

LAND USE BOARD

MINUTES FOR December 18, 2017

The December 18, 2017 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:00 pm by Chairman Ralph Condo

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 10:30PM and take no testimony after 11:00PM.

For those of you in attendance with a cell phone, please turn it off or put it in 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:

The following members answered aye to the roll call. Mr. Achey, Mr. Becker, Ms. Ferguson, Councilman Giangiulio, Mr. Mauriello, Mr. Russomanno, Mayor Richardson, Mr. Hanna, Chairman Condo. Mr. Howarth was a notified absence.

Mr. Condo introduced the new solicitor to the Board and public.

SWEAR IN OF PROFESSIONALS:

Mr. Jeff Hanson, Board Engineer was sworn in by the Board attorney.

MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS:

No Motions

OLD BUSINESS:

1. BKS Associates Street Vacation of a portion of Merion Avenue, paper street between Block 4106, Lot 12 and Block 4102, Lot 12.

Mr. Toussaint reported that all violations regarding BKS Associates request for a portion of Merion Ave have been cleared and satisfied and the Township can now move forward with vacating the paper street.

2. Patrick McKelvey, 2354 Clifford Avenue, Block 1606, Lot 3 – Bulk variances for a detached accessory garage for size of the building, height of the building and relief of a rear yard setback requirement.

Mr. Patrick McKelvey was sworn in by the attorney. The applicant is proposing construction of a one story 960-square foot wood framed pole barn at 2354 Clifford Ave in Waterford Twp. Bulk variances are required for an oversized accessory structure, height of accessory structure and rear yard setback for accessory structure. The property is located in the R1 – Single family residential zone. The property is bound by similar residential properties on all sides. The total lot area is 22,000 SF.

Mr. McKelvey testified in his own behalf. He stated he plans to use the structure for storage of personal auto and other items. Mr. Hanson reviewed the application with the Board and asked Mr. McKelvey to elaborate on his planned use of the barn. Again, Mr. McKelvey stated it is to be used for household items and his automobile. He continued there will only be electric in the barn and he does not intend to have a driveway. Mr. Toussaint stated the house has a low pitch and it appears that the structure may be slightly taller than the house. Councilman Giangiulio offered his concern regarding the narrow eight-foot measurement from the property line. Mr. Becker also expressed his concern with this matter regarding fire apparatus being able to get onto the property. Mr. McKelvey stated he would move the structure over at 10 to 12 feet from the property line to allow space for fire apparatus. Mr. Condo asked if there was public comment. Hearing none he asked for a vote by the Board. The attorney read his statement to the Board to consider the negative and positive aspects of this request before they vote.

On a motion by Mr. Becker seconded by Mr. Achey approval was made of the application as presented.

Roll Call Vote: Mr. Achey, Aye, Mr. Becker, Aye, Ms. Ferguson, Nay, Councilman Giangiulio, Aye, Mr. Mauriello, Aye, Mr. Russomanno, Aye, Mayor Richardson, Aye, Mr. Hanna, Aye, Chairman Condo, Aye. 8 Ayes, 1 Nays – Ms. Ferguson - Motion carried.

3. Josh Reese, 611 Harvest Lane, Block 7306, Lot 3, Bulk variance for a side yard setback for a detached accessory garage.

Mr. Josh Reese was sworn in by the attorney. The applicant is proposing construction of a 28-foot, 840 SF garage at 611 Harvest Lane, Waterford Twp. A bulk variance is required for side yard setback for an accessory structure. The site is located in the AG agricultural zone. The property is bound by similar properties on all sides. The total lot area is 20,000 SF. Mr. Reese testified in his own behalf. He is planning to construct a two-car garage to be for personal use and storage only. Mr. Hanson gave an overview of the planned structure. He stated it is a 28x30 foot, 84 SF one story structure. Mr.

Reese is seeking a side yard variance. The building will be of steel construction and the driveway is not being extended at this time. Mr. Reese is planning to remove the old garage that is on the property at a later date. Mr. Toussaint is recommending the Board set a time limit for removal of the old structure. Several comments and questions were asked by the Board. Their concern was with availability to the property by fire apparatus. Mr. Toussaint offered that this is a small property and there is a gate on the side yard so the fire trucks should be able to reach the property from the street. Mr. Condo asked if there was public comment. Hearing none he asked for a vote by the Board. The attorney read his statement to the Board to consider the negative and positive aspects of this request before they vote.

On a motion by Mr. Mauriello seconded by Mr. Becker approval was made of the application by Mr. Reese.

