

Waterford Township Planning Board
Regular Meeting

September 17th, 2013

The regular meeting of the Waterford Township Planning Board was called to order by Chairman Tom Giangliulo followed by the salute to the flag.

Chairman Giangliulo read the notice to the public.

Roll call was taken and the following members were present: Bill Richardson (8:15PM.) , Michael Achey, Carl Lange, Francis DiRocco, John Rowley, Rich Jacoby and Tom Giangliulo, Also present were Ed Toussaint Zoning Official, and Ted Brennan, Board Solicitor. Those absent were Mayor Robert Critelli, Rick Yeatman, Harry Rheam and Lou Severino.

Regular Meeting:

Motions for adjournments of cases or other motions:

None

Old Business:

None

Resolutions:

Application # 13PB7, Gary Gottren, Block: 281 Lot: 7, 592 Pestletown Road, Variance for the size of a detached accessory building.

Mr. DiRocco made a motion to approve the resolution for Gary Gottren, and Mr. Rowley seconded the motion. On roll call, those eligible to vote:

M. Achey	Yes	C. Lange	Yes
F. DiRocco	Yes	J. Rowley	Yes
T. Giangliulo	Yes		

Minutes:

Mr. DiRocco made a motion to approve the minutes from August 20th, 2013, and Mr. Rowley seconded the motion. On roll call vote:

All in favor

At this time the board took at 10 minute recess.

At 8:18pm. Meeting resumed.

Roll call was taken and the following members were present: Bill Richardson, Michael Achey, Carl Lange, Francis DiRocco, John Rowley, Rich Jacoby and Tom Giangulio.

New Business:

John and Marie Steck 686 Raritan Avenue, Block: 140 Lot 2 Minor Subdivision & Bulk Variance.

Brian Peterman, Engineer for the applicant, John Steck, applicant, and Ed Toussaint, Construction Official and Zoning Officer were all sworn in. Mr. Toussaint testified that one property was not noticed properly. The Administrator Larry Ruocco, and Mr. Toussaint visited the correct property at Block 143 Lot 5, and met with Mary Ann Colella. She expressed no concerns after reviewing the application and speaking with Township Officials.

Mr. Peterman stated this is a 3 lot minor subdivision, one lot will maintain the existing house, and 2 additional new lots will be created. The lot with the house will be 3.3 acres and the Steck's daughter will be taking over that lot, and the remaining 2 lots will be 3.2 acres one owned by the Steck's and the other eventually by the Steck's son. There is a proposal to have a Pole Barn on one of the new lots (lot 2.01). The Steck's have several classic cars that they want to store in the Pole Barn. The proposal is to construct the Pole Barn first, and an additional variance would be requested to have an accessory structure with no primary structure. The minor subdivision is conforming and meets all Township requirements. One variance is for the size of the pole barn for 2400 square feet where 860 square feet is required, and to allow the pole bard to be constructed before the house.

Mr. Peterman referenced the board engineer letter dated September 7th, 2013. Mr. Peterman addressed the request for a soil and sediment control report, and that the application would be seeking a deferral of that. Mr. Hanson addressed the request for the location of utilities, which will be provided at the time of building permits, the request for a 200 ft. property owners list, which has been provided, the applicant is also seeking a deferral of providing contours as that will be done at the time of building permit, and finally the applicant is seeking a deferral of providing a common drive easement. Mr. Hanson commented he has no problem with the deferrals the applicant is requesting. The applicant also agrees to comply with supplying a grading plan for approval prior to release of the building permit. Mr. Peterman provided testimony on the water run off, that is drains towards Raritan Avenue. Mr. Peterman responded to the engineer comments regarding the Pole Barn being constructed with no primary residence on the lot. This is a family subdivision, and there would be no conflict. Mr. Peterman added that a landscape buffer would not be necessary due to the family subdivision as well. The dwelling would be approximately 120 feet from the Pole Barn to the existing dwelling so there is enough of a separation. The color will be that of earth tones, but the applicant cannot be exact as they have not picked out their house yet to be able to match it.

Mr. Toussaint stated regarding the use variance for the Pole Barn to be construction with no primary residence, can a time limit be stipulated for the house to be constructed. As for the driveway being shared, there would need to be a hardship and none has been stated. Mr. Toussaint stated he feels

there is no reason why the driveways can't go right out to Raritan Avenue as that would make this a cleaner application. Mr. Toussaint added the shed meets the appropriate set backs as well as the Pole Barn. Mr. Toussaint commented on the size of the pole barn. The ordinance does not allow the pole barn to be higher than the structure. MR. Peterman stated the pole barn will not exceed the 2400 sq. ft. and will not be higher than the proposed new rancher style home. Mr. Richardson asked the applicant if there will be any commercial businesses ran out of the proposed Pole Barn. Mr. Steck stated no, it is for personal use only. Chairman Giangiulio commented on the shared driveway. At some point one of the homes could be occupied by someone who is not family, and that could create problems for the Township. Marie Steck testified regarding traffic on Raritan Avenue, and the difficulty she has turning in, by having 3 driveways, she feels that would make it worse. Chairman Giangiulio also stated he has a concern with the applicant building a pole barn creating the subdivision and approving the subdivision, and no primary structure. There was discussion on the board with whether or not the applicant would need an access easement for the driveway situation. Mr. Peterman added that prior to the sale of the lot to the applicant's daughter, the applicant can remove the easement. Chairman Gaingiulio voiced his concern with setting a precedence of allowing an accessory structure to be built on a lot with no primary structure. A variance is predicated on a hardship, and there is no hardship proven on this application. Mr. Peterman stated that there is no detriment to the public good, and no impact on the adjoining parcels. Mr. Toussaint asked if the pole barn can be built on the lot with the existing house, and it would eliminate all of the concerns and lock in size, height, etc. Mr. Steck's daughter commented she does not want a pole barn on her lot. Mr. Lange also stated his concern of having the Pole barn on a lot with no primary structure. Mr. Hanson stated that if the approval is given solely for the variance, the applicant cannot come back with the subdivision and create the variance for the accessory structure with no primary structure. There is a concern if the pole barn is approved and the house is never built. Chairman Giagiulio suggested putting a time frame on when the house is built. Mr. Peterman suggested seeking approval for the size variance with the minor subdivision with a condition of approval that the pole barn cannot be built until concurrent or after the primary structure is built. The applicant is no longer seeking the approval for an easement and each lot would have it's own driveway. Mr. Peterman stated the application could be changed for housekeeping purposes. With nothing further from the board, Chairman Giangiulio opened this portion of the meeting up to the public.

