

Call to Order:

The meeting was called to order at 7:00 p.m. by Chairman McLaughlin who read the following statement: "Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. This notice was sent in writing to the Gloucester County Times on January 11, 2012. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, notice for this evening's public hearings was sent in writing to the Gloucester County Times on January 24, 2012."

The Board saluted the flag.

Roll call: Present – Ms. Beltrante, Mr. Carney, Mr. Fritz, Mr. Manfredi, Mr. Price, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Salvadori, (excused), Mr. Fitzgerald, (excused), Ms. Pellegrini, (excused), Mr. Sander, (excused). Also present – Mr. Marmero, Solicitor, Mr. Sebastian, Council Liaison.

Public Hearings:

1. #12-01 – Nicholas Strohl – Side Yard Variance

Present – Nicholas Strohl, applicant.

Member's packets contained: 1. A copy of the applicant's variance application and plot plan. 2. A copy of the applicant's certified survey and photographs of the property/area in question.

The applicant is requesting a side yard variance of fifteen feet in order to be allowed to construct a ground mounted solar array system in the rear yard of his property. The property is located at 1290 Morgan Road, also known as Block 2601, Lot 43 in the RD-A zone.

Mr. Strohl was sworn in by Mr. Marmero. Mr. Strohl testified that moving the proposed solar arrays to comply with the ordinance would place them in an area that would be shaded by trees for them to be effective. Mr. Kozak inquired as to the trees and the shading. Mr. Strohl testified that the trees across the street on Morgan Road cast shade onto his property; the solar company that is installing the system uses a special tool to determine shading which had those trees casting shade on the entire lower portion of the right side of the system. Mr. Kozak asked if the applicant had any documentation stating that. Mr. Strohl stated he did not; he could only testify to what his installer told him.

Public Hearings: (continued)

1. #01-12 – Nicholas Strohl (continued)

Mr. Kozak stated his concern that Mr. Strohl had an above ground swimming pool without the proper security fencing and that he did not receive a permit to install the pool. Mr. Strohl testified that he was not aware he needed a permit for an above the ground pool since it can be removed. He stated that he would get the required permit for the pool. Mr. McLaughlin asked if the installer suggested the location for the solar arrays. Mr. Strohl testified that they did. He also stated that it is proposed in the best place possible because of the shading but also because if they move it to comply with the ordinance, it would be right in the middle of their yard and they would like to keep that area open for their personal use.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Strohl asked, if approved, how soon he would be able to submit for permits. Mrs. Farrell stated that, if approved or denied, the resolution will be memorialized at the February 21, 2012 meeting. She would then forward a copy of that resolution to the Zoning Office and, if approved, he will be able to apply for his permits.

Motion by Mr. Price, seconded by Mr. Carney to grant the side yard variance of fifteen feet to allow for a five foot side yard where twenty feet is required. Roll call vote: Ayes – Mr. Price, Mr. Carney, Ms. Beltrante, Mr. Fritz, Mr. Manfredi, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #12-02 – Mark Lucier – Side Yard, Front Yard, & Height Variances

Present – Mark Lucier, applicant.

Member's packets contained: 1. A copy of the applicant's variance application. 2. A copy of the certified survey showing existing conditions as well as copies showing proposed changes, photographs of the property.

The applicant is requesting front and side yard variances in order to be allowed to construct a three story addition to the existing home. In addition, he would like to construct an addition to the existing detached garage which would require a height variance of six feet. The property is located at 215 Church Street, also known as Block 11803, Lot 2, in the RG-40 zone.

Public Hearings: (continued)

Mr. Lucier was sworn in by Mr. Marmero. Mr. Lucier stated that he had to tear down the existing porch on his house because of storm damage. He would like to put an addition on the side of the house and rebuild the porch. The side of the addition will match up with the existing house; however he would like to extend the front of the addition out twenty-five feet which will require a lot frontage variance of two feet. With regard to the garage, it also sustained storm damage. It currently sits on the property line so he would like to put an addition on the top. The existing garage is ten foot in height and after the proposed addition is added will be twenty-four feet from grade to the ridge which will require a height variance of six feet. Mr. Lucier testified that the second floor of the garage will be used for storage only and not for occupancy.

Mr. Sebastian questioned whether both side yards will need a variance since the side for the proposed addition is only a little over six feet from the side yard, where ten is required. It is a pre-existing non-conforming condition but it should be reaffirmed with the variance. The other side yard is also a pre-existing condition with regard to the garage but both side yard variances should be considered. Mr. Fritz inquired as to whether the addition to the house will affect the water or sewer lines. Mr. Lucier stated that the foundation for the addition may intersect with the sewer lines but he will have it marked out and move the lines accordingly if necessary. Mr. Fritz asked if the Board could place a condition on any approval that the addition to the garage cannot be used for occupancy. Mr. Marmero stated the Board could place that condition on any approval granted and it would be included in the resolution.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Motion by Mr. Fritz, seconded by Mr. Price to grant the two side yard variances, the front yard setback variance, and the height variance. Roll call vote: Ayes – Mr. Fritz, Mr. Price, Ms. Beltrante, Mr. Carney, Mr. Manfredi, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Public Portion:

Motion passed to open the meeting to the public.

Public Portion: (continued)

Sheena Oliver, 1019 Bonnie Blue Circle, Williamstown, was sworn in by Mr. Marmero. Ms. Oliver wanted to address the Board concerning her property and the issue of encroaching into an existing twenty-five foot buffer easement. She was aware that the Board had previously discussed the issue of encroaching into existing restricted buffers and easements and she wanted to get some history and clarity on the issue with regard to the easement on her property. She testified that she is the original owner of the house and was unaware there was an easement until she applied to the Township to put up a fence. At that time she was told the purpose of the easement was to restrict access to Butler Drive which runs behind the homes on Bonnie Blue Circle. She was given permission by the Township to install the fence. She wants to install an in-ground pool which would require her to go nine feet into the easement but still be within her fence line. There isn't anywhere else on the property she can put the pool because of existing electrical lines.

Mrs. Farrell commented that she did some research on the issue and Ms. Oliver provided the deeds and legal descriptions for her property. The only note on the plan indicates that the restricted easement is only to prohibit access to Butler Drive. In addition, none of the easements listed in the deed pertain to a restricted buffer easement. After some discussion, Mr. Marmero stated that he would research the matter further and provide the Board with an opinion letter. Ms. Oliver was advised to follow up with Mrs. Farrell.

Motion passed to close the meeting to the public.

Approval of Minutes:

1. 01/10/12 reorganization meeting.

Motion by Mr. Price, seconded by Mr. Carney to approve the minutes from the January 10, 2012 reorganization meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:25 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski, Clerk Transcriber