

Call to Order:

The meeting was called to order at 7:02 p.m. by Chairperson Fox who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act on January 19, 2020. In addition, notice for this evening’s public hearings was published in the newspaper on February 8, 2020. Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m.”.

The Board saluted the flag.

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

Public Hearings:

1. #20-01 – Robert R. Barone, Jr. – Use & Height Variances

Present – Robert R. Barone, Jr., applicant.

The applicant is requesting use and height variances for his existing 60’ x 26’ x 34’ detached garage with an attached 18’ x 20’ carport style canopy, for storage of his personal vehicles and lawn equipment. The height of the garage is 21 feet. The property is located at 1690 Glassboro Road, also known as Block 15303, Lot 14 in the Commercial Zoning District.

Mr. Barone was sworn in by Mr. Coe. Chairperson Fox asked if the application can be deemed complete. Mrs. Farrell replied that the application can be deemed complete. Motion by Mr. Salvadori, seconded by Mr. Kozak to deem application #20-01 complete. Voice vote; all ayes, motion passed. Mr. Barone stated that he is before the Board for a garage he constructed last year after he obtained all approvals and permits. He then received a call about a month ago stating that he did receive the proper approvals.

Mr. McLaughlin asked if the garage was constructed in accordance with the plan. Mr. Barone replied that it was. He stated now he’s being told it’s too big and too high. Mr. Coe asked how many total accessory buildings are on the property. Mr. Barone replied that he has a pool house and the garage. He also has a canopy off of the garage which allows them to sit by the pool but out of the sun. The canopy was also approved. Mr. Coe stated that there was obviously a mistake made and Mr. Barone is not at fault since he received permits.

Public Hearings: (continued)

1. #20-01 – Robert R. Barone, Jr. (continued)

Mr. Coe asked if Mr. Barone intends to remove the existing shed. Mr. Barone stated he does intend to remove the shed but has not done so yet because he was told he cannot do anything with the garage until he received the proper approvals. Mr. Kozak asked how Mr. Barone came to be here if he received the permits. Mr. Barone stated that the electrical inspector came out and questioned the switches and receptacles with regard to the number and said he should add more which required him to redo his permit. That's when he was told he did not receive the proper approvals for the size and height of his garage.

Ms. Pellegrini reviewed her report for the Board. She stated that the structure is an L-shaped structure. There is a little discrepancy with regard to what the applicant calculated to be the square footage as she calculated it to be a little less. There is the canopy structure that extends out to the pool area and the height of the garage is twenty-one feet. Per the ordinance, the maximum size for a garage is 900 square feet and Mr. Barone's garage is almost double that size and the maximum height permitted is eighteen feet. As such the applicant is required to get a use variance for the size and height of the garage. Ms. Pellegrini stated that there is also a metal carport which is considered an accessory structure as well, so the applicant needs a use variance for having three accessory structures where only two are permitted. With regard to the side and rear yard setbacks, the plan conforms to the requirements. The applicant did do a grading plan. She did ask Mr. Barone about the driveway. Mr. Barone stated that there is concrete under the carport, then the rest of the driveway a mix with some sections stone and some concrete. He intends to have stone up to the new garage doors. The garage does not interfere with the well and septic on the property.

Mr. Coe asked Mr. Barone if the purpose of the garage is for personal use. Mr. Barone replied that it is for storage of his lawnmower and cars. Mr. Coe asked, with regard to the positive criteria, if the applicant's intent is to keep his property neat and orderly by storing the vehicles and lawn equipment inside the garage. Mr. Barone replied that is correct. With regard to the negative criteria, Mr. Coe asked if there is any business operation being conducted in the garage. Mr. Barone replied he does not have any intention of operating a business out of the garage.

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 use variance request for the Board. Motion by Mr. Salvadori, seconded by Mr. McLaughlin to grant the use variance subject to the following conditions: the garage is for personal use only, removal of the shed, maintenance of the escrow, and all permits obtained. Roll call vote: Ayes – Mr. Salvadori, Mr. McLaughlin, Mr. Cossaboon, Mr. Fritz, Mr. Kozak, Mr. Rybicki, Ms. Fox. Nays – Zero. Abstentions – Zero.

