

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
THURSDAY, May 23, 2013**

Chairman Richards called the meeting to order. Mr. Lechner read the commencement statement.

Roll Call: Mr. Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mr. Gunn	Present
Mr. McMullin	Present
Mrs. Chiumento	Present
Mrs. Giusti	Absent
Mr. Acevedo	Absent
Mr. Treger	Late Arrival 8:20PM
Mr. Richards	Present

Chairman Richards had the professionals sworn in:
Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. James Mellett, P.E., Churchill Engineering
Mr. Ken Lechner, Township Planner

MINUTES FOR ADOPTION

Zoning Board Minutes for April 25, 2013.

Motion to approve the above-mentioned minutes was made by Vice Chairman Simiriglia and seconded by Mr. Gunn.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Abstain
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Abstain
Mrs. Chiumento	Abstain
Chairman Richards	Yes

Minutes approved.

RESOLUTIONS FOR MEMORIALIZATION

#132012C

Thomas & Michele Beckett

Bulk C Variance

Block: 10704 Lot: 7

A Motion to approve the above mentioned resolution was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio

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Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Abstain
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Abstain

Mrs. Chiumento
Chairman Richards

Abstain
Yes

Resolution Approved.

APPLICATIONS FOR REVIEW

#132012C

Chad Milstein

Zoned: R3

Bulk C Variance

Block: 2906 Lot: 7

Location: 412 N. Otterbranch Dr., Glendora

2nd Garage 24' x 30' - 5ft. from the property line

Mr. Costa swears in Mr. Chad Milstein

Mr. Milstein explains he is running out of storage room and in addition he has an old car and motorcycle to store. In his opinion trying to adhere to the setbacks will ruin his yard. The garage will be steel about 30ft. deep and 10 to 12 feet high.

Vice Chairman Simiriglia asks Mr. Milstein if there is anything else in the yard that isn't on the survey.

Mr. Milstein states there are a shed and a concrete pad.

Vice Chairman Simiriglia asks Mr. Milstein if he has a car dealer license.

Mr. Milstein states: "no" and adds there will be no business use for the new garage.

Mrs. Chiumento asks if the attached garage large enough for storage.

Mr. Milstein states it's barely big enough for a car.

Mr. Mellett states to be sure the roof leaders are directed away from any neighbors' homes.

Mr. Milstein states the drainage will be directed to the front of the home.

Mr. Lechner asks the Mr. Milstein the size of the existing shed. Mr. Milstein state it is 10' x 10'.

Mr. Lechner states that puts the lot coverage at 23.5%.

Mr. Milstein states the garage is only for personal use.

Mr. Lechner asks Mr. Milstein if the shed is 5ft. from the property line.

Mr. Milstein states the shed is 5ft. from the rear and side of the lot.

Mr. Bucceroni asks Mr. Milstein if he has considered removing the shed.

Mr. Milstein states he'd rather take 3 ft. of length off the garage than take the shed down. He really doesn't want the lawn equipment in the garage; he would prefer to keep it separate.

Mrs. Chiumento asks the applicant if he is going to put a driveway to the new garage.

Mr. Milstein states not now, but will come in front of the zoning board in the future to build one if he can.

Open to the Public:

No Comments.

Open to Professionals:

No Comments.

A motion to approve the above mentioned application with the following condition: that all run off water be directed away from any neighbors' homes was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

#132006C

Sandra DiCaprio

Zoned: R4

Bulk C Variance

Block: 2003 Lot: 19

Location: 341 Fifth Ave., Glendora

Install a 6' vinyl fence (0') foot from property line

Mr. Costa swears in Ms. DiCaprio.

Ms. DiCaprio states they are replacing an existing fence that past hurricane had blown down.

Vice Chairman Simiriglia asks if the fence is already up.

Ms. DiCaprio states "yes", and explains that she has a special needs child and a dog.

Mr. Mellet states there are no site issues.

Mr. Bucceroni asks Ms. DiCaprio if this was an emergency situation.

Ms. DiCaprio states "yes".

Open to the Public:

No Comments.

Open to Professionals:
No Comments.

A motion to approve the above mentioned application was made by Mrs. Chiumento and seconded by Vice Chairman Simiriglia.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

#132013C

Barry & Camille Wendt

Zoned: SCR

Bulk C Variance

Block: 15817 Lot: 10

Location: 20 Dorothy Dr., Sicklerville

11' x 18' deck 3' from rear property line.

Mr. Costa swears in Barry Wendt.

Mr. Wendt states he has a very small yard and his 4' x 4' porch is deteriorating. He would like to replace it with a larger composite deck so they can fit table/chairs and grill.

