

Call to Order:

The Zoning Board of Adjustment meeting was called to order at 6:34 p.m. on March 16, 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. 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. Heverly, Council Liaison. Also present; Ms. Orbaczewski, Secretary, Ms. Gallagher, Clerk Transcriber. Excused; Mr. Kerr. Mr. Kernan, Planner, Mr. Sander, Engineer.

Memorialization of Resolutions:

1. Res. #18-2023 - #23-08 – Louis & Christina Bontya – Rear Yard Variance Approved

Motion to approve by Mr. Seidenberg, seconded by Mr. Colavita. Voice vote; all ayes. Motion passed.

2. Res. #19-2023 - #23-05 – Atlantic City Electric – Use Variance Approved

Motion to approve by Mr. Seidenberg, seconded by Mr. Colavita. Voice vote; all ayes. Motion passed.

3. Res. #20-2023 - #520-SP – Atlantic City Electric – Preliminary & Final Site Plan Approval

Motion to approve by Mr. Seidenberg, seconded by Mr. Colavita. Voice vote; all ayes. Motion passed.

Public Hearings:

1. #23-09 – Frank & Kathleen Poliso – Lot Coverage & Rear Yard Variances

The applicant is requesting a lot coverage variance to allow 31.5% lot coverage where 30% is the maximum permitted and a rear yard variance to allow 72.8 ft., 68.2 ft., and 58.2 ft. respectively where 75 feet is the required rear yard setback for the construction of an addition on the back of their existing single-family home, along with any other variances or waivers deemed necessary by the Board. The property is located at 714 Dartmoor Court, also known as Block 25.0103, Lot 5 in the R-2 Zoning District.

Leonard Schwartz was present, attorney for the applicant. Francis Poliso was sworn in by Mr. Fiore. Mr. Schwartz stated that the applicant is planning to put an addition on the back of the house. He stated that when the applicant bought the property, it was zoned to allow an addition without

Public Hearings: (continued)

1. #23-09 Frank & Kathleen Polisano (continued)

needing a variance, but the zoning has since changed. Mr. Schwartz stated that part of the back-yard backs onto Radix Road and the other part is vacant property. Mr. Schwartz asked Mr. Polisano if this addition would impact any of his neighbors. Mr. Polisano replied no. He also stated that the setback used to be 35 feet and was changed at some point by the Township to 75 feet. Motion passed to deem the application complete. Mr. Kozak asked if the addition was one-story and if it would be attached to the house. Mr. Polisano replied yes. Mr. Kozak asked if there would be a second exit to the outside. Mr. Polisano replied no, there will be no egress. Mr. Colavita asked about the actual distances the applicant is requesting, pointing out the survey seems to show that only two are under the 75'. Mr. Schwartz stated that perhaps there was another survey submitted that showed all three being under 75'. Mr. Fiore asked Mr. Schwartz to mark the correct survey for the file as Exhibit A. Mr. Salvadori asked if the inground pool was already there. Mr. Polisano replied yes, for over 20 years.

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

Mr. Fiore reviewed the application for the Board. He also stated that testimony was provided that there would be no negative impact to the area.

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

2. #23-10 – Adam Warburton – Lot Coverage Variance

The applicant is requesting a lot coverage variance to allow 20% where 3% in the maximum permitted lot coverage for the construction of a single-family home, along with any other variances or waivers deemed necessary by the Board. The property is located at 1460 Coles Mill Road, also known as Block 8001, Lot 2 in the RD-RR Zoning District.

Motion passed to deem the application complete. Mr. Warburton was sworn in by Mr. Fiore. Mr. Warbuton stated that he and his wife are looking to move into the Township and acquired this property. He stated that the lot is undersized, but Pinelands allowed a density transfer to another lot that would allow development on this lot. He stated that lot grading has already been approved, he plans to keep the buffers on the front yard, he plans to keep a lot of the trees on the front and side yards. Mr. Warburton also stated that the grading does not affect the neighbors in any way.

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

Public Hearings: (continued)

2. #23-10 – Adam Warburton (continued)

Mr. Fiore reviewed the application for the Board. He also stated that the testimony stated there would be no negative impact upon the area if granted.

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

3. #23-11 – Bryan & Leanne Meinel – Side Yard Variances

The applicant is requesting a side yard variance to allow 1.7 ft. where 5 ft. is required for the existing shed and a side yard variance to allow 9 ft. where 20 ft. is required for the construction of a 10' x 11.4' addition, along with any other variances or waivers deemed necessary by the Board. The property is located at 251 W. Malaga Road, also known as Block 10003, Lot 5 in the RG-PR Zoning District.

Motion passed to deem the application complete. Bryan and Leanne Meinel were sworn in by Mr. Fiore. Mr. Kozak if the garage was attached to the house. Ms. Meinel replied yes, the addition would be extended off the back of the garage. Mr. Kozak asked if it would be used for a closet and storage. Ms. Meinel replied yes.

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

Mr. Fiore reviewed the application for the Board.

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

None

Executive Session:

Motion passed to open an executive session at 6:52 p.m.
Motion passed to close the executive session at 7:10 p.m.

Approval of Minutes:

Motion passed to approve the meeting minutes from the March 2, 2023 regular meeting.

Adjournment:

The meeting was adjourned at 7:13 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: Amy Gallagher, Clerk Transcriber