

Call to Order:

The meeting was called to order at 7:04 p.m. by Vice 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. In addition, a separate notice for this evening’s public hearings was sent in accordance with the Open Public Meetings Act.

The Board saluted the flag.

Roll call: Present – Mr. Cossaboon, Ms. Fox, Mr. Fritz, Mr. Mercado, Mr. Sebastian, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Salvadori, (excused), Mr. Rybicki, (excused), Mr. O’Reilly, (excused). Also present – Mr. Coe, Solicitor, Ms. Pellegrini, Planner, Mrs. Farrell, Secretary, Mrs. Orbaczewski, Clerk Transcriber.

Memorialization of Resolutions:

1. #16-19 – App. #491-SP – EKE Hutch, LLC – Prelim. & Final Major Site Plan Approved

Motion by Mr. Fritz, seconded by Mr. Mercado to adopt resolution #16-19. Roll call vote: Ayes – Mr. Fritz, Mr. Mercado, Mr. Cossaboon, Ms. Fox, Mr. Sebastian, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Public Hearings:

1. #19-05 – Allen Montemurro – Rear Yard Variance

Present – Allen Montemurro, applicant.

The applicant is requesting a rear yard variance of 5.4 feet where 10 feet is required and he will have, at the closest point, 4.6 feet for the construction of a deck on the back of his home. The property is located at 248 Huntly Lane, also known as Block 141.0101, Lot 40 in the RA Zoning District.

Mr. Montemurro was sworn in by Mr. Coe. Mr. Montemurro stated that he is before the Board to request a variance in order to build a deck on the back of his house. He stated that the backyard drops off significantly after you go out about five feet. He does have a conditional approval from the HOA subject to Township approval.

Public Hearings: (continued)

1. #19-05 – Allen Montemurro (continued)

Mr. McLaughlin asked if the application can be deemed complete. Mrs. Farrell replied that it can. Motion by Ms. Fox, seconded by Mr. Fritz to deem application #19-05 complete. Voice vote; all ayes, motion passed.

Mr. Mercado asked if there are any homes behind Mr. Montemurro's house. Mr. Montemurro testified that the HOA owns approximately 50 feet behind his house which is currently all wooded. Mr. Fritz commented on the slope and asked if there is a drainage swale behind Mr. Montemurro's house. Mr. Montemurro replied there isn't a drainage swale at the rear of his property.

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

Motion by Mr. Sebastian, seconded by Ms. Fox to grant the rear yard variance. Roll call vote: Ayes – Mr. Sebastian, Ms. Fox, Mr. Cossaboon, Mr. Fritz, Mr. Kozak, Mr. Mercado, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2.#19-04 – Stephen & Lindsay Sisko – Use Variance

Present – Stephen & Lindsay Sisko, applicants.

The applicant is requesting a use variance in order to construct a 40' x 40' x 18' high pole barn to store personal antique cars and their RV on their residential property. The property is located at 1840 Arlington Drive, also known as Block 15101, Lot 16.11 in the R-2 Zoning District.

Mr. McLaughlin asked if the application can be deemed complete. Mrs. Farrell replied that it can. Motion by Mr. Fritz, seconded by Mr. Cossaboon to deem application #19-04 complete. Voice vote; all ayes, motion passed.

Mr. Sisko stated their home is located on Arlington Drive and they would like to construct a 40' x 40' pole barn in their backyard. Mr. Fritz commented that the drawing of the pole barn on the survey appears to have a 15' rear yard setback. He asked if the same is true for the side yard. Mr. Sisko replied that the side yard will have a greater setback than 15 feet. Mr. Fritz inquired about access into the pole barn. Mr. Sisko testified that there will be garage type doors on the front and a walk-in access door on the side. With regard to an access drive, Mr. Sisko stated that there will be a crushed concrete drive to access the garage. The pole barn will have electricity but no plumbing.

Public Hearings: (continued)

2. #19-04 – Stephen & Lindsay Sisko (continued)

Mr. Coe indicated that the applicants should be sworn in before giving any more testimony; Mr. & Mrs. Sisko were sworn in by Mr. Coe. Mr. Mercado commented that the applicants have an existing garage on their home and asked what type of vehicles they will be storing in the pole barn. Mr. Sisko replied that the reason they are asking for a 40' x 40' pole barn is because they have an RV that is approximately 36' long that they would like to store inside as well as two classic cars. Mr. Mercado asked if he planned to do any repairs in the pole barn. Mr. Sisko replied it is mainly for storage. He also asked why the pole barn is being proposed at 18 feet high. Mr. Sisko replied that the RV is approximately 12' to 13' feet high and the garage doors are 14-foot-high and the peak will have a 4-foot slope.

Mr. Kozak asked about the car carrier on the property. Mr. Sisko replied that it is a race car trailer which is 26' plus the tongue. Mr. Kozak stated that the trailer must be stored on concrete or a stone driveway. Mr. Sisko replied that it is usually stored on crushed concrete however he moved it in order to take the pictures of the area where the pole barn is proposed to be built. Mr. McLaughlin asked if the house is larger in square footage than the proposed pole barn. Mr. Sisko testified that the house is larger.