Public Hearings: (continued)

2. #20-02 – David Vitt – Rear Yard and Lot Coverage Variances

Present – David Vitt, applicant, Larry Spolker, representative from Budd's Pools.

The applicant is requesting a rear yard variance of five feet and a lot coverage variance of five percent for the installation of a 12' x 16' x 30' inground pool with surrounding walkway. The property is located at 249 Spring Beauty Drive, also known as Block 37.0201, Lot 14 in the RG-PR Zoning District.

Chairperson Fox asked if the application can be deemed complete. Mrs. Farrell replied the application can be deemed complete. Motion by Mr. Salvadori, seconded by Mr. Fritz to deem application #20-02 complete. Voice vote; all ayes, motion passed. Mr. Vitt and Mr. Spolker were sworn in by Mr. Coe. Mr. Vitt stated he is a new resident in the new development known as Monroe Pointe. He has a relatively small lot and would like to install an inground pool in his backyard along with a paver walkway. He is before the Board to request a variance for the rear yard of five feet instead of the required ten feet. The property behind his lot is wetlands and will not be developed.

Mr. Salvadori asked if the wetlands will be disturbed during the installation of the pool. Mr. Spolker replied that they will not disturb the wetlands area. Mr. Vitt also stated that he is not installing any walkway on the backside of the pool; he will be planting some shrubbery in that area. Mr. Spolker stated that they have prepared a lot grading plan but it has not been submitted to the Zoning Office yet. Mrs. Farrell replied that they will need to have that approved before the Zoning Officer will sign off on the zoning permit. There was a question concerning an HOA with Mr. Vitt indicating that there is an HOA for this development. He submitted the approval for his pool from the HOA to the Board. A copy of the grading plan and the HOA approval were marked as Exhibits A1 and A2. The HOA is responsible for the open space areas and the stormwater management basin. Mr. Spolker raised the issue of lot coverage and stated he didn't think it was necessary now. Mrs. Farrell replied that Mr. Vitt still needs a lot coverage variance for an increase of five percent from thirty percent which is the maximum to thirty-five percent. The Zoning Officer initially thought the maximum was twenty percent but then learned it was thirty.

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 for the Board. Motion by Mr. Salvadori, seconded by Mr. McLaughlin to approve the rear yard and lot coverage variances subject to the following conditions: an approved grading plan, maintenance of the escrow, and receipt of all necessary permits. Roll call vote: Ayes – Mr. Salvadori, Mr. McLaughlin, Mr. Cossaboon, Mr. Fritz, Mr. Kozak, Mr. Rybicki, Ms. Fox. 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 stated that the Zoning Board has numerous applications pending. They have already scheduled a special meeting on March 10th for WBA Arbours; however, there is a major site plan for the expansion of an existing self-storage facility that would like to be scheduled as soon as possible since the applicant is from out of town. She asked the Board if they are okay with a third meeting in March being March 31st. The meetings in March will be March 3rd, March 10th, and March 31st. The Board was in agreement with having the third meeting on the 31st.

There was also some discussion on the percentage of lot coverage when approving developments with smaller lots. Mrs. Farrell stated that Board should look at the percentage of lot coverage so that residents don't have to keep coming to the Board for lot coverage variances. Ms. Pellegrini stated that with the smaller lots, the town has to decide if they want them to have pools or not. Mrs. Farrell replied that can't be done since the residents are paying a lot in taxes, they would want to be able to have pools, sheds, etc. on their property. Mr. O'Reilly stated that he's fine with it as long as they have lot grading. Mr. Kozak stated the point is the residents have to keep coming in for variances and that's what should try to be avoided.

Approval of Minutes:

1. 2/4/20 regular meeting.

Motion by Mr. Salvadori, seconded by Mr. Fritz to approve the minutes from the February 4, 2020 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:45 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.