

Shamong Township
September 21, 2010

A meeting of the Land Use Board of Shamong Township was held on the above date at the Municipal Building.

Members present:

Noni Bookbinder Bell	James Sweet
Charles Burgin	Gary Vinciguerra
Lynn Heinold	Kevin Wise

Also present were Peter C. Lange, Jr., Esq., Solicitor, and Dante Guzzi, Engineer.

The meeting was called to order by the Chairman, Mr. Vinciguerra, at 7:40 P.M.

The Secretary stated that notification of this meeting had been published in The Central Record and notice had also been sent to the Burlington County Times in accordance with the Open Public Meetings Law.

All joined in the Pledge of Allegiance to the flag.

The minutes of the meeting of August 17, 2010, were approved as submitted.

The Board reviewed a Resolution of Memorialization on the Board's review of Ordinance 2010-14. On motion of Mr. Burgin, seconded by Mr. Sweet, it was moved that the Resolution be approved. All members present were in favor.

Mr. Wise arrived at this time.

The Board discussed the proposed Master Plan review. Mr. Guzzi said he had reviewed the Master Plan's reviews conducted since the Master Plan was adopted in 1988. He suggested that the Board could conduct a Master Plan review over four to six meetings. He suggested that all of the previous reviews and the review that will take place over the next months be incorporated into one document. He feels this can be done at a minimal expense and will not require a complete new Master Plan. He will prepare a proposal for the Board's review at their next meeting.

The Secretary read a letter dated August 17, 2010, from the Pinelands Commission to Everett Abrams, Jr. in reference to Block 19.01, Lot 5. Mr. Abrams had submitted information in regard to a proposed subdivision of the 31.75 acre lot. The Commission found some development had taken place since February 1979 without application being made to the Commission. The Commission is requesting additional information in order to complete the application for a three-lot subdivision and the development of two single-family dwellings.

The Secretary read from an Amended Letter of Interpretation #152, dated September 1, 2010, from the Commission to Jet Set Partnership, concerning Block 34, Lots 14.01 and 15. This letter stated the lots were entitled to 4.0 PDC's and reserved the right to develop a future single-family dwelling.

The Secretary informed the Board he had information concerning registration for the New Jersey State League of Municipalities conference in November if any members had interest in attending.

At 8:00 P.M. the Board conducted a public hearing on an application for a Use Variance by Gene Haas, for Block 10, Lot 25. The Secretary noted that Mr. Lange had reviewed Mr. Haas' advertisement of the public hearing and Notice to Property Owners Within 200 Feet and found them to be in order and has determined that the Board can take jurisdiction. The Secretary noted that he had been informed by the Tax Collector that evening that the third quarter taxes for about \$800 that were now past due had not been paid. Mr. Haas indicated that this was an oversight on his wife's part, and he would see that they are paid. The Secretary also noted that a Certificate of Filing from the Pinelands Commission, dated July 27, 2010, had been received. Mr. Lange swore in Mr. Haas and his architect, Mr. Masterson. Mr. McAndrew, Esq. was also present representing Mr. Haas, and he produced a survey of the property as Exhibit A-1, which showed the location of the home and garage as well as the adjoining lots. Mr. Haas testified that Lot 25 is 41.527 acres. He also testified that when he previously appeared before the Board for the garage, he did not anticipate using the garage as a residence. Mr. McAndrew also produced a picture of the home, Exhibit A-2, and a picture of the garage, Exhibit A-3. Mr. Haas would like to complete the second floor of the garage by installing some living area including a bedroom, a bathroom and a small kitchen. He will not rent out this area but plans for it to be used by members of his family on a random basis. He also said his in-laws could live here in the future if there was a need for them to be close for their care. He felt there was a need for a kitchen because the garage is about 300 feet from the house and too far to carry prepared food. Mr. Haas said he sees no impact to neighbors as the garage is very distant from any neighbor and in fact cannot be seen from any neighboring property not owned by him.

Mr. Heinold said that when the Board has approved previous in-law suites, they have been part of the existing home and have required that there be no lockable doors between the existing residence and the proposed in-law suite so as to prevent the renting out of the unit. In this case there could be no such provision. Mr. McAndrew said that the applicant would be willing to file a deed restriction stating that this unit cannot be rented. Mr. Sweet raised a concern about carbon monoxide going from the garage area to the residential area, and Mr. Masterson stated there is no direct air passage from the garage to the residential area. It was also pointed out that carbon monoxide detectors would be required in the residential area by the building code. Mr. Wise asked what had been approved when the garage was approved concerning residential use, and the Secretary read #16 of the Resolution of Memorialization dated June 17, 2008, "The applicant expressly agreed as a condition of approval that there would be no residential occupancy of the accessory structure." Mr. Haas