Vice Chairman Simiriglia states the yards are very small and the residents really have no choice.

Open to the Public:
No Comments.

Open to Professionals:
No Comments.

A motion to approve the above mentioned application was made by Vice Chairman Simiriglia and seconded by Mr. Bucceroni.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

#132014C

Bryan Voight

Zoned: R3

Bulk C Variance

Block: 21005 Lot: 8

Location: 50 Huckleberry Ave., Sicklerville

Mr. Costa swears in Mr. Bryan Voight.

Mr. Voight states the 5 foot setback leaves his children more yard to play and in addition if the patio is smaller they won't be able to see the children in the pool (safety issue).

Vice Chairman Simiriglia thinks the 10ft. setback is a little too much.

Mr. Bucceroni asks the applicant how far away his shed is from his neighbor's home.

Mr. Voight states the shed is 28.29ft from his neighbor.

Mr. Lechner stated the plan that was submitted to his department for this application was excellent!

Open to the Public:

No Comments.

Open to Professionals:

No Additional Comments.

A motion to approve the above mentioned application was made by Mr. Bucceroni and seconded by Mrs. Chiumento.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

#132015C

Brian & Natalie Collazo

Zoned: R3

Bulk C Variance

Block: 3003 Lot: 17

Location: 47 Stephen Dr., Glendora

Treks deck 3' from property line.

Mr. Costa swears in Mr. Collazo.

Mr. Collazo states his pool deck is 3 ft. instead of 10ft. because his property is an odd shape. The lot is shaped like a pie and putting the pool deck where they like would allow them to see the children in the pool.

Open to the Public:

No Comments.

Open to Professionals:

No Comments.

A motion to approve the above mentioned application was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes

Mrs. Chiumento	Yes
Chairman Richards	Yes

Application Approved.

#132008CD
Sierra International
Zoned: R3
Bulk C & Use "D" Variance
Block: 6801 Lot: 21, 22, 23, 24
Construct 4 twins – 8 lots.

The above mentioned application was cancelled...The applicant must re-advertise (re notice).

#122049DCPF
Ville II, LLC
Zoned: HC Overlay
Bulk C/Preliminary & Final Major Subdiv.
Block: 18501 Lot: 2 & 11
Location: 1035 & 1051 Sicklerville Rd.
Construct 126 Townhouses – major subdivision.

Mr. Albano requests a 10 minute recess until Mr. Mince can arrive as he was delayed due to a prior commitment.

10 minute break

Mr. Treger arrives at 8:20pm and Chairman Richards leaves at 9:20pm.

Mr. Costa swears in Mr. Mince (attorney), Mr. Sternberg (Ryan Homes), Mr. Shropshire (traffic engineer), Mr. Bach (PE, architectural planner).

Mr. Bach presents the project:

A1- project location

A2- rendering/overall site plan: 25 ft. residential buffer, sidewalks both sides, Village Green, pavers in cross walks, 6 benches, ornamental lighting, pedestrian path, link to Cross Keys Shoppes that will have ornamental lighting, granite curbing, architecturally coordinated.

A3- façade of structures

A4- building elevations and floor plans, HOA maintained including lawn maintenance, all consistent in color and façade in perpetuity.

A5- along AC Expressway there will be a 4ft. split rail fence with black wire mesh along with the buffer.

LOT 19 – the retail center in front will be where the sales trailer will be located until the sample is ready, then the trailer will be relocated (in grass area).

5 VARIANCES:

1. Community center (SSR)
2. Second setback 20 ft. not 25ft. from side yard, one lot (#10) adjacent to the expressway.
3. Sidewalk within the perimeter buffer, in entrance drive by Braces Ct., 5 ft. encroachment.
4. Lot depth for lots 2,3,4,5,8,9,10,11,44,45, adjacent to the Village Green, 100 without curved lot line, a curved lot line will be nicer.
5. Development sign rendering, just the sign itself 27.5ft. the ordinance is 24ft.

DESIGN WAIVERS:

1. Ordinance 40% of units set 4ft. apart from each other they will have 2ft. (still 40%).
2. 3 stories of the same height, rooflines 5% different from each other.

3. Site triangles Sicklerville Rd. AASTHO standards instead.
4. 3 to 1 side slope in basin, where 4 to 1 are required.
5. Storm water 72 hour dewater not 18 hours.

Open space calculation: lot 3 clear area in woods and the neighbor also wants access to the area. That property owner will enjoy open space too. Restriction with licensed access to that neighbor 35% is met for open space.

