

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 8, 2016. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, separate notice for this evening’s public hearings was sent in writing to the South Jersey Times.

The Board saluted the flag.

Roll call: Present – Mr. Fritz, Ms. Hui, Mr. Kozak, Mr. Mercado, Ms. Capate, Mr. Salvadori. Absent – Mr. Carney, (excused), Mr. Manfredi, (excused), Mr. McLaughlin, (excused). Also present – Mr. Marmero, Solicitor, Ms. Pellegrini, Planner, Mr. Sander, Engineer, Ms. Flaherty, Zoning Officer, Mr. Heffner, Council Liaison.

Memorialization of Resolutions:

1. #16-16 – App. #16-13 – Jozef Les – Use & Height Variances Approved

Motion by Mr. Kozak, seconded by Mr. Fritz to adopt resolution #16-16. Roll call vote: Ayes – Mr. Kozak, Mr. Fritz, Ms. Hui, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

2. #16-17 – App. #16-08 – Harold Paul Kanady – Use Variance Approved

Motion by Mr. Kozak, seconded by Mr. Fritz to adopt resolution #16-17. Roll call vote: Ayes – Mr. Kozak, Mr. Fritz, Ms. Hui, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

Public Hearings:

1. #16-15 – Donna Guzzo – Lot Area Variance

Present – Donna Guzzo, applicant.

Member’s packets contained: 1. A copy of the applicant’s variance application, photographs of the property, and survey. 2. Letter dated October 2014 prepared by Fred Seeber, Pinelands Commission. 3. Certificate of Filing dated November 1998 from the Pinelands Commission. 4. Letter dated April 3, 2016 prepared by Marie Reginelli. 5. Letter dated March 31, 2016 prepared by Rosemary Flaherty, Zoning Officer.

Public Hearings: (continued)

1. #16-15 – Donna Guzzo (continued)

The applicant is requesting a lot area variance in order to be allowed to build one single family home on a 16,000 square foot parcel. The property is located at Sunset and Evergreen Avenues, also known as Block 8812, Lots 33, 34, 35 in the RG-MR Zoning District.

Ms. Guzzo was sworn in by Mr. Marmero. Ms. Guzzo stated that she was before the Board for a lot area variance. Mr. Salvadori asked Mrs. Farrell if the application can be deemed complete. Mrs. Farrell replied that it could be deemed complete. Motion by Mr. Kozak, seconded by Mr. Fritz to deem application #16-15 complete. Voice vote; all ayes, motion passed. Ms. Guzzo testified that she needs a lot area variance in order to be allowed to build one single family home on property she owns in the Victory Lakes area. She stated that she recently purchased Lot 34 and offered to purchase Lots 36, 37, and 38 in the past from the property owner who never responded to her letters of interest. Just this past week after receiving notice of tonight's hearing, the owner of those lots contacted her through their realtor who indicated the owner would sell those lots for \$50,000.00. Ms. Guzzo stated that she purchased Lot 34 for \$1500.00 and offered to pay the owner \$2500.00 per lot as that is what the appraisal is for each lot. The realtor stated she would get back to her but Ms. Guzzo did not hear from her again.

Ms. Flaherty reviewed her letter for the Board. She stated that the Pinelands is requiring the applicant to purchase and redeem a quarter Pinelands credit which will be a condition of approval for receiving a Zoning Permit. Also the applicant must consolidate the lots which is a condition of approval as well. The recorded deed of consolidation must be submitted to our office and the Pinelands. Ms. Flaherty stated that she included examples of other lots in the area with single family homes that are even smaller in lot area than the lot Ms. Guzzo is proposing so it isn't out of the ordinary to have smaller lots in this area. She also stated that the applicant will be required to install sidewalk or request a waiver and pay the sidewalk contribution of \$3,000.00.

Mr. Kozak asked if the property has public water and sewer. Ms. Guzzo stated that public water and sewer is available to the property. Mr. Marmero asked what the applicant's intent was with regard to the sidewalk. Ms. Guzzo stated that there isn't any other sidewalks in the area but they will install the sidewalk if required. Mr. Kozak commented that since there aren't any sidewalks in the lakes area it seemed foolish to have one there that doesn't go anywhere. He thought it might be better to maybe lower the amount of the required contribution in lieu of installing the sidewalk that way the town would still get a contribution and there wouldn't be a sidewalk that doesn't go anywhere. There was some discussion on the matter with Mr. Heffner stating that the Board shouldn't reduce the amount of the contribution and that sidewalks are needed because in the future the kids from that area will be walking to Whitehall School. Ms. Guzzo commented that if she didn't have to purchase the Pinelands credit she would make the sidewalk contribution in lieu but at this time it's cheaper for her to install the sidewalk.

Public Hearings: (continued)

1. #16-15 – Donna Guzzo (continued)

Mr. Marmero stated that the resolution will state the applicant must install the sidewalks or make the contribution this way if she changes her mind before the Certificate of Occupancy is issued she can request the waiver and make the contribution. Ms. Guzzo commented that she has already contacted her attorney with regard to consolidating the three lots.

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. Mercado to grant the lot area variance subject to the following conditions: installation of sidewalk or the contribution of \$3,000.00 in lieu, consolidation of the three lots, and the purchase of the quarter Pinelands credit prior to a Zoning Permit being issued. Roll call vote: Ayes – Mr. Fritz, Mr. Mercado, Ms. Hui, Mr. Kozak, Ms. Capate, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

2. #1843 & #465-SP – Redgil, LLC – Minor Subdivision & Prelim. & Final Major Site Plan

Present – Robert Mintz, applicant’s attorney.

Mr. Mintz introduced himself as the applicant’s attorney. He commented that his client is aware that there are only six members of the Board present this evening. He noted that one of their variance request requires five affirmative votes therefore they would like to request the hearing be rescheduled to the next meeting when there is a full Board and so they do not have to give any additional public notice. Mr. Mintz commented that they do have their professionals present this evening so if any members of the public present for the hearing want to meet with them across the hall to see the plan and comment on their concerns they would be happy to meet with them. Mrs. Farrell announced to the public present that the applicant’s hearing is rescheduled to the April 19, 2016 meeting at 7:00 p.m. and that no further notice will be sent to them.

Motion by Mr. Fritz, seconded by Ms. Capate to grant the postponement of the hearing to the April 19, 2016 meeting. Voice vote; all ayes, motion passed.

Public Portion:

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

Reports:

1. Mrs. Farrell stated that there are three use variances scheduled for the next meeting not including the Redgill application. She asked that the Board members make every effort to be present for that meeting.

2. Mr. Heffner stated the town received a grant to repave Corkery Lane between the Black Horse Pike and Malaga Road; however the estimates to complete the project came in much higher than the grant money received because there are some who want curb and sidewalk included as well. Mr. Heffner stated he couldn't imagine why they need curb and sidewalk there so they have to decide whether or not they will go ahead with the project since the town would have to put up approximately two thirds of the cost.

3. Mrs. Farrell informed the Board members and the professionals that their Financial Disclosure forms must be completed again this year. She distributed the forms to everyone and stated they can go online and submit the information requested.

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