

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, OCTOBER 22, 2014**

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

Roll Call:

Vice Chairman Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Present
Mr. Rosafi	Absent
Mr. Acevedo	Absent
Mr. Treger	Present
Ms. Scully	Present
Chairman McMullin	Present

Chairman McMullin 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

A motion to approve the September 10, 2014 Minutes was made by Mrs. Chiumento and seconded by Mr. Bucceroni.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Abstain
Mrs. Chiumento	Yes
Mr. Treger	Abstain
Ms. Scully	Yes
Chairman McMullin	Yes

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

#122022C
Fred Feucht
Bulk C Variance
Block: 10303 Lot: 30

#142028C
Harry W. Sharp
Bulk C Variance
Block: 15903 Lot: 12

#142035C
Baris & Jill Bal
Bulk C Variance
Block: 13601 Lot: 13

#142022C
Keisha Brown
Bulk C Variance
Block: 14701 Lot: 7

#142031C
Robert Belins
Bulk C Variance
Block: 2204 Lot: 8

#142037C
Dave Belcher
Bulk C Variance
Block: 12512 Lot: 1

#142039C
Lilia Bozzetti (Bow Wow House)
Bulk C Variance
Block: 10201 Lot: 13

#142034DSPW
Radha Adult Daycare Center, LLC
Use "D" Variance/Site Plan Waiver
Block: 2103 Lot: 1 combined 6/7

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Abstain
Mrs. Chiumento	Yes
Mr. Treger	Abstain
Ms. Scully	Yes
Chairman McMullin	Yes

Resolutions Approved.

#142036C
Edward Jones
Zoned: R3
Bulk C Variance
Block: 20901 Lot: 22
Location: 48 Mayflower dr., Erial
32' x 12' x 8' x 16' Pergola w/8' setback on 2nd front property.

Mr. Costa swears in Edward Jones.
Mr. Jones needs a variance to complete the Pergola. He states he didn't understand anything about setbacks because there is already an existing fence. It will be placed on top of the old patio (36' wide) and 12' off the house.

Open to Professionals:
No Comments.

Open to the Public:
No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Application Approved.

#142041C
Theresa Asbury-Bartlett
Zoned: R3
Bulk C Variance
Block: 9108 Lot: 11
Location: 19 Sherbrook Blvd., Somerdale
12' x 12' shed w/4' side s/b & 4.5' rear s/b

Mr. Costa swears in Ms. Theresa Bartlett and Mr. Doug Bartlett.
Mr. Bartlett states the property slopes and floods; so they tried to put the shed where it won't get flooded.

Open to Professionals:
No Comments.

Open to the Public:
No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Application Approved.

#142042C

David Wolfe

Zoned: R3

Bulk C Variance

Block: 4002 Lot: 11

Location: 41 Sofia Dr.. Blackwood

Concrete pad w/1' s/b, 46% impervious coverage, 6' fence w/o s/b.

Mr. Costa swears in Mr. David Wolfe and Mrs. Lydia Wolfe.
Mr. Thomas Booth (Lawyer) is representing the Wolfe's.
Mr. Wolfe explains the lot is a irregular shape, like a piece of pie. He didn't know about the setbacks until about a week ago. The run off from the comes from 4" vinyl drip rails that run into the driveway and a rain barrel for conservation. The excessive water drains into the water barrel, driveway and garden.
Mr. Mellett asks the applicants if the concrete pad is 11' x 43" pad.
The applicant states "yes" .

PUBLIC PORTION:

Ms. Lisa Pringle lives to the right of the applicant and provides pictures to the board. She is concerned about the run off and she doesn't believe the 46% impervious coverage is accurate. The concrete is 3" off her property line and the rest is 9" off her property line. Ms. Pringle discusses the electrical work that has been done in the applicants yard and questions the shed placement. She believes the shed is 5' off the property line and it's less than 2' off his property line. She doesn't believe any inspections have been made: safety, sanitary or fire Marshall. In addition: Ms. Pringle is worried about snowmelt, drainage , and the decks and patios built with no permits.

Mr. Lechner states he'll check with construction for permits.

Ms. Pringle also states the concrete goes right up to the shed. The shed was on her property but it was moved once she brought it to Mr. Wolfe's attention.

Mr. Lechner states his office used Mr. Wolfe's lot coverage drawing but will now need an official survey.

