

**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, 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, notice for this evening’s public hearing was sent in writing to the South Jersey Times on August 23, 2016.”

The Board saluted the flag.

Roll call: Present – Mr. Carney, Mr. Fritz, Ms. Hui, Mr. Kozak, Mr. Manfredi, Mr. Salvadori, Mr. Mercado, Mr. McLaughlin. Absent – Ms. Pellegrini, (excused), Mr. Sander, (excused), Mr. Heffner, (excused). Also present – Mr. O’Donnell, Solicitor.

**Memorialization of Resolutions:**

1. #16-38 – App. #16-24 – Life Church of Williamstown – Use Variance Approved

Motion by Mr. Kozak, seconded by Mr. Fritz to adopt resolution #16-38. Roll call vote: Ayes – Mr. Kozak, Mr. Fritz, Ms. Hui, Mr. Manfredi, Mr. Salvadori, Mr. Mercado, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #16-39 – App. #16-26 – Harold Paul Kanady – Deemed Incomplete Approved

Motion by Mr. Kozak, seconded by Mercado to adopt resolution #16-39. Roll call vote: Ayes – Mr. Kozak, Mr. Mercado, Mr. Fritz, Ms. Hui, Mr. Mercado, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

3. #16-40 – App. #435-SP – Redgill, LLC – Final Major Site Plan Approved

Motion by Mr. Salvadori, seconded by Mr. Fritz to adopt resolution #16-40. Roll call vote: Ayes – Mr. Salvadori, Mr. Fritz, Ms. Hui, Mr. Kozak, Mr. Manfredi, Mr. Mercado, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

4. #16-41 – App. #1843 – Redgill, LLC – Amended Minor Subdivision Approved

Motion by Mr. Kozak, seconded by Mr. Fritz to adopt resolution #16-41. Roll call vote: Ayes – Mr. Kozak, Mr. Fritz, Ms. Hui, Mr. Manfredi, Mr. Salvadori, Mr. Mercado, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

**Public Hearing:**

1. #16-27 – Gail Graisbery – Front and Side Yard Variances

Present – Gail Graisbery, applicant.

Member's packets contained: 1. A copy of the applicant's variance application. 2. Letter dated August 31, 2016 prepared by Rosemary Flaherty.

The applicant is requesting a front yard setback variance of 15.84 feet where 50 feet is required in order to be allowed to construct a carport over her existing driveway. In addition the applicant is requesting a side yard variance of 11.39 feet on the left side for the carport and 14.85 feet on the right side for the future construction of a dining room. The property is located at 1750 Orchard Drive, also known as Block 15402, Lot 16 in the R-2 Zoning District.

Ms. Graisbery was sworn in by Mr. O'Donnell. Ms. Graisbery stated that she is before the Board for variances in order to be allowed to construct a porch on the front of her home, a carport over her existing driveway, and a dining room on the right side of her existing home. Mr. McLaughlin asked Mrs. Farrell if the application can be deemed complete. Mrs. Farrell replied that the application can be deemed complete. Motion by Mr. Salvadori, seconded by Mr. Fritz to deem application #16-27 complete. Voice vote; all ayes, motion passed.

Mr. Kozak asked why the applicant isn't proposing the dining room in the rear of the home. Ms. Graisbery stated that her septic system is located in the rear of the property right behind the kitchen and she cannot build over top of the septic. Mr. Fritz asked the location of the applicant's well. Ms. Graisbery responded that the well is located in the driveway which is why she wants to build the carport as opposed to a garage.

Motion passed to open the hearing to the public.

1. Bob Muth was sworn in by Mr. O'Donnell. Mr. Muth stated that he farms the property on both sides of Mrs. Graisbery's property as well as behind her property. He has concerns with the variance requests in particular the side for the proposed dining room because it will bring that room so close to the property line. He does not want any future complaints about smells and noise from his farming operation that has been there for many years. He referred the Board to New Jersey's right to farm laws. He also commented on the gravel access road to his property being blocked with concrete blocks this morning. Mr. Muth stated that he has accepted and recycled the Township's leaves for many years and that Ms. Graisbery requested that he move the piles of leaves to a different location other than right next to her house. He stated that he could not do that as that is where the Township trucks have easy access to his property and that the public works department would not be able to drop them anywhere else. Mr. Kozak commented that Mr. Muth's concern was that his farming operation might affect Ms. Graisbery but what she is proposing will not affect his farming operation. Mr. Muth agreed with Mr. Kozak's comment.