Access: HOA owners can travel within 20ft. in backyards, no front lawn access and 10ft on side yards. Rear yards: in the 20ft. section the residents will be able to install fences 6ft. in height. The fences will be approved by the HOA and they will all match. There will only be 2 side fences allowed, no rear fences allowed.

There will be a space for recycle and garbage in the garage.

Mr. Lechner asks the area in the garage be large enough to store the recycle can which is quite large.

Mr. Mellett asks Mr. Bach the garage door width.

Mr. Bach states the garage door will be 8ft. he continues:

-the garage will never be allowed to be a living space which will be stated in the deed.

-storm water basin in rear property will meet all storm water management.

-meet all erosion standards

-hours of construction will be 7 days: 7am to 10pm allowed, but 7 days 7am to sundown will do.

Mr. Bach states there will be no ground water mounding analysis as there are no basements therefore they won't affect water under the slab.

Mr. Mellett requests that Mr. Bach include that in the storm water report in one or two sentences.

PHASE I: 48 units, storm water pipes, loop road, road A to B Blvd., Village Green.

PHASE II: 45 units, south side and front.

PHASE III: completion of 2 loop roads, 126 townhomes, completion of crosswalks.

Mr. Shropshire: traffic engineer.

The traffic light study March 25, 2013:

- standard traffic pattern
- Bryce's Ct. and Sicklerville rd.

Acceptable levels of control are currently in place and after the townhouses are completed the trips in and out of the development will be 63 morning rush hour and in the morning and 72 in the evening rush hour.

- there are acceptable levels of service without the light.
- far away from warrants that hit thresh holds for a light.

A7 - improvements on road striping plan: left turn lane in NB side needed 100ft. Striping 100f t. needed left turn lane and has been sent to the county for approval.

- Roadway parking is being reviewed by the county
- roadway dedication: no additional required, only along frontage
- add markings and cross hatch
- garages will be deed restricted storage only, part of parking requirement
- handicap ramps will comply
- sight triangle access will use ASHTO requirements
- additional traffic controls at cross walks aren't needed

Mr. Bach adds that all variances and waivers outweigh any detriments

Vice Chairman Simiriglia asks Mr. Bach if the driveway goes to the property line.

Mr. Bach states "yes".

Vice Chairman Simiriglia points out the variance of 3ft. from the property line for driveways.

Mr. Lechner states the townhouses have a 0 foot side setback.

Mr. Bach states they would need relief from that variance.

Vice Chairman Simiriglia mentions the recycle cans.

Mr. Bach states the municipality will be picking up the recycling.

Vice Chairman Simiriglia points out that cars parked along the front of the townhomes may be an issue with the MUA trucks.

Mr. Bach states they will meet with the MUA to make a recycle plan.

Mr. Lechner suggests no parking in the front of the townhomes during recycle pickup days.

Vice Chairman Simiriglia suggests an area within each group of townhomes for the recycle cans.

Mr. McMullin asks how much parking is available in the driveway.

Mr. Bach states 1 in the driveway, 1 in the garage plus street parking, which actually exceeds parking requirements.

Mr. Mellett reviews the engineer's letter with Mr. Bach: Lot 43 open space? Treat Lot 43 the same as the other and it will be considered restricted open space.

Mr. Bach states they may try to expand this development with the land on the opposite side of Lot 43.

Mr. Mellett reviews roads and levels of service.

-East and West bound left from Bryce's and left from the proposed road will remain the unchanged: at 25 seconds for Bryce's Ct. level D for the entrance into the development.

-fire trucks and turning templates will be provided

-extra parking provided (339 existing)

-handicap poured concrete or granite slab

-AASTHO standards acceptable

-basin fence surroundings, basin 3 to 1 vs. 4 to 1 is fine

-water discharge into wetlands from basin: does not go into a pond but into a culvert

-basin drain time 72 hours is fine

-easement on basin so the town could step in and fix it if necessary and pass the cost onto the HOA

-grass bottom basin acceptable

-ornamental lights with extra on intersections

-manholes in right of way are excessive

Mr. Bach states the manholes will be reduced with MUA.

-flood hazard area (repairing zone 50ft from center line) impacts 3 properties and stays in its natural state.

Mr. Lechner discusses the existing 35 easement in new corner.

Mr. Bach explains lot 11 is land locked and will not exist....it is an access easement.

-drainage, utility easements only in the roadway and the rest will be maintained by the HOA.

Mr. Mellett requests the storm water blanket ability to intervene and fix if necessary, including the rear yard drainage inlets.

Mr. Bach states the HOA will be responsible.

Mr. Lechner mentions fences, pools, and shed restrictions.

Mr. Bach states there will only be a 20ft. divider fence allowed with no pools or sheds.