Ms. Pellegrini reviewed her report for the Board. She stated that the 18' height is within the permitted height requirements. It's the size of the pole barn that is at issue and why they need the use variance. She asked the applicant to confirm whether they are serviced by public water and sewer or if they have a well and on-site disposal. Mr. Sisko replied that they have a well and septic; the well is located in the front yard and the pole barn will not be in the area of the septic or the septic field. Ms. Pellegrini stated that the accessory building must be subordinate in area to the principle structure. She looked at the tax records and it appears that the pole is subordinate in size to the house. Mr. Coe asked the applicant to expand on his explanation of why he needs the additional 700 square feet of space from the permitted 900 square feet. Mr. Sisko replied that the reason for the 40' is because the RV is roughly 36' long without the hitch. He also would like to store his two classic cars in the garage and maybe some lawn equipment with some room to walk around as well. Mr. Coe commented that it will probably be a benefit for the neighborhood to have the RV and the cars stored inside rather than outside. Mr. Sisko agreed that it would better to have everything stored inside rather than outside in the yard.

Mr. Fritz asked if the smaller shed is going to remain on the property. Mr. Sisko replied that he is going to move the shed over to the pool area for storage of the pool equipment. Ms. Pellegrini stated that the side yard requirement for an accessory structure is 12.5 feet. The plan indicates that there will be 15 feet however the applicant testified that the pole barn will be further away from the side yard than 15 feet but as long as it's at least 15 feet it does comply.

Public Hearings: (continued)

2. #04-19 – Stephen & Lindsay Sisko (continued)

A variance will be required for the rear yard setback as the applicant is proposing 15 feet and for an accessory structure the requirement is 37.5 feet. Mr. Coe asked the applicant to explain why they cannot meet the 37.5 rear yard setback. Mr. Sisko replied that he did not know the rear yard was required to be 37.5 feet. Mrs. Sisko testified that they would like to place the pole barn as far to the rear of the yard as possible since the pole barn will extend out 40 feet they want to make sure they have enough room to maneuver the RV in and out of the pole barn and not be too close to the house. Mr. Coe asked what is behind their property. Mr. Sisko stated there are woods behind his property and he believes the property is owned by the State.

Ms. Pellegrini stated the pole barn should be visibly compatible to the house. Mr. Sisko replied that the pole barn will be metal and similar in color to the house. It will also have a peaked roof which is metal. With regard to the COAH comment, Ms. Pellegrini stated that it is in the ordinance but she believes for an accessory structure such as this the COAH requirement will be at the discretion of the Construction Official. The COAH requirement was explained to Mr. and Mrs. Sisko and Mrs. Farrell stated that she did talk to the technical assistant about the matter and she stated that the Construction Official does not require the COAH fee for this type of accessory structure. Mr. Sebastian commented that the applicant should adhere to the setback requirements for the small shed he is going to move. Ms. Pellegrini stated that the setback for the rear and side yards is five feet for a shed of that size. Mr. Sisko replied that he can meet the setbacks for the shed.

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

Mr. Coe reviewed the variances required by the applicant. Motion by Mr. Sebastian, seconded by Mr. Cossaboon to grant the use variance and the rear yard variance subject to the condition that the applicant comply with the visible compatibility requirements for the roof and color of the building; he must maintain all escrow obligations; provide a crushed stone driveway leading to the pole barn, the shed must comply with all setback requirements, the pole barn is for residential use only, and the applicant must comply with any COAH requirement as determined by the Construction Official, and the applicant must obtain all zoning and construction permits as required. Roll call vote: Ayes – Mr. Sebastian, Mr. Cossaboon, Ms. Fox, Mr. Fritz, Mr. Mercado, 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. Mrs. Farrell distributed the Financial Disclosure Statements to the Board members and informed them that they must be completed by April 30th. She also informed the Board that there is an application on for the April 16th meeting. Mr. Sebastian asked if the meeting will be held upstairs if there is only a minor issue like this evening. Mrs. Farrell replied that she did not mind meeting upstairs but it's up to the Board; however it was determined that there is a major application on the next meeting so the meeting will be in the courtroom.

Approval of Minutes:

1. 3/19/19 regular meeting.

Motion by Mr. Mercado, seconded by Mr. Cossaboon to approve the minutes from the March 19, 2019 regular meeting. Voice vote; all ayes, motion passed.

Mr. Fritz inquired about the two applications that Mr. Coe was going to follow up on as discussed at the last meeting. Mr. Coe commented that he did not get a chance to do so yet. Mrs. Orbaczewski commented that the office did receive an updated tax statement from the one applicant's attorney so they must be getting ready to submit an application.

Adjournment:

The meeting was adjourned at 7:37 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.

Respectfully submitted by: Ninette Orbaczewski, Clerk Transcriber