

Call to Order:

The meeting was called to order at 7:05 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 Gloucester County Times on January 11, 2012. 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 hearings was sent to the Gloucester County Times on March 6, 2012."

The Board saluted the flag.

Roll call: Present – Ms. Beltrante, Mr. Carney, Mr. Fritz, Mr. Manfredi, Mr. Price, Mr. Salvadori, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Fitzgerald, (excused), Mr. Sander, (excused), Mr. Sebastian, (excused). Also present – Mr. Marmero, Solicitor, Ms. Pellegrini, Planner.

Public Hearings:

1. #12-07 – Allan & Elizabeth Miller – Side Yard Variance

Present – Allan & Elizabeth Miller, applicants.

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

The applicant is requesting a side yard variance of ten feet, where twenty feet is required, in order to be allowed to construct a 31 x 32 foot garage on the side of their existing home. The property is located at 1771 Corkery Lane, also known as Block 3901, Lot 6.

Mr. McLaughlin asked Mrs. Farrell if the application contained the necessary information to be deemed complete. She replied that it did. Motion by Mr. Salvadori, seconded by Ms. Beltrante to deem application #12-07 complete. Voice vote; all eyes, motion passed.

Public Hearings: (continued)

1. #12-07 – Allan & Elizabeth Miller (continued)

Mr. Miller was sworn in by Mr. Marmero. Mr. Miller testified that he was before the Board requesting a side yard variance in order to construct a garage on the side of his existing home. Mr. Kozak asked if the garage was already built. Mr. Miller stated it was not; they needed the variance before they could proceed. Mr. Marmero asked if the garage was for their personal vehicles. Mr. Miller stated that the garage was for storage and for his lawn tractor. Mr. Fritz asked where the septic and well are located on the property. Mr. Miller testified that the septic is located in the middle of the front yard and the well is in the back corner of the property. The garage will be constructed at the end of the existing driveway on the left side of the house.

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

Mr. Marmero stated that Mr. Weikel's paperwork indicates that a lot grading plan would be required unless the Township Engineer waives that requirement. Motion by Mr. Salvadori, seconded by Mr. Carney to grant the ten foot side yard variance conditioned upon the applicant providing a lot grading plan unless waived by the Township Engineer. Roll call vote: Ayes – Mr. Salvadori, Mr. Carney, Ms. Beltrante, Mr. Fritz, Mr. Manfredi, Mr. Price, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #12-05 – Salvatore Rizzo – Use Variance

Present – Salvatore & Michele Rizzo, applicants, Marie Chambers, property owner.

Member's packets contained: 1. A copy of the applicant's variance application. 2. A copy of Mr. Weikel's stop work letter dated February 9, 2012. 3. Letter dated October 21, 2011 prepared by Adams, Rehmann, and Heggan concerning waiving a lot grading plan. 4. A copy of the applicant's survey, previously approved minor subdivision plan, and photographs of the property.

The applicant is requesting a use variance in order to allow the continued use of a trailer as storage building. The trailer currently stores the applicant's wood working tools and various other equipment as well as being used for household storage items. The property is located at 1186 Glassboro Road, also known as Block 13801, Lot 29.

Public Hearings: (continued)

2. #12-05 – Salvatore Rizzo (continued)

Mr. Rizzo was sworn in by Mr. Marmero. Motion by Mr. Salvadori, seconded by Ms. Beltrante to deem application #12-05 complete. Voice vote; all ayes, motion passed.

Mr. Rizzo testified that he placed a trailer on the property on top of an existing foundation from a previous building, for storage of his tools and equipment. The trailer is smaller than the previous building.