Mr. Lechner requests the mailboxes be uniform or in kiosks.

Mr. Somerville states Ryan Homes will work with the post office on individual vs. group mail boxes.

**Mr. Richards leaves the meeting and Mr. Treger steps in ..also: Vice Chairman Simiriglia is now Chairman.

Vice Chairman Simiriglia mentions the assessors' report.

Mr. Bach states they are awaiting approval from Mr. Palumbo.

Mrs. Chiumento inquires about patios and decks.

Mr. Bach states there will be no roofs allowed on the patios and will be prohibited through the HOA.

Mr. Lechner inquires about the timing of the rear property line buffering.

Mr. Bach states the entire buffer will be done in Phase I.

PUBLIC PORTION:

Mr. Leonard Massina 1023 Sicklerville Rd.

Mr. Massina discusses construction hours:

7am to 7 pm

Monday thru Saturday 7am to sundown (7pm)

Sunday 8am to sundown

Also: easement vs. deed restriction clarification.

Mr. Costa explains the deed restriction keeps the easement an easement.

Mr. Massina believes Sicklerville Rd. speed limit should be 40 not 50.

Vice Chairman Simiriglia states that would have to be done on the county level.

Mr. Costa states council can adopt a resolution asking the county for the change.

Mr. Massina would like a copy of the deed restriction.

Mr. Bach states the .09acre will be a permanent easement and is OK with the variance.

Mr. Massina states he would like to plant and “upkeep” the .09acre. He would also like it to stay with his property. An easement with deed restriction will be provided with a buffer afterwards. That property will have no changes or clearing.

Wineta Hawkins 7 Mulberry St.

Ms. Hawkins would like a barrier to prevent people from cutting through to her development. Ms. Hawkins inquires if the new townhouses will have its own playground as she is worried about people cutting through the buffer zone to use the play equipment in their development.

Mr. Bach answers: currently there is a ravine 100ft through wetlands about 10’ to 12’ high. A 4ft fence could be added, but he admits their probably isn’t any way to stop teenagers from getting through.

Mr. Mellett suggests protective vegetation something with thorns and dense.

Mr. Bach states that would be acceptable as long as it’s not on the resident’s side.

Plauga Nwoga 17 Mulberry St.

-the closest the fence will be is 220ft to Mulberry Station homes and the farthest is 300ft.

-expansion will be on Shoppes of Cross Keys side.

-requests price of townhomes

Mr. Bach states from 180,000 to low 200,000's.

-resident states it takes a lot longer to make a left out of Mulberry Station then is reflected in the traffic study and he doesn't believe that is accurate.

Mr. Shropshire explains the traffic study.

Mr. Nwoga is worried about renters being the primary residents in these townhomes not owners. He is also upset that after 10 years of ownership that is being developed.

Mr. Lechner states the fresh water wetlands will always be there.

Mrs. Faragalli 13 Mulberry St.

-lot 7 is her where the fence is only 220 ft. from her property.

-inquires about the ravine being 100ft wide

Mr. Mellett there is about 200 ft. between the actual houses and it can NOT be touched.

-Mrs. Faragalli inquires how long it will take to complete the project.

Mr. Bach states it will take years to finish.

Mrs. Faragalli states it takes at least 5 minutes to get out of their development.

Mr. Lenny Frederick 9 Mulberry St.

Mr. Frederick inquires if town council approved this development.

Mr. Mince states "yes" at a public meeting, he didn't have the exact date.

Mr. Frederick quotes Delaware Valley cars per day as 12,000 in 1996 (about 500 per hour).

Mr. Shropshire states it is about 900 to 1000 per hour now which qualifies it as a major thorofare.

Mr. Massina asks who he would call if there is construction going on after 7pm.

Vice Chairman Simiriglia states probably the police department if it isn't during office hours at the municipal building.

Mr. Costa states a complaint can be signed with the police department and the zoning officer will be notified. He also suggests calling the zoning officer the next business day and if it continues to call the police department.

A motion to approve the above mentioned application with the following conditions: meet with the MUA, 7am to 7 pm (sundown) Monday thru Saturday, 8am to sundown on Sunday, protective vegetation without a fence, variances and waivers previously stated and .09 easement was made by Mr. Bucceroni and seconded by Mr. Treger.

Roll Call:

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Gunn	Yes
Mr. McMullin	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Chairman Simiriglia	Yes

Application Approved.

19 ZB 5/23/2013

A Motion to Adjourn was made by Mr. Gunn and seconded by Mr. Scarduzio.

Respectfully Submitted, Jean Gomez, Recording Secretary