

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

LAND USE BOARD

MINUTES - April 17, 2017

The April 17, 2017 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:04 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 10:30 PM and take no testimony after 11 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: The following members of the Board responded affirmatively to the roll call –

Mr. Achey, Mr. Becker, Ms. Ferguson, arrived at 7:16PM, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Mr. Condo. Councilman Giangiulio and Ms. Iles were notified absences.

SWEARING IN OF PROFESSIONALS: Mr. Wells swore in Mr. Jeff Hanson, Planning Board Engineer.

MOTIONS OF ADJOURNIENTS OR OTHER MOTIONS: - No Motions

OLD BUSINESS - No Old Business

NEW BUSINESS:

1. Mr. Ken Hornback, 526 4th Street, Waterford Twp., NJ, Block 1504 Lot 13, was sworn in by Mr. Wells.

Mr. Hornback is seeking approval of C1 Hardship Bulk Variances to construct a 672-square foot wood frame detached garage on his residential lot. Mr. Hornback testified the proposed structure will be 16.25' high. The height of the existing single family dwelling is 22.08' The height of the proposed structure is less than 75% of the height of the principal structure.

Mr. Hornback is seeking variances for side yard setback (10' proposed, 20' minimum is Required); rear yard setback (10' proposed, 30' minimum required); and impervious coverage (28% proposed; 20% maximum is allowed). The applicant stated no electric, water or sewer will be installed at the site. He indicated the garage will be used to store his dirt bike and fishing gear and other household equipment. The garage will not be for commercial use; no one will live on the premises and no animals will be kept there.

Mr. Hanson discussed the need for addressing exterior lighting, drainage issues and driveway plans. The applicant replied, that he would address the need and put some lights on the structure and he will also add gutters to the structure to take care of the drainage problems. He added he would lay crushed stones to the structure for a driveway to allow for emergency vehicles. This statement was in response to a question asked by a Board member.

Mr. Toussaint mentioned that this request is a true hardship variance request. Even if the garage was attached to the house the variance would be necessary.

Mr. Hornback, in a response to a question, responded that he has spoken to his neighbors about the proposed structure and they are "all right with it". There were no further questions from the Board or professionals. Mr. Hornback continued with responses regarding the driveway being close to the house; he stated that there are a lot of trees present that would require moving and there is a well right under the driveway that would presents a big problem.

Mr. Hanson asked that a plan be submitted showing exterior lighting planned for the structure. He also wants to ensure that gutters and downspouts are installed on the building. The driveway should be extended (stones are suggested) to allow for emergency vehicles.

Mr. Condo opened the meeting to the public for comment.

Hearing no comment from the public, Mr. Condo closed the meeting to the public.

Mr. Wells reiterated the testimony and advised the Board. He continued, voting yes would indicate the application met the criteria; voting no indicates the application does not satisfactorily meet the criteria.

On a motion by Mr. Achey seconded by Mr. Becker the application from Mr. Ken Hornback for approval of C1 Hardship Variances was approved.

Roll Call Vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Chairman Condo. Councilman Giangiulio, and Ms. Iles were absent. - 9 Ayes, 0 Nays, 2 Absent – Motion carried.

2. Tom Beech, 2144 Columbia Ave., Waterford Twp., Block 6501 Lot 27, 2144 is seeking C1 Hardship Variances for a detached accessory garage. He was sworn in by Mr. Wells.

Mr. Beech is seeking bulk variances for an accessory structure with gross floor area of 1296 square feet where 865 square feet is maximum is allowed. The height of the structure is 22.61' where 18.75 maximum is permitted. The side yard set-back is 16' where 20' maximum is required and rear yard setback is 18' proposed where 30'

minimum is required. The site is located at 2144 Columbia Ave, Waterford Township in the Rural Residential Zone District. The property is bound by residential properties on the west, north and south sides and a stormwater management basin is on the east side. The total lot area of the parcel is 0.539 acres.

Mr. Beech testified the structure will be used to house two cars and a boat. The facility will not be used for personal business, commercial use or farm animals. He will be installing electric to the property. There is no water or sewer on the site. There is an existing concrete driveway which will be extended by a stone driveway from the house to the structure. Mr. Hanson recommended the structure have gutters installed to control water runoff from the roof.

Mr. Toussaint explained his concerns regarding about the requested set back. He stated is going to be close and requests the building/shed be moved back about 3ft. A variance is also needed for the driveway.

The Board asked several questions regarding the plan. Particularly of concern is the boat and its trailer. Also questioned is the proximity to the neighbors' properties.

Mr. Russomanno commented the Board needs to be careful about approving variances that are over 35ft in town.

Mrs. Ferguson stated she is voting nay because of the size of the building. She feels it is dangerous.

Hearing no other comments from the Board, Mr. Condo opened the meeting to the public.

A resident/neighbor of Mr. Beech (name and address could not be deciphered) was sworn in by Mr. Wells. He commented on the property lines between residents' properties/houses. Mr. Toussaint stated the lines cannot be less than five feet; in this case must be ten feet. If it were a C1 Hardship Variance request can be denied by the Planning Board.

Hearing no further comment from the public, Mr. Condo closed the meeting to the public.

Mr. Hanson's remarks to the applicant and the Board were: rain gutters need to be installed on the building. Shed needs to be moved additional two feet to allow for a driveway. All other variances (6) are satisfactory.

