

**LAND USE BOARD**

MINUTES

May 7, 2018

The May 7, 2018 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 10:30 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:** The following Board members answered present to the roll call vote: Mr. Achey, Mr. Becker, Ms. Ferguson, Committeeman Giangiulio, Mr. Howarth, Mr. Mauriello, Mr. Russomanno, Mayor Richardson, and Chairman Condo.

**SWEARING IN OF PROFESSIONALS:** Mr. Boraske swore in Mr. Hanson, Joint Land Use Board Engineer.

**MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS:**

No Motions

**OLD BUSINESS:**

No Old Business

**NEW BUSINESS:**

1. Michael NaHill 2427 Richards Ave., Block 3101 Lot 64 Bulk variance for a detached accessory garage.

Michael NaHill was sworn in by Land Use Board Solicitor Boraske. Mr. Nahill testified that he wished to put up a garage for the storage of classic cars. He noted that there would be electric in the building but no other utilities. Discussion ensued regarding side and rear yard footage as well as the possibility of dry wells being installed to control water run-off.

Director of Community Development Mr. Toussaint reported that construction of this building has already begun and that Mr. NaHill had not received any approval or permits. The Board requested clarification of why the building was constructed without approvals or permits. Mr. NaHill indicated that he was able to purchase the supplies for this building at a low cost and had to get his 4 classic cars out of storage. Mr. Toussaint noted that a neighbor tried to obtain a permit for a similar building and upon denial the neighbor informed Mr. Toussaint of Mr. NaHill's building. The Board expressed frustration that Mr. NaHill would try to construct

this building without the proper approvals. Fines and violations were discussed; Mr. Toussaint indicated that the initial violation was given on February 26, 2018. Mr. Toussaint also noted that he has not inspected the building (due to the lack of permits) but that construction was halted as soon as the violation notice was received. Chairman Condo stated that Mr. NaHill put the Board in a difficult situation and now they must try to decide how to bring this building into compliance. Options were discussed regarding taking footage off of the rear of the building as well as height complications. Discussion also ensued regarding the placement of other buildings (sheds) on the property.

Chairman Condo opened the meeting to the public for comments. There being no public comment, Chairman Condo closed the meeting to the public for comments.

Solicitor Boraske reviewed the application and reminded the Board that the applicant was requesting variances for the height of the structure, for the setbacks, and one for the square footage. The applicant has indicated that he is willing to adjust the structure so that he will not require a variance for the side yard setback or square footage variances. Mr. NaHill noted that this building will be beneficial because it will store cars of a historic value. Time frame was discussed and Mr. Toussaint suggested that 60 days would be an appropriate amount of time to bring the building into compliance. Conditions were also placed that one shed would be removed and that dry wells would be installed.

*Moved by Ms. Ferguson, 2nd by Committeeman Giangiulio to approve the Bulk Variances for Height and Rear Yard Setback with Conditions as requested for 2427 Richards Ave., Block 3101 Lot 64*

<b>ROLL CALL VOTE:</b> Achey - Yes	Giangiulio - Yes	Richardson - Yes
Becker - Yes	Mauriello - Yes	Russomanno - Yes
Ferguson- Yes	Howarth - Yes	Condo - Yes

9 - 0 Motion Carried

**Mr. Mauriello left the dais and was replaced by Mr. Hanna at 7:46 PM**

2. Maurpayne LLC. 566 Jackson Rd., Block 2902 Lot 22 Amended Site Plan and USE Variance

Mark Rinaldi, counsel for Maurpayne, LLC reviewed their proposal. He noted that Maurpayne, LLC is interested in placing a sign in front of their building that is not currently permitted. He explained that although the sign is considered an "animated sign," it will not be a distraction. He further described that it will be LED illuminated and will display the Name of the Business as well as Date/Time/Temperature. Mr. Rinaldi also indicated that they would like to allow the Township to advertise upcoming events on the sign. Mr. Rinaldi then explained the desire for a Use Variance for the soccer fields at the rear of the property. He noted that it will only be for recreation and never open at the same time as ThermoCool. There will be no lights on the field and the maintenance will not be the responsibility of the township. He also indicated that there will be gaps between the games so that parking will not be an issue and that portable toilets will be placed at the site so that the well and septic are not affected.

