TOWNSHIP OF WATERFORD *2131 AUBURN AVE., ATCO, NJ 08004*

LAND USE BOARD

MINUTES FOR AUGUST 15, 2016

The August, 2016 Joint Land Use Board Meeting of the Township of Waterford, was called to Order at 7:00pm by Chairman Ralph Condo.

SUNSHINE STATEMENT: In accordance with Chapter 231, Public Law, 1975, *Open Public Meeting Act,* notice of time, date and place for this meeting was sent as part of the annual notice to the Courier Post and Record Breeze, and is posted in the Municipal Building.

SALUTE TO THE FLAG:

NOTICE:

The Planning Board reserves the right to change the order of the published agenda. All changes will be announced at the start of each meeting.

It is the intent of the Board to not begin a new application after 10:30 PM and take no testimony after 11:00 PM.

For those of you in attendance with a cell phone, please turn it off or put in on silent mode. Also, if it is necessary to have a conversation with the professionals involved with your application please do so outside the meeting room.

ROLL CALL:

Members responding to the roll call were: Mr. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, Mayor Richardson and Chairman Condo. Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

OTHERS IN ATTENDANCE: Mr. Richard Wells, Esq., Township Solicitor and Mr. Jeff Hanson, Township Engineer

PUBLIC ATTENDANCE:

SWEARING IN OF PROFESSIONALS: Mr. Hanson was sworn in by Mr. Wells

MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS:

1. Sharon Austin Variance to allow two residential units on a lot where only one is permitted, Attorney Mark Rinaldi asked to be Moved to the September 7, meeting.

   Mr. Toussaint reported that Mr. Rinaldi, attorney for Ms. Austin reported he has not heard back from the Pinelands Commission. No action is required at this time.

OLD BUSINESS:

1. Deeper Life Church, 688 White Horse Pike, Block 2309 Lots 1, 2 & 4 Conformance review letter from Jeff Hanson.

   Mr. Hanson testified in regards to the septic system and to the accommodation being made to meet the Fire Marshall's recommendation by eliminating one parking space. Councilman Giangiulio also made commented on the removal of the one parking space. No action was required at this time.

2. Deed for Donna Hetzel Christy at 509 White Horse Pike recorde3d with Deed Restriction as required.

   Mr. Toussaint gave an update of a request of a use variance to operate a Dog Sitting Service Ms. Hetzel wishes to establish on her property. He stated she must own the property and it must be inserted in the deed. No action can be taken until transfer takes place.

NEW BUSINESS:

1. Doug Palladino, 643 Sixth Avenue, Block 2804 Lot 1, is seeking a variance to demolish an existing single family dwelling and leave a detached accessory building where 176-118B prohibits an accessory structure without a principle structure.

   Mr. Palladino was sworn in by Mr. Wells and testified to his background and history in Waterford Township. The property in question was purchased by Mr. Palladino and the old house on the property was torn down. The property has water and sewer because he had it installed on Bartram Ave. Everything he is doing is being done for his family. He has filed for a deed of consolidation of the lots. He is requesting the garage be allowed to stay on the property. He wants to use it for farm equipment storage.

   Mr. Hanson stated a C-2 variance addresses auxiliary structures such as detached garages in a R-1 zone. Mr. Palladino has combined the two lots 2804, 2805 and is not planning on building on the property. Not building on the lots creates the use of and approval of variances. He will not be selling produce from the acreage nor will he be uses it for commercial purposes. There is a natural driveway to the garage.

   Mr. Toussaint reported there is Pinelands approval and the deeds have been recorded on the lot that had the house on it. There is no way to do this contiguously.

   Committeeman Giangiulio stated the house was an eyesore and the removal of it cleans up the view. The existing secondary dwelling is the issue.

   Mr. Achey asked Mr. Paladino, how far is the garage from your house? Mr. Paladino indicated it is about 200 feet.

   Mr. Wells addressed the Board regarding their responsibilities and options in approving or disapproving Mr. Paladino's request.

   On a motion by Mr. Achey, seconded by Mr. Russomano approval was made of Mr. Paladino's request for a variance.