Ms. Pringle states the previous concrete work has caused the property line to become very wet. Also, the end of Mr. Wolfe's driveway slopes into her property so she is very concerned about the water at the property line.

Ms. Renee' MacRina-Collins 37 Sofia drive (adjacent). She had a survey done and the concrete is on her property line. She is concerned with the water and the shed as it is on her property; the run off goes under the fence and the fence is also a foot on her property. Ms. MacRina-Collins is concerned with her property value with all these issues. Her surveyor states Mr. Wolfe's surveyor markers are placed where no surveyor would place them. In addition; she believes that getting permits is common knowledge and he was rolling the dice. They have made many phone calls and no one comes out to look at his property. Pictures were given to the board.

Ms. Andra Collazzo (51 Sofia dr.). Mr. Wolfe butts up against the Wolfe property. She is very worried about water and they get water in her basement. Soil erosion is another worry.

Mr. Mellett states the survey also references a drainage easement. The applicant needs to produce an official survey. Then the board can make a decision.

Vice Chairman Simiriglia states the board also needs elevations (TOPO). The location of the vinyl strip as they removed them after the "stop order".

Mr. Costa states there are not enough facts to make a decision or vote favorably.

Mr. Booth states he agrees and new issues have been brought up, he will update the application to include:

- new survey
- TOPO
- Adjust the application to include the shed.

Mr. Costa states the encroachment of a property line is a civil matter.

Mr. Booth asks for a postponement of the application until December 10, 2014, along with new amendments and re-noticing.

A motion to approve the postponement of the above mentioned application: the new application will have the necessary amendments and re-noticing was made by Vice Chairman Simiriglia and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Postponement approved.

#142043C

Melody Doyle

Zoned: R3

Bulk C Variance

Location: 706 Trudy Lane, Glendora

5' vinyl picket fence w/0 s/b

Mr. Costa swears in Ms. Doyle and Mr. Robert Yackle (fence installer).
Ms. Doyle states she would like to install a 4' fence and she would like to keep it where it is currently located. The current fence has been there 30 years, and encompasses a rock garden and 4 existing trees. She will be putting the fence in the same exact place the current fence is located.
Mr. Mellett states there are no site issues.

Open to Professionals:
No additional Comments.

Open to the Public:
No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Application Approved.

#142044C
Louis Orsini
Zoned: R3
Bulk C Variance
Block: 20505 Lot: 1
Location: 36 Cameron Circle, Clementon

Mr. Costa swears in Mr. Louis Orsini.
Mr. Orsini states he is replacing an existing chain link fence with a vinyl fence. He is replacing the fence for more privacy and a future pet (dog).
Mr. Mellett states there are no site issues.

Open to Professionals:
No additional Comments.

Open to the Public:
No Comments.

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

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Application Approved.

#142045CD
Addison Bradley
Zoned: NC
Bulk C & Use "D" Variance
Block: 14002 Lots: 4 & 5
Location: 132 & 150 Hickstown Rd.
42 Townhouses

The above mentioned application will be postponed until December 10, 2014.

A request to for a postponement of the above mentioned application was approved by the board.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiumento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Postponement Approved.

#142040M
Lawrence & Dawn Mauriello
Zoned: R3
Minor Subdivision
Block: 8105 Lot: 45
Location: Ellis Ave., Blackwood
2 residential lots

Mr. Costa swears in Mr. Laurence Mauriello/Mrs. Dawn Mauriello and Mr. Addison Bradley (planner).

Mr. Addison explains the application. It is a minor subdivision on Ellis Ave., 80' x 140', 2 lots for 2 houses, one house for them and one for their daughter and the use is already approved. The subdivision exceeds all ordinances. Lot 1 is 80' x 140', Lot 2 is 3.05 acres.

Mr. Lechner and Mr. Addison discuss the concrete monument, shade trees, extending the Right of Way to the end of the property line (25 ft). Mr. Addison agrees to all of Mr. Lechner's notes.

Mr. Mellett discusses the Engineers' Letter:

- need verification of wetlands by the state LOI.
- Buffer associated with the wetlands could be 150' not just 50'.

Mr. Lechner suggests confirming where the buffer is so they don't build on it or the state can make you move it.

