

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 12, 2015. 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. Fritz, Ms. Hui, Mr. Kozak, Mr. Manfredi, Mr. Salvadori, Mr. Mercado, Ms. Capate, Mr. McLaughlin. Absent – Ms. Pellegrini, (excused), Mr. Sander, (excused), Mr. Heffner, (excused). Also present – Mr. Marmero, Solicitor.

Memorialization of Resolutions:

1. #15-24 – App. #15-08 – Mike & Irene Foti – Side, Rear, Lot Area Variances Approved

Motion by Mr. Salvadori, seconded by Mr. Fritz to adopt resolution #15-24. Roll call vote: Ayes – Mr. Salvadori, Mr. Fritz, Mr. Carney, Ms. Hui, Mr. Kozak., Ms. Capate, Mr. McLaughlin. Nays – Zero. Abstentions – Zero

2. #15-25 – App. #15-09 – David & Wendy Dibartolomeo – Rear Yard Variance Approved

Motion by Mr. Fritz, seconded by Mr. Carney to adopt resolution #15-25. Roll call vote: Ayes – Mr. Fritz, Mr. Carney, Ms. Hui, Mr. Kozak, Mr. Salvadori, Ms. Capate, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

3. #15-26 – App. #14-17/WSP-01-15 – EDARELL 710, LLC – Use Variance/Site Plan Waiver

Motion by Mr. Salvadori, seconded by Ms. Capate to adopt resolution #15-26. Roll call vote: Ayes – Mr. Salvadori, Ms. Capate, Mr. Carney, Mr. Fritz, 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:

1. Mr. Marmero commented on the two court cases filed by Mr. Kanady challenging the Board's decisions of denial; the first for the use variance that would allow Mr. Kanady to utilize his garage for truck repair at his York Avenue residence and the second for the Certificate of Nonconformity at one of the Glassboro Road properties. The trial for the first case, the use variance denial, was held and the judge upheld the Board's decision of denial as Mr. Kanady was told when he received his Certificate of Nonconformity for the York Avenue property that he was not permitted to use the garage until he came to the Board with a request for a use variance; however many of the residents complained and testified that he was using the garage anyway and was in violation of the conditions of his Certificate of Nonconformity. In addition the judge did not feel that Mr. Kanady presented the necessary facts and reasons for the granting of the use variance. The second court case is still pending and Mr. Marmero stated he would keep the Board updated on that case however it probably will not be heard until the beginning of next year.

2. Mr. McLaughlin stated that after Mr. Fritz brought up the issue concerning the Fazzio use variance and violation of his approval, he contacted Mr. Marmero about preparing something that the Board could send to the Zoning Official. Mr. Marmero stated that he did give the Board their options at the last meeting since the Board does not have enforcement power but they can as individuals file a complaint with the Zoning Official or as a body they can make a complaint to the Zoning Official. He drafted a letter to the Zoning Official with regard to the alleged violation. Mr. Marmero read the letter for the Board which noted the conditions of the use variance approval and the conditions of the last extension approval where no new material was to be brought to the site for storage and the applicant was to continue to reduce the items being stored. The extension approval was granted to April 15, 2016. Mr. Marmero stated that the Board can vote to authorize him to send the letter to the Zoning Official on their behalf. Mrs. Farrell stated that if photographs were taken they should be attached to the letter. Mr. Fritz stated that the dates on the photographs are not correct because he didn't change the dates in his camera. Motion by Ms. Hui to send the letter with attachments to the Zoning Official, seconded by Mr. Fritz. Roll call vote: Ayes – Ms. Hui, Mr. Fritz, Mr. Manfredi, Mr. Salvadori, Mr. McLaughlin. Nays – Mr. Carney, Mr. Kozak. Abstentions – Zero. 5 ayes, 2 nays, motion passed. Ms. Hui asked if current photographs can be taken and submitted with the letter since the dates on the photographs that were submitted aren't accurate and were taken more than a month ago. It was agreed that more current photographs would be taken and submitted with the letter.

3. Mrs. Farrell informed the Board that the next two meetings are scheduled for December 1, 2015 and December 15, 2015.

Approval of Minutes:

1. 10/20/15 regular meeting.

Motion by Mr. Fritz, seconded by Mr. Salvadori to approve the minutes from the October 20, 2015 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 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