Roll Call Vote: Mr. Achey, Aye, Mr. Becker, Aye, Ms. Ferguson, Aye, Councilman Giangiulio, Aye, Mr. Mauriello, Aye, Mr. Russomanno, Aye, Mayor Richardson, Aye, Mr. Hanna, Aye, Chairman Condo, Aye. 9 Ayes, 0 Nays - Motion carried.

4. Richard Domm, 2421 Ellwood Avenue, Block 2801, Lot 25, Bulk variance for a detached accessory structure to be located in the front yard and a side yard setback variance for an accessory building.

Mr. Domm was sworn in by the solicitor. He testified on his behalf. He is proposing construction of a single family residential dwelling at 2421 Ellwood Avenue, Waterford Twp. Due to the geometry of the lot and the proposed location of the dwelling two bulk variances are required to allow an existing one story, 440 SF masonry garage to remain in its current location. Upon construction of the dwelling the accessory building will be in front of the front wall of the dwelling which requires a variance. Additionally, a variance is required to allow the structure to remain less than 35 feet from the property line. The site is located in the RR rural residential zone. The property is bound by similar residential and agricultural properties of varying sizes on all sides. The total lot area is approximately 9.5 acres.

Mr. Domm stated he wants to build a new house on the property in the front yard but the property already has a structure on it and that precipitated a variance being required. Mr. Toussaint stated the problem arose when he went out to look at the property and noted that a structure was already on the site. The request should have been made in advance to Mr. Domm's request to build the house. The property was sub-divided many years ago. There are limitations because the house must be under construction by a certain period of time. Plans are in place and a January start is planned. Mr. Domm must obtain Pinelands certification and approval of the septic system prior to this Board being able to approve this request. Mr. Domm was asked to re-submit the application. It must be re-done properly and submitted for approval at the next meeting in January. No action was taken by the Board.

COMMUNICATIONS/DISCUSSIONS:

1. Reorganization Meeting Date and meeting dates for 2018.
Mr. Toussaint discussed the reorganization date for 2018 and asked for approval of dates for the meetings in 2018.
On a motion made by Mr. Becker seconded by Councilman Giangiulio January 8, 2018 was recommended for the reorganization meeting of the board. The first and third Mondays of each month were established as the meeting dates for the board meetings. On unanimous approval of the Board the motion was carried.
2. NJ Planner distributed.

RESOLUTIONS:

On a motion by Mayor Richardson seconded by Mr. Achey Resolution 17-14 Michael Pontonio, Block 4106, Lot 3 Bulk Variance for a detached accessory building was approved.

Roll Call Vote: Mr. Achey, Aye, Mr. Becker, Aye, Ms. Ferguson, Aye, Councilman Giangiulio, Aye, Mr. Mauriello, Aye, Mr. Russomanno, Aye, Mayor Richardson, Aye, Mr. Hanna, Aye, Chairman Condo, Aye. 9 Ayes, 0 Nays Motion carried.

MINUTES:

On a motion by Councilman Giangiulio, seconded by Chairman Condo the minutes were approved as submitted. The motion was carried by a unanimous.

OPEN TO THE PUBLIC:

Mr. Ralph Ferguson, Township Councilman wished the Board a very merry Christmas. The Board responded to Mr. Ferguson with best wishes for a merry Christmas to him and his family.

BOARD COMMENTS AND QUESTIONS:

Mayor Richardson relayed information regarding the new development planner the Board is negotiating with. He thanked the members of the planning board for the professionalism through the year. He wished everyone a merry Christmas and a happy new year.

Councilman Giangiulio also wished everyone a merry Christmas and a happy new year.

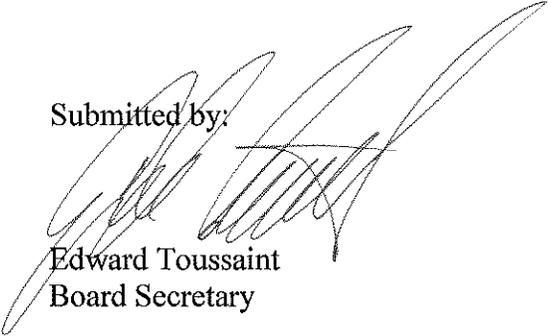
Mr. Becker, Chairman Condo and several other Board members expressed their wishes for a merry Christmas and a happy new year.

Chairman Condo stated he is looking forward to a very busy, exciting 2018.

ADJOURNMENT:

On a motion by Ms. Ferguson seconded by Councilman Giangiulio the Board adjourned at 8:02PM. The motion was carried by a unanimous vote.

Submitted by:

A large, stylized handwritten signature in black ink, appearing to read 'Edward Toussaint', is written over the text 'Submitted by:' and partially over the printed name below.

Edward Toussaint
Board Secretary