Ms. Pellegrini reviewed her report for the Board. She stated that the trailer is not permitted in the zone to be used for storage or as an accessory building and a use variance is required. Under the R-2 zoning standards a maximum of three accessory buildings is permitted. She asked the applicant to confirm how many accessory buildings currently exist on the property. Mr. Rizzo stated that there are three accessory buildings plus the house on the property. She asked the applicant to testify as to the positive and negative criteria needed to grant the use variance. Mr. Rizzo stated that he purchased this trailer as well as a steel pole barn building; however it was faster and easier to put the trailer on the foundation and use it as his workshop and storage building. Ms. Pellegrini asked if it was the applicant's intention to eventually replace the existing trailer with the steel building. He said he did not intend to do that in the near future because he works a lot and travels a lot in his line of work and does not have the time to construct the steel building. Ms. Pellegrini commented that the Township Engineer's letter concerning the lot grading plan references a pole barn not a trailer. There were several conditions connected with the applicant receiving the lot grading waiver. Mr. Rizzo stated that the trailer was placed on the property in September of 2011 and that was the building he requested the lot grading waiver for, the letter from the Township Engineer concerning the waiver for the lot grading is dated October 2011. Ms. Pellegrini stated the condition listed in the letter from the Township Engineer which stated that since the property drains toward the lake, the applicant should consider underground retention for any proposed down spouts for water quality. In addition, any proposed down spouts cannot discharge toward Route 322, the municipal roadway, or onto neighboring Lot 29.04. Ms. Pellegrini asked the applicant why he wasn't going to construct the pole barn since he purchased it and it's on the property. Mr. Rizzo stated that he doesn't have the time to construct the pole barn since he is leaving for Alaska in May and he will not return until July.

Public Hearings: (continued)

2. #12-05 – Salvatore Rizzo (continued)

Ms. Pellegrini stated the other issue concerning the property, based on the plan submitted, is there appears to be wetlands and a wetlands buffer. There isn't a DEP file date on the plan. Mrs. Farrell stated that she asked the applicant to ask the property owner if she had the Letter of Interpretation from the DEP which was a condition of her subdivision approval back in 1997. Mrs. Farrell had also sent a request to the DEP asking for a copy of that letter but has not received an answer to date. Ms. Pellegrini stated that the building as shown on the plan is outside the buffer; however to be sure that is the correct buffer, a Letter of Interpretation should be obtained from the DEP. She stated that the Board could condition any approval upon confirmation of the wetlands buffer line. Mr. Rizzo stated that the trailer could be moved if necessary. Mr. Kozak asked the applicant about the garage he added on to the trailer and how he would be able to move it. Mr. Rizzo stated that it sits on a steel frame and is attached to the trailer.

Mr. McLaughlin asked if the Board should consider the fact that there was a building in that location with a foundation and that this trailer is sitting on the same foundation. Ms. Pellegrini commented that she wasn't sure what type of or if there is actually a foundation under the trailer. Mr. Rizzo stated that there is cinder block on the edges and some concrete in the center. Mrs. Rizzo submitted additional photographs showing the property prior to them placing the trailer on the site. Mr. Marmero marked the photographs as Exhibit A-1. It was noted the applicant cleaned up the property considerably. The size of building is 14 x 82, which is smaller than the original mason building.

Motion passed to open the hearing to the public.

1. Frank Sudano, 1142 Glassboro Road, was sworn in by Mr. Marmero. Mr. Sudano commented that Mr. Rizzo did a great job cleaning up that property. He also commented that the lake does not always contain water, there are times when it is bone dry.

2. Wes Edwards, 1165 Glassboro Road, was sworn in by Mr. Marmero. Mr. Edwards commented that the applicant's have worked very hard in cleaning up the property. He inquired as to the wording of the application being a use variance and wondered if it meant the property was changing from residential to a business use. Ms. Pellegrini replied that the applicant needs a use variance because the type of building or structure placed on the property as an accessory use is not permitted. He asked, if approved, would it allow the applicant to put additional trailers on the property. The Board replied it would not.

Public Hearings: (continued)

2. #12-05 – Salvatore Rizzo (continued)

Motion passed to close the hearing to the public.

