official, Construction Official, Electrical Contractor, Electrical Insp. HHS, Building Subcode Official/Insp. HHS	✓			
<b>Timothy Braden</b> Construction Official, Building Subcode Official/Insp. RCS/ICS/HHS	✓			
<b>Kimberly Hurley</b> Licensed Architect	✓			

**CASE(S) POSTPONED:**

MC#2026 - 4 BBC Property Management Group Inc., 24 Teabo Rd., Rockaway, Twp. v Rockaway Twp., NJ 07866

MC#2026 - 5 Woodland Hills Condominium Association, 277 Robertson Way v Borough of Lincoln Park, NJ 07035

MC#2026 - 7 140 Laurel Avenue, Sterling NJ v Long Hill Township, NJ 07933

MC#2026 - 8 Vital Records Inc. (95 Patricia Drive – Bldg. 2, Flanders, NJ v Twp. of Roxbury, NJ

**CASE(S) WITHDRAWN:** None

- **CORRESPONDENCE:** Budget Balance as of April 23, 2026 - \$1,689.68

**OLD BUSINESS:** None

**NEW BUSINESS:**

**NEXT MEETING:** May 28, 2026, at 6:00 PM

**ADJOURN:** 6:44 P.M.

*Sheila M. Leary, CPM*

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Sheila M. Leary, CPM  
Board Secretary