Appearing before the board is Tara Schetter of 761 6th street. Mrs. Schetter explained they have a concern of tree removal, and water run off. Mrs. Schetter stated there is a buffer that exists, and with the new construction homes, there is a concern of the buffer removal. Chairman Giangiulio stated the clearing is very minimal. Mr. Peterman stated with the additional driveways, there will be additional clearing however it is still minimal. Mrs. Schetter stated there are neighbors that have issues with the grading as it is currently, and have flooded basements. Mr. Peterman stated the pocket clearing will not have any adverse impact, and presently a topography was not completed, however it will be completed at the time of building permits. The run off will be directed away from adjoining properties. Mrs. Schetter also stated a concern for the size of the Pole Barn being 3 times the size of other garages. If the proposed rancher is 23 ft. tall, usually a 2 story home is 23 ft. tall. Chairman Giangiulio explained that testimony has been given that the pole barn will not exceed the height of the house. No additional buffer is required for residential development.

Next to appear before the board is Mark Schetter of 761 6th street. Mr. Schetter stated his concern is for the overall size of the pole barn.

Next to appear before the board is Christine Steck of 2209 Green Meadow Drive. Ms. Steck commented that she wants to keep the buffer as much as possible. She wants her privacy and does not want to see her neighbors either. With nothing further from the public, the public portion was then closed. The motion is to approve a minor lot subdivision, and to permit an accessory structure contingent upon the primary structure being built at the same time or before the pole barn, and a driveway for each lot, and all waivers requested. Mr. Achey made a motion to approve this application, and Mr. Rowley seconded the motion. On roll call vote:

B. Richardson	Yes	M. Achey	Yes
C. Lange	Yes	F. DiRocco	Yes
J. Rowley	Yes	R. Jacoby	Yes
T. Giangliulio	Yes		

Charles Rappenecker 1002 Chateau Court Block: 242 Lot: 24 Bulk variance for size of accessory structure and side and rear yard set backs.

Mr. Rappenecker stated he is applying for a bulk variance, with side and rear yard set backs. The size of the structure is proposed to be 1344 square feet where 865 is required. The current shed shown will be removed. The proposed structure will be 10 feet from the side yard, and 10 feet from the rear yard set back. Mr. Hanson addressed the applicant with his comments from his review letter. The structure is 1 story, the applicant is seeking a size variance. Mr. Hanson asked about a driveway to the structure. Mr. Rappenecker stated he is not proposing a driveway, he has an existing stone driveway to the house, and there is no intention of extending that. Mr. Hanson asked about the proposed water run off. Mr. Rappenecker testified that it is his intention to have gutters and downspouts, water will run above ground, and the water currently slopes toward the primary structure. Mr. Hanson asked about a grading plan, Mr. Rappenecker testified that would be provided at the time of building permit. The floor area of the garage would be 30 x 42 and the proposed porch on the garage would be included in the 1300 square feet. Mr. Rowley and Chairman Giangliulio questioned the 10 foot set backs. Mr. Rappenecker stated he would consider moving the garage to a 15 foot rear and side yard set back. The well and septic is located in the rear at the opposite side of the yard as the proposed garage.

Mr. Lange commented he has a concern of fire truck access to the Pole Barn and not having a hard surface for the trucks to access the structure. Mr. Richardson commented that there are woods behind the lot, and maybe the applicant could keep the 10ft rear yard, and revise to be 15 feet side yard set backs. Mr. Toussaint stated no as built survey would be required for this. Mr. Rappenecker stated he has a privacy fence and is proposing electric to the structure. With nothing further from the board, Chairman Giangliulio opened this portion of the meeting up to the public.

Appearing before the board is Joe Turner of 2304 Lorkim Lane. MR. Turner voiced his concern with water run off. He currently has issues with the current grading/drainage. He has had a flood twice, and

washed out his mulch in his yard, also blocked up his picket fence. With nothing further the public portion was closed. Chairman Giangiulio informed the applicant that he will need to supply a grading plan for approval or work with the board engineer on grading/drainage issues. Mr. DiRocco stated that would assist the application in maintaining the proper set backs as well. The applicant is seeking a 10 ft. rear yard, and a 15 ft. side yard set back. Mr. Jacoby made a motion to approve this application, and Mr. Rowley seconded the motion. On roll call vote:

B. Richardson	Yes	M. Achey	Yes
C. Lange	Yes	F. DiRocco	Yes
J. Rowley	Yes	R. Jacoby	Yes
T. Giangiulio	Yes		

Communications/Reports:

NONE

Board Comments and Questions:

Mr. Lange asked that the board members receive their copy of the Engineer's comments in enough time prior to the meeting for review purposes.

Adjournment:

Mr. Lange made a motion to adjourn the meeting, Mr. Rowley seconded the motion. Meeting adjourned.

Respectfully Submitted,

Ed Toussaint, Planning Board Secretary