Mr. Wells reiterated the testimony and advised the Board. He stated, yes would indicate the application met all the criteria; voting no indicates the application does not satisfactorily meet the criteria.

On a motion by Mr. Achey seconded by Howarth the application from Mr. Tom Beech for approval of C1 Hardship Variances (6) were approved.

Roll Call Vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Chairman Condo. Councilman Giangiulio, and Ms. Iles were absent. - 7 Ayes, 2 Nays, Ms. Ferguson and Mr. Russomanno, 2 Absent – Motion carried.

COMMUNICATIONS / DISCUSSIONS:

1. Jersey Planner – Mr. Toussaint reported the planner is available
2. Update on Atco Raceway violations - Mr. Toussaint reported representatives from the Raceway appeared before the Pinelands Commission. The meeting was between the Raceway and Pinelands only. The Raceway is directed to appear before the Commission again on May 1st and June 1st to discuss re-vegetation of the entire area and to address old violations. An engineer is to appear with them.
3. Update on Pinelands approvals – The Pinelands Commission were very impressed with Waterford Township’s presentation to them concerning Jackson Rd., Fair Housing and Haines Blvd. projects. The Mayor added he and Susan also attended the meeting and they were thanked for doing their homework on the plans. He thanked everyone for their hard work.

RESOLUTIONS: The following **Resolutions 17-05, 17-06 and 17-07** were approved and memorialized by the Board:

1. On a motion by Mr. Howarth, seconded by Mr. Becker **Resolution 17-05** for the applicant Maurpayne, Inc. Use Variance relief, and minor site plan approval with bulk variance relief, to create two (2) lots from three (3) and permit the operation of an HAVC assembly and light Manufacturing facility, on the premises located at 985 Jackson Road, Waterford Township.

Roll Call Vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Chairman Condo. Councilman Giangiulio, and Ms. Iles were absent. - 9 Ayes, 0 Nays, 2 Absent – Motion carried.

2. On a motion by Mayor Richardson, seconded by Mr. Becker **Resolution 17-06** for the Applicant ALI Services, Inc. for Dual Use Variance relief, and preliminary and final major site plan approval with bulk variance relief, to construct a 6,700-square foot irrigation and plumbing office building with warehouse storage as depicted within the application, on the premises located at 317 White Horse Pike, Waterford Township.

Roll Call Vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Chairman Condo. Councilman Giangiulio, and Ms. Iles were absent. - 9 Ayes, 0 Nays, 2 Absent – Motion carried.

3. On a motion by Mayor Richardson, seconded by Ms. Ferguson **Resolution 17-07** for the Applicant Douglas Palladino that the application to permit the creation of three (3) residential

lots through subdivision of one (1) lot into four (4) lots on the premises located at 625 6th Street, Waterford Township.

Roll Call Vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Mauriello, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson, Chairman Condo. Councilman Giangiulio, and Ms. Iles were absent. - 9 Ayes, 0 Nays, 2 Absent – Motion carried.

MINUTES: On the recommendation of Mr. Condo, the minutes of the March 20, 2017 meeting were held for correction/approval until the next meeting.

OPEN TO THE PUBLIC: - None

BOARD COMMENTS AND QUESTIONS: - The Board members ask for guidance in completing the required Financial Ethics forms due April 30, 2017.

Update on White Horse Pike Property Maintenance

Mr. Toussaint reported on his investigation of White Horse Pike property maintenance. He stated he reached out to two property owners and encountered some resistance from one of the property owners. The other was very compliant and cooperative. The non-cooperative owner stated he had the proper documentation to operate the facility and would consult the authorities in town and state.

The abandon house he was asked to check into will be taken over by the Township soon. There are also three or four more junk yards he is looking at and will report back to the Board regarding their status.

Mr. Condo presented his remarks regarding cleaning up the White Horse Pike. He stated he and others met last Thursday with parties interested in the Haines Blvd project. They want to know what the Township is doing to clean up White Horse Pike access to the town. Mr. Condo suggested Mr. Toussaint and Mr. Wells get together and prepare a brief history of the White Horse Pike corridor and make suggestions in how to make it a safer, attractive gateway to the Township. The letter should be sent to the Township Committee requesting their support. The Mayor is very concerned about the unattractive and unsafe roadway and will support the Planning Boards efforts. He will encourage Township Committee to give full support and authority to Mr. Toussaint to enforce of our existing ordinances. Goals should be prepared and followed up so that push back by some can be addressed. Mr. Condo stated we have rules – we need to follow them.

Mr. Becker went on record thanking Mr. Toussaint in following up on some information he gave him regarding properties that needed some attention. He (Mr. Toussaint) followed through – Mr. Becker was pleased with the outcome.

Mr. Condo asked the Board if anyone objected to pushing through the White Horse Pike clean-up project. They all stated they did not. He then directed Mr. Toussaint and Mr.

Wells to send the letter to Township Committee asking them to strongly support their efforts and to assist them strongly enforce the rules and ordinances of the Township.

Mr. Condo thanked the Board for the good work they are doing and for their support.

ADJOURNMENT: On a voice vote of the Board the meeting adjourned at 8:08PM. All voted Aye – Motioned carried.

Submitted by:

Edward Toussaint
Board Secretary

Ed/rmh

