

March 5, 2013

Call to Order:

The meeting was called to order at 7:00 p.m. by Vice Chairman Salvadori 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 South Jersey Times on January 17, 2013. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk.

The Board saluted the flag.

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

Memorialization of Resolutions:

1. #13-11 – App. #13-02 – Harold Paul Kanady – Completeness/Tabled Approved

Motion by Mr. Carney, seconded by Mr. Fritz to adopt resolution #13-11. Voice vote; all ayes, motion passed.

Discussion: for Board Action:

1. #13-02 – Harold Paul Kanady – Certificate of Non-Conformity

Present – Harold Paul Kanady, applicant, John Makowski, applicant's attorney.

Member's packets contained: 1. A copy of the applicant's application, letters and photographs marked as exhibits. 2. Evidence presented by the applicant in the form of receipts, a tax certificate, and a letter. 3. Evidence and photographs submitted by Bunny Bouchard.

The applicant is asking for a Certificate of Non-Conformity so that he can continue to repair the trucks he uses for his business on the property located at 1887 York Avenue, also known as Block 15403, Lot 12.

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Discussion: for Board Action: (continued)

1. #13-02 – Harold Paul Kanady (continued)

Mr. Marmero stated he and the applicant's attorney both received new information from the Board's secretary this evening. He stated that the applicant's attorney could either address the new information or ask for more time to review.

Mr. Makowski stated, given the nature of the information, he would request a continuance so that he can investigate the information further and its impact upon his client's application. Mr. Marmero commented that the burden is on the applicant to prove his case and the new information will impact his application, so he would recommend the Board grant the applicant a continuance to a future meeting. After some discussion, the applicant agreed to continue the discussion at the April 16, 2013 regular meeting. Mrs. Farrell also distributed a new email submitted by Mrs. Talbott concerning the applicant's request. Mr. Caligiuri asked that the public be given the additional information and also be given another opportunity to speak at the April meeting. Mr. Marmero replied that the applicant's attorney will present the evidence that was given to him, it will not be given to the Board or the public, but they will have an opportunity to ask questions regarding that evidence at the April meeting. Mrs. Farrell stated for the Board and the public that they should keep in mind that Mr. Kanady's application is not a public hearing.

Motion by Mr. Carney, seconded by Mr. Fitzgerald to grant the continuance to the April 16, 2013 regular meeting. Voice vote; all ayes, motion passed.

Public Portion:

Motion passed to open the meeting to the public.

1. Bunny Bouchard: Ms. Bouchard asked how the public will be provided with the new information Mr. Kanady's attorney received. Mr. Marmero stated the applicant's attorney will address that new information after doing further research at the April 16, 2013 meeting.

Motion passed to close the meeting to the public.

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Reports:

1. Mrs. Farrell informed the Board that there is an upcoming use variance application for the use of solar panels on the roof of an existing accessory building to a residence. The issue is the building is on a separate lot than the residence so they need a use variance. She asked the Board if they thought it was necessary to send the application to Ms. Pellegrini. The Board did not think it was necessary for Ms. Pellegrini to review the application since the panels would be placed on the roof of an existing building.

Approval of Minutes:

1. 2/19/13 regular meeting.

Motion by Mr. Fritz, seconded by Mr. Carney to approve the minutes from the February 19, 2013 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:10 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