**Public Hearing: (continued)**

1. #16-27 – Gail Graisbury (continued)

Mr. Muth stated that when the Township backs the trucks in they do beep and he feels that it will be a problem. Mr. Muth inquired as to the amount of impervious coverage on the site and the runoff. Mr. McLaughlin stated that they do have Ms. Flaherty's report and it does not indicate an issue with impervious coverage. Mrs. Farrell stated that when Ms. Graisbury starts construction for the dining room she will have to submit a lot grading plan that will insure she is keeping the runoff on her property. Mr. Fritz asked if there are setback requirement in the Right to Farm Act. Mr. Muth stated that he does have recourse if he doesn't like the Board's findings he can take the issue to the Gloucester County Agricultural Development Board to see if he can have things mediated or the ruling overturned. Mr. Kozak asked for clarification from Mr. Muth that what Ms. Graisbury is proposing does not impact his farming operation but his farming operation can have an impact on her. Mr. Muth agreed and stated that there is potential for problems when farming so close to a residential property. Mrs. Farrell asked if the Right to Farm Act requires a farm be a certain setback from a residential property line or if they are allowed to farm right up to the property line. Mr. Muth stated he is allowed to farm right up to the property line. Mr. Kozak asked if the farm is an organic farm. Mr. Muth stated that it is not organic but it is a sustainable farm.

Motion passed to close the hearing to the public.

Ms. Graisbury apologized to Mr. and Mrs. Muth for putting the cinderblocks in front of the driveway; however she didn't do it to keep them out she did it to keep the residents from the property behind hers from driving up and down that driveway over the weekend. She stated that she did speak with the person living on that property, who is a tenant, and he tried to say that the person he rents the house from owns the road. Ms. Graisbury told him that Mr. Muth owns the driveway or gravel road and that it's not a thruway. Ms. Graisbury stated she showed him the tax map and he still indicated he was going to use the road. On Friday night there were five or six cars and trucks using that road so on Saturday she put the cinderblocks in front of the road. Ms. Graisbury stated that she spent three thousand dollars cleaning up that side of the property and did not want everyone using that access road as a public roadway. She stated that she intended to remove the cinderblocks this morning but ran out to do some errands first and didn't realize Mr. Muth would be trying to use the road before she removed them. She stated that she grew up on a farm is very well aware of the activities on a farm. She did not intend the cinderblocks as a sign to Mr. Muth that she didn't want him to use the road. She did ask Mr. Muth if it was possible to move the pile of leaves to another location on his property since they were very close to her property. Mr. Muth stated that if he has to move them he loses that property because it has impervious coverage and he can't plow over that and farm that piece. Mrs. Graisbury stated that he could put them further down the gravel road and not right next to her house.

**Public Hearing: (continued)**

1. #16-27 – Gail Graisbury (continued)

Mr. McLaughlin inquired as to how far the proposed dining room will be from the side yard. Mr. Fritz replied that it states on the plan it will be just over ten feet. Mr. Salvadori asked who actually owns the road. Ms. Graisbury stated that it's not really a road; it's not a public road, Mr. Muth uses the road for his farming operation. Mr. Muth owns the property where the road is located and he leases the property on the other side. There was some concern on the impervious coverage on the lot and runoff to the farm. Mrs. Farrell stated that when Ms. Graisbury submits for a permit for the dining room addition she will be required to do a lot grading plan that shows she is containing the runoff on her property and not having it directed onto the neighboring properties.

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

Mrs. Farrell stated that the front yard setback variance is for the carport and the front porch but the carport extends further into the setback. The two side yards are for the dining room and the carport. Mr. Fritz asked if the applicant would have to come to the Board if she is over the percentage of impervious coverage for the lot. Mrs. Farrell stated that if it does come up in the grading review then Ms. Graisbury would have to come back to the Board. Motion by Mr. Fritz, seconded by Mr. Salvadori to grant the two side yard variances and the front yard variance as well as the sidewalk waiver. Roll call vote: Ayes – Mr. Fritz, Mr. Salvadori, Mr. Carney, Ms. Hui, Mr. Kozak, Mr. Manfredi, 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. Ms. Capate's Resignation Letter

Mrs. Farrell indicated that the Board member's packets contained Ms. Capate's resignation letter.

**Reports: (continued)**

2. Resolution R:154-2016 – Multi Modal Transportation Plan

Ms. Hui stated that she does not support the transportation plan because it violates the planning process by not having public outreach concerning the plan. DVRPC sent a seven page letter which contained suggestions on how to improve the plan and they have not received a response. With that knowledge Ms. Hui stated that she is not in support of the plan.

3. Mrs. Farrell stated that the next meeting is scheduled for September 20<sup>th</sup> and there is a use variance scheduled. She asked that all Board members try to be present.

**Adjournment:**

The meeting was adjourned at 7:38 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