ROLL CALL: Ms. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, Mayor Richardson and Chairman Condo. 7 Ayes, 0 Nays - Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

COMMUNICATIONS/DISCUSS:

1. The New Jersey Planner Handout

2. Proposal to Amend Charter 176-48 animals

   Mr. Toussaint stated he is submitting to the Board for their review code enforcement in regards to residents having chickens on the property. He is suggesting review of zoning changes/requirements. Waterford Twp. has a happy medium regarding requirements of large and small lots for keeping animals. Chairman Condo gave his understanding of the concern of some residents but also understands the feelings of residents who wish to keep animals on their property. Committeeman Giangiulio cautioned that we have to be careful with this issue because it could become a big problem.

   The Board asked Mr. Toussaint to submit to them evidence of what other communities are doing and his suggestions to seek resolution to the issue.

3. Land Use Board Fee for informal review

   Mr. Toussaint introduced a problem he is having with contractors who come into his office to review plans. The cost to review large and small projects is the same and contractors feel the fee is not justified if the project is small. He feels the fee for informal review should be lowered. The Board posed questions to Mr. Hanson based on his experiences in other communities. He reminded the Board that two years ago they discussed and set the fee charge for major site plan review. The fee set was for small and/or major site plan review. No formal action was taken on the fee structure.

   The Board had a long discussion with Committeeman Giangiulio stating he feels the fee structure is a safe blanket for the whole town. He personally doesn't feel safe doing this. He indicated the Board needs to be careful. The discussion continued and Mayor Richardson asked Mr. Toussaint and Mr. Hanson to seek additional information into plan review practices in other communities and bring recommendations for fee structure changes that will cover the cost of expenses before the Board for discussion and review.

RESOLUTIONS:

1. 16-09 Public Safety Building

On a motion by Committeeman Giangiulio, seconded by Mr. Russomano Resolution 16-09 was approved for the Public Safety Building

Roll Call: Ms. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, abstain, Mayor Richardson and Chairman Condo. 6 Ayes, 0 Nays, 1 Abstention - Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

2. 16-10 Atco Development

On a motion by Mr. Achey, seconded by Mr. Russomano approval was made of Resolution 16-10 Atco Development.

Roll Call: Ms. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, abstain, Mayor Richardson and Chairman Condo. 6 Ayes, 0 Nays, 1 Abstention - Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

3. 16-11 Valore LLC

On a motion by Mayor Richardson, seconded by Mr. Achey approval was made of Resolution 16-11 Valore LLC

Roll Call: : Ms. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, abstain, Mayor Richardson and Chairman Condo. 6 Ayes, 0 Nays, 1 Abstention - Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

MINUTES:

On a motion by Mr. Achey and seconded by Mayor Richardson the minutes of the July meeting were approved.

Roll Call: Ms. Russomano, Mr. Achey, Mr. Hanna, Mr. Mauriello, Committee Giangiulio, Mayor Richardson and Chairman Condo. 7 Ayes, 0 Nays - Mr. Jacoby, Ms. Iles, Ms. Ferguson and Mr. Becker were notified absences

OPEN TO THE PUBLIC:

Mr. Chuck Warrenton and Amanda and Jeff Warrenton of 27 Congress Rd, Atco were sworn in by Mr. Well.

The Warrenton were at the meeting to ask questions regarding the Public Safety Building. They are concerned about a buffer or the lack thereof where their houses are located. The fire house will back up to houses and there is no privacy fence there. They are also concerned with the noise and lights increased traffic on the site.

Following some discussion the Board stated they will consider a privacy buffer fence which will help with the disruption of everyday life. The planners are looking at a buffer of trees.

Chairman Condo stated he understood their concerns but the Board cannot go against the recommendations and approvals already made. The plans were approved and we can't be expected to go back and change things after they were approved. But we will take your concerns into consideration and discuss it with the Chief.

Committeeman Giangiulio reminded the Warrenton's that the fire truck will be coming in the back door so the noise level should not be disturbing.

BOARD COMMENTS AND QUESTIONS: None

ADJOURNMENT:

On a motion by Mayor Richardson seconded by Committeeman Giangiulio the meeting adjourned at 8:35PM. – Voice vote - 7 Ayes – Motion Carried.

Submitted by:

Edward Toussaint
Board Secretary