Mr. Fritz stated he was still confused as to the type of foundation underneath the trailer. Ms. Pellegrini stated that she did not know what foundation is left out there. It's either sitting on dirt on some sort of slab underneath but it is sitting on a steel frame and can be moved. There was further discussion concerning the unconstructed pole barn with regard to the applicant not needing a use variance if he had constructed that building and not the trailer. Ms. Pellegrini stated that it was advantageous for the applicant to have the trailer because he does not own the property and it can be moved. Mr. Fritz commented that the trailer is not properly anchored down. Mr. Rizzo stated that he has the material to tie the trailer down but did not do so because he had to go through this process.

Mr. Salvadori commented that there is a pole barn on the site that can be constructed. He asked if the applicant had any intentions of constructing that pole barn. Mr. Rizzo stated that he made a mistake when purchasing the pole barn and that he does not intend to put it up. Mr. Salvadori asked if the Board could put a time limit on the use variance of a year so that the applicant would have that time in order to construct the pole barn. Mr. Marmero commented that the Board has granted temporary relief in the past. Mr. Rizzo stated he did not want to construct the pole barn at all; it is a galvanized building that is much bigger than the trailer that is there. He didn't think the neighbors would want to look at a grey galvanized big building instead of the existing trailer. Ms. Pellegrini asked the applicant to point out to her on the plan which buildings exist on the property. Mr. Rizzo confirmed that there are only three accessory buildings on the property as well as the house. There was some question as to whether the mobile unit or trailer is a temporary use. Mr. Manfredi commented that if the applicant gets the proper permits to make the trailer a permanent structure than it's no longer an issue; it's a permanent building on the property, not a mobile unit. Mr. Rizzo stated that he wanted to do that, but had to go through this process to allow the use. Mr. Carney commented that before he can make it a permanent structure, the applicant has to receive that Letter of Interpretation from the DEP. Mrs. Farrell stated that it could take some time if there wasn't a previous Letter of Interpretation and the applicant has to apply for a new one. Ms. Pellegrini stated that as shown on the plan, the building is not in the wetlands buffer; however we need the Letter of Interpretation to confirm that issue. Ms. Pellegrini also stated that the applicant must get permits to temporarily tie the trailer down for safety reasons. Mr. Rizzo stated he would comply with that requirement.

Public Hearings: (continued)

2. #12-05 – Salvatore Rizzo (continued)

Motion by Mr. Fritz, seconded by Ms. Beltrante to grant the use variance conditioned upon the applicant getting the proper permits to temporarily tie the trailer down; the applicant receiving a Letter of Interpretation from the DEP as to the wetlands buffer line; and the applicant receiving the proper permits to make the trailer a permanent structure with a proper foundation, etc, within one year; or if he cannot do it within one year, he must return to the Board and ask for an extension of time. Mr. Kozak asked that the resolution include the condition that if the applicant does not follow through on the requirements stated by the Board, he must remove the trailer from the property. Mr. Marmero stated he would include that in the resolution. Roll call vote: Ayes – Mr. Fritz, Ms. Beltrante, Mr. Carney, Mr. Manfredi, Mr. Price, Mr. Salvadori, 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 hearing to the public.

Reports:

1. #11-12 – Frank Sudano

Mrs. Farrell informed the Board that Mr. Sudano would like to open his business by April 1, 2012. He has paid the escrow money that was due and he has had an inspection by the Gloucester County Department of Health. With regard to disposal of the waste, Mr. Sudano has an agreement with the Gloucester County Solid Waste Complex but still has to set up his account with them. Before he can do that, he must obtain a decal from the NJDEP which he is waiting for at this time. The County issued their report as well as guidelines for Mr. Sudano to follow. Mrs. Farrell asked the Board if they were satisfied with the steps Mr. Sudano has taken in order to reopen his business. The Board indicated that they were and Mrs. Farrell stated she would let Mr. Weikel know that Mr. Sudano was able to proceed.

Approval of Minutes:

1. 02/21/12 regular meeting.

Motion by Mr. Price, seconded by Mr. Carney to approve the minutes from the February 21, 2012 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:52 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