

**Call to Order:**

The Zoning Board of Adjustment meeting was called to order at 6:34 p.m. on August 3, 2023 by Chairman Cummiskey 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 on January 20, 2023 and a copy was posted on the 2nd floor bulletin board in Town Hall and also posted on the Township’s website. In addition, notice of this evening’s public hearing was published on July 21, 2023. 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; Mr. Carino, Mr. Colavita, Mr. Cummiskey, Mr. Kozak, Mr. Powers, Mr. Rice, Mr. Salvadori, Mr. Seidenberg, Mr. Fiore, Solicitor, Mr. Warburton, Planner, Mr. Defelice, Planner, Mr. Sander, Engineer, Mr. Heverly, Council Liaison. Also present; Ms. Orbaczewski, Secretary, Ms. Gallagher, Clerk Transcriber. Excused; Mr. Kerr.

**Public Hearings:**

1. #23-30 – Rachel Palumbo – Side & Rear Yard Variances

The applicant is requesting a side yard variance to allow 1.7 feet where 5 feet is required, a rear yard variance to allow six inches where 5 feet is required for the existing 8.2’ x 8.2’ shed, and a rear yard variance to allow 1.24 feet where 5 feet is required for the existing 8’ x 10’ shed, along with any other variances or waivers deemed necessary by the Board. The property is located at 943 Honeysuckle Road, also known as Block 24.0103, Lot 26 in the R-2 Zoning District.

Motion was passed to deem the application complete. Ms. Palumbo was sworn in by Mr. Fiore. Ms. Palumbo stated that previous owners didn’t get permits for the two existing sheds. Mr. Salvadori asked if any of the neighbors have complained. Ms. Palumbo replied no. Mr. Fiore asked what subdivision she lived in. Ms. Palumbo replied Tweed Farms. Mr. Fiore asked if there were other neighbors that had sheds in their yard. Ms. Palumbo replied yes. Mr. Kozak asked if there was wooded area behind her and if she had a 6’ fence. Ms. Palumbo replied that was correct. Mr. Kozak asked what is stored in the sheds. Ms. Palumbo replied that she keeps lawn items and there’s no electric or plumbing.

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

Motion to approve and memorialize the resolution by Mr. Powers, seconded by Mr. Rice. Roll call vote; Ayes- Mr. Powers, Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Cummiskey, Mr. Kozak, Mr. Salvadori. Nays; Zero.

**Public Hearings:** (continued)

2. #23-34 – Paul Cottone – Side Yard & Lot Coverage Variances

The applicant is requesting a side yard variance to allow 11.03' where 15' is required and a lot coverage variance to allow 33% where 30% is the maximum permitted, for the construction of a 19' x 19.5' addition to the rear of the existing home, along with any other variances or waivers deemed necessary by the Board. The property is located at 1004 Beckley Drive, also known as Block 129.0202, Lot 7 in the R-2 Zoning District.

Motion passed to deem the application complete. Mr. Cottone was sworn in by Mr. Fiore. Mr. Cottone stated that his family has grown since he bought the house 16 years ago and he needs more space. Mr. Kozak asked if he could be more specific. Mr. Cottone replied that he bought a classic car to restore with his son but he needs the garage to have space for that, but also needs a laundry/utility room. Mr. Fiore asked if the addition will be for additional living space with air conditioning and other amenities. Mr. Cottone replied yes. Mr. Kozak asked if there were any drainage problems. Mr. Cottone replied that when he got his pool he had to put in a stone drain. Mr. Kozak asked if it was for personal use only, not commercial. Mr. Cottone agreed.

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

Motion to approve and memorialize by Mr. Carino, seconded by Mr. Powers. Roll call vote; Ayes- Mr. Carino, Mr. Powers, Mr. Colavita, Mr. Cummiskey, Mr. Kozak, Mr. Salvadori, Mr. Seidenberg. Nays- Zero.

3. #23-35 – Lori Stephens – Side, Rear, and Lot Coverage Variances

The applicant is requesting a side yard variance to allow 2.3 ft. where 5 ft. is required, a rear yard variance to allow 1.7 ft. where 5 ft. is required for the existing shed, and a lot coverage variance to allow 40.2% where 30% is the maximum permitted for the installation of an inground swimming pool, along with any other variances deemed necessary by the Board. The property is located at 1322 Bavarian Way, also known as Block 128.0105, Lot 12 in the R-2 Zoning District.

Motion passed to deem the application complete. Ms. Stephens was sworn in by Mr. Fiore. Ms. Stephens stated that they had an above ground pool and they want to get an inground pool. Mr. Fiore asked if this would have any negative impact on her neighbors. Ms. Stephens replied no.

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

Motion to approve and memorialize by Mr. Colavita, seconded by Mr. Powers. Roll call vote; Ayes- Mr. Colavita, Mr. Powers, Mr. Carino, Mr. Cummiskey, Mr. Kozak, Mr. Salvadori, Mr. Seidenberg. Nays- Zero.