PUBLIC PORTION:

Ms. Shirley Luckowicz (138 Victor) states the lot is right behind a drainage ditch. She doesn't want anyone building behind her home. She believes there are too many wetlands to build and is worried about flooding.

Mr. Louis James Matthew Burley (1635 Ellis):

Mr. Burley lives across the street. He has read the Master Plan and bought his home because it was a park and recreation lot. He would like to re-address the 2006 decision when the variance was granted.

Mr. Costa informs Mr. Burley you have 45 days after the decision to fight the decision. The application is for the subdivision not the Use Variance.

Mr. Burley lives on this street because of the abundance of wild life and woods. He also was curious why the town didn't buy it.

Mr. Costa states Mr. Burley could consult a private attorney to fight the rezoning (use variance).

Mr. Burley states clarity was absent when the use variance was approved and he didn't understand it fully in 2006.

Ms. Shirley Feldman (1709 Ellis, down the block). She is worried about the wetlands with the addition of a second home and the 30' setback.

Mr. Lechner states there is a 30 ft. setback in a R3 zone, he understands it is an older development and the setbacks were further back when they were built.

Ms. Feldman is worried about no retention pond and flooding issues.

Mr. Mellett explains the buffer for wetlands to Ms. Feldman.

Mr. Gene Welker (142 Victor) states his backyard backs to this lot. He is worried about drainage as his basement is always flooded and is worried that any additional flow will make it worse.

Mr. Lechner states the applicant will provide a grading plan to avoid problems with the neighbors. They will make sure the water drains to lake.

Mr. Welker states the drainage to the lake is behind his house.

Vice Chairman Simiriglia asks if the new subdivision lower than Mr. Welker's property.

Mr. Welker states "yes".

Mr. Mellett states according to the plan there is 12ft. behind his house plus another 50ft. because of the wetlands.

Mr. Welker states the water comes up under his home.

Vice Chairman Simiriglia states he may have a clay vein under his home that causes that.

Mr. Welker is worried about the flooding in his basement happening more often with the new homes being built.

Mr. Costa states the engineer makes sure that doesn't happen.

Mr. Thomas Phillips (next door) wants to make sure the wetlands and buffer get approved by the state. He was at the meeting in 2006. He worries about the wildlife having no where to go. He also inquires if the home is going to be a single home or a duplex.

Mr. Costa states it will be a single home.

Mr. Phillips wonders if this is about more tax revenue, the owners could buy an older home and spruce it up vs. building new. He is also worried about flooding in his basement and losing privacy.

Mr. Bucceroni addresses the "public": he states this lot isn't "green space" and it was private property that was sold. He explains the growth and expansion of a neighborhood with families having children and moving on when the children grow up with traffic on the street increasing and decreasing with that cycle.

Mr. Mellett states that Mr. and Mrs. Mauriellos' lot has lots of green space because he can't touch a lot of it because of the wetlands and the setbacks that go with that; he isn't "clearing" the lot.

Mr. Burley states they won't have any access to the lake.

Mr. Bucceroni states it was always private property and if you were using it as access to the lake you were on it illegally.

Mr. Costa asks why the neighbors didn't buy the property.

Mr. Burley states the Master Plan stated it was park and recreation so they didn't think it was necessary (to buy the lot).

Mr. Costa states that it was a Use Variance NOT re-zoning.

Mr. Burley feels like he is swimming against the current.
Ms. Luckowicz states it is the neighborhoods natural drainage ditch.
Mr. Bradley explains the map, edge of the buffer, and rear setback.

Mr. Mauriello addresses the "public": He states he and his wife just want to build their retirement home (a rancher) and also enjoy the wildlife. They have no intention of building on the other lot unless it is for their daughter. Of course he can't speak for any subsequent owners of the property. He also states he has every intention of being a good neighbor and didn't want to start any problems in the neighborhood.

A motion to approve the above mentioned application with the following condition; no building permit without an LOI from the state, was made by Vice Chairman Simiriglia and Mr. Bucceroni.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mrs. Chiuimento	Yes
Mr. Treger	Yes
Ms. Scully	Yes
Chairman McMullin	Yes

Application Approved.

A motion to Adjourn was made by Vice Chairman Simiriglia and seconded by Mr. Bucceroni.

Respectfully Submitted, Jean Gomez, Recording Secretary.