Robert Scott Smith of Key Engineers and Ken Mauriello of Maurpayne, LLC were sworn in by Solicitor Boraske. Robert Scott Smith detailed his professional qualifications as an Engineer and the Board accepted him as an expert. Mr. Smith described the one story addition of office space that is proposed. Mr. Mauriello explained that the number of employees has not increased, but that he prefers everything to be in one location. Mr. Smith then presented a sketch (Exhibit A) of the proposed sign. Mr. Mauriello then explained that he wishes to maintain the soccer field to provide the youth of the town a field to practice and play on.

Mr. Hanson reviewed his correspondence regarding the application. He noted that he believes waivers for the traffic study, air quality study and environmental impact statement would be acceptable. He also reviewed that there would be no lights on the soccer fields and that the old light fixtures would be removed from the building.

Director of Community Development Mr. Toussaint indicated that a concern of his is the trash for this property. Discussion ensued and Mr. Mauriello voiced his concern that a trash enclosure would get misused by



3. Jesse Intessimoni. 641 Pestletown Rd., Block 7201 Lot 10 & 11 Minor Sub Division (two lots)

Representatives of the third application did not attend the meeting. Mr. Toussaint indicated he would reach out and reschedule.

**COMMUNICATIONS / DISCUSSIONS:**

1. A motion to recommend payment of the bills as submitted to Township Committee

*Moved by Mr. Achey, 2nd by Mr. Becker to recommend payment of the bills as submitted to Township Committee*

**VOICE VOTE:** All in Favor. No Objections. Motion Carried

**RESOLUTIONS:**

1. 18-06 Brown 2482 Ellwood Ave. Impervious coverage variance

*Moved by Mayor Richardson, 2nd by Committeeman Giangiulio to adopt Resolution #18-06*

**ROLL CALL VOTE:** Achey - Yes      Giangiulio - Yes      Richardson - Yes  
Becker - Yes      Hanna - Yes      Russomanno - Yes  
Ferguson- Yes      Howarth - Yes      Condo - Yes

9-0 Motion Carried

**MINUTES:**

1. April 16, 2018 meeting

*Moved by Committeeman Giangiulio, 2nd by Ms. Ferguson to adopt the April 16, 2018 Meeting Minutes as presented*

**VOICE VOTE:** All in Favor. No Objections. Motion Carried

**OPEN TO THE PUBLIC:** No Public Comment

**BOARD COMMENTS AND QUESTIONS:**

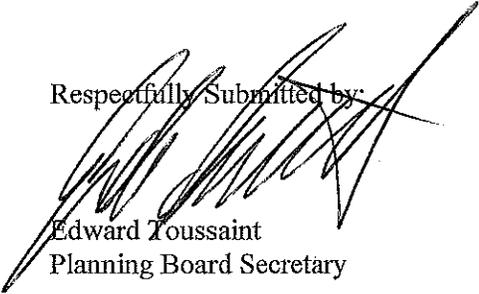
Mayor Richardson informed the Board that an unsafe building (the former Modern Concepts building) along the White Horse Pike was inspected by himself and Mr. Toussaint. It was deemed a hazard and will be demolished shortly.

**ADJOURNMENT:**

*Moved by Committeeman Giangiulio, 2nd by Mr. Becker to adjourn the meeting at 9:00 PM.*

**VOICE VOTE:** All in Favor. No Objections. Motion Passed.

Respectfully Submitted by:

  
Edward Toussaint  
Planning Board Secretary

Approval Date: 5/21/2018