**Public Hearings:** (continued)

4. #23-21 & #523-SP – Noria Chaberton JV, LLC – Use Variance and Major Site Plan

Mr. Fiore stated that during a brief recess he spoke with the applicant's attorney and there was issue with the statutory notice requirements, and it was agreed that the applicant would like to postpone to the next available September date. The applicant's attorney, Mr. Baranowski, stated that an adjoining property owner made them aware of the possible issue so they will re-notice all owners within 200' of the entire site for the next hearing.

5. #23-36 – Franklin Andruzzi – Use Variance

The applicant is requesting a use variance to allow a dual use on the property, his residential use and his business use. The applicant currently operates IEM Construction out of his home and wants to park his work vehicles on the property. He is also requesting a use variance to allow a 6' fence in the front yard, a lot coverage variance is required to allow 8.52% where 3% is the maximum permitted, along with any other variances or waivers deemed necessary by the Board. The property is located at 490 Huber Avenue, also known as Block 4901, Lot 29 in the FD-10 Zoning District.

Motion was passed to deem the application complete. Frank Andruzzi and Danielle Andruzzi were both sworn in by Mr. Fiore. Mr. Andruzzi stated that that he did a couple things without permits that need to be corrected. He stated that he didn't know he couldn't run his business from his home, though no one comes to the house for business. He also stated that they have a 6' fence in the front yard because they live next to a tow yard and the trucks lights shine into their home. Mr. Kozak asked to describe what type of trucks. Mr. Andruzzi stated that he has two F250s, one F550 dump truck, and one F450 dump truck. Mr. Kozak asked if he stores any equipment outside. Mr. Andruzzi replied that he stores his wood, but mostly everything is kept on the trucks. Mr. Kozak asked if anyone else runs the office. Mrs. Andruzzi stated that she is the office manager. Mr. Andruzzi stated there is no signage for the business, and no one comes to the house. Mr. Carino asked if you could see the pole barn from the street. Mr. Andruzzi replied possibly the top of it.

Mr. Warburton was sworn in by Mr. Fiore and he stated his credentials for the Board. Mr. Warburton reviewed his report for the Board. He stated that the dual use would need a use variance. He stated that the applicant would need a variance for the 6' fence in the front yard. Mr. Warbuton asked the applicant if there would be any noise from the operation. Mr. Andruzzi replied no. Mr. Warbuton stated that from the survey, he came up with an approximate total of 16.5% of current lot coverage. Mr. Warburton asked the applicant if they plan to add anymore stone or have any further improvements in the future. Mr. Andruzzi replied he didn't think so. Mr. Warburton asked the applicant if he knew the anticipated height of the building. Mr. Andruzzi replied that he was not sure, but he could say that is would be less than 22', and the look and siding type would be similar to everything else on the property.

Mr. Fiore asked what are the hours of operation. Mr. Andruzzi stated that he leaves the house at about 6:00 am, then he is out all day. He stated that his wife starts about 9 am. Mr. Andruzzi stated

**Public Hearings:** (continued)

5. #23-36 – Franklin Andruzzi (continued)

that his employees meet him on site, they do not come to the house. Mr. Fiore asked about repairs to the trucks. Mr. Andruzzi stated that he does not do that. Mr. Fiore asked if there would be any bathrooms. Mr. Andruzzi replied no. Mr. Fiore asked if they still had to get a Certificate of Filing from the Pinelands. Mrs. Andruzzi stated that she spoke to them, they will go back if they are approved for the building. Mr. Fiore recommended to the Board that they put a one-year condition for the applicant to get Certificate of Filing. Mr. Kozak agreed and asked the applicant if they understood that condition. Mrs. Andruzzi and Mr. Andruzzi stated they understood that.

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

Mr. Fiore summarized the application for the Board. Mr. Kozak spoke up about the lot coverage that Mr. Warburton mentioned in his review. Mr. Warburton recommended additional coverage to benefit the applicant. Mr. Fiore stated that they would go with 20% lot coverage variance. Motion to approve and memorialize by Mr. Powers, seconded by Mr. Rice. Roll call vote: Ayes- Mr. Powers, Mr. Rice, Mr. Carino, Mr. Colavita, Mr. Cummiskey, Mr. Kozak, Mr. Salvadori. Nays-Zero.

**Public Portion:**

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

**Reports:**

Mrs. Orbaczewski reminded the Board members that the next meeting is September 7<sup>th</sup> and we will be back to two meeting per month. She also explained the new sustainable land use resolution they should review.

**Minutes:**

Motion passed to approve the meeting minutes from July 6, 2023.

**Adjournment:**

The meeting was adjourned at 7:28 pm.

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: Amy Gallagher, Clerk Transcriber