

**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 South Jersey Times on January 8, 2014. 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 of this evening's public hearing was sent in writing to the South Jersey Times on February 18, 2014.

The Board saluted the flag.

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

**Memorialization of Resolutions:**

1. #14-08 – App. #14-01 – Jennifer Lewis Gallagher/Edward Gallagher – Use Variance

Motion by Ms. Hui, seconded by Mr. Fitzgerald to adopt resolution #14-08. Roll call vote: Ayes – Ms. Hui, Mr. Fitzgerald, Mr. Fritz, Mr. Salvadori, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

**Public Hearings:**

1. #14-02 – Michael Rodriguez – Side Yard, Rear Yard, and Height Variances

Mr. McLaughlin informed the Board that this application would not be heard this evening due to the applicant's failure to notice properly. The application has been rescheduled for the March 18, 2014 regular meeting.

2. #14-03 – Monica & Marc Marsico – Side & Rear Yard Variances

Present – Marc Marsico, applicant, Toni Williamson, representative from The Pool Store.

**Public Hearings: (continued)**

2. #14-03 – Monica & Marc Marsico (continued)

Member's packets contained: 1. A copy of the applicant's variance application. 2. A copy of the applicant's certified survey and photographs of the property.

Mr. Marsico and Ms. Williamson were sworn in by Mr. DeBrosse. Mr. McLaughlin asked Mrs. Farrell if the application contained the necessary information to be deemed complete. Mrs. Farrell replied that it did. Motion by Mr. Salvadori, seconded by Mr. Fritz to deem application #14-03 complete. Voice vote; all ayes, motion passed.

Ms. Williamson explained that the applicant would like to install an in-ground pool on his property located at 1114 Rembrandt Way, Block 110.0402, Lot 11, which is a corner lot. The requirement is to be thirty-five feet from the side yard and ten feet from the rear yard. They are proposing a minimum of five feet from the rear yard and ten feet from the side yard. The yard does have privacy fencing.

Ms. Hui asked if the sixteen by thirty-two foot pool was the smallest size pool they could install. Ms. Williamson replied that there are smaller pools but the applicant wants a depth of eight feet, so this is the smallest size pool that will accommodate that depth. Ms. Hui asked if there was any other area of the yard the applicant could place the pool without needing the variances. Ms. Williamson replied that they could not move the pool closer to the house because there is a deck and they still wouldn't meet the setback requirements. This being a corner lot, most of the property is really located on the one side of the lot. Ms. Hui also inquired as to the hardship for granting the variance since the applicant could install a smaller pool and meet the setbacks. Ms. Williamson replied that in-ground pools are usually perceived to be deeper and so people want to dive into them, so they want to be sure the pool is at a depth to allow diving. Also there are other homes in the area that received variances to allow in-ground pools. Mr. DeBrosse did respond by saying that each application stands on its own and that the granting of other variances to other applicant's has no bearing on this application.

Mr. Fritz asked if there were any utility lines where the pool is going to be installed. Mr. Marsico replied that he does have sprinklers in that area. Mr. Fritz also inquired as to a walkway around the proposed pool. Mr. Marsico testified that they will have the standard three foot walkway around the pool.

**Public Hearings: (continued)**

2. #14-03 – Monica & Marc Marsico (continued)

Mr. Kozak inquired as to a lot grading plan being required. Mrs. Farrell stated that that issue is not the Board's jurisdiction and will be decided by the Township Engineer. Ms. Williamson replied that they are going to prepare a lot grading plan. Mr. Manfredi asked if there is greater impact on the neighbors from a structure or a pool. Mr. Kozak said it could have impact if there is runoff but the applicant is going to do a lot grading plan; also there could be an impact aesthetically since it will be located on the street side of the property although there is a fence and bushes along the fence line. The neighbors were notified and no one is present to object. Mr. Sebastian commented that the sidewalk around the pool will be slanted to drain into the pool not away from the property. He questioned the numbers with regard to the setback requirements and the actual proposed setbacks. Mrs. Farrell stated that the resolution will state the minimum setback approved and not the required setbacks.

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. Fitzgerald to approve the side and rear yard variances to allow a ten foot side yard setback and a five foot rear yard setback. Roll call vote: Ayes – Mr. Fritz, Mr. Fitzgerald, Mr. Manfredi, Mr. Salvadori, Ms. Hui, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

**Public Portion:**

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

**Reports:**

No reports.

**Approval of Minutes:**

1. 2/18/14 regular meeting.

Motion by Ms. Hui, seconded by Mr. Salvadori to approve the minutes from the February 18, 2014 regular meeting. Voice vote; all ayes, motion passed.

**Adjournment:**

The meeting was adjourned at 7:16 p.m.

These minutes are an extract from the meeting that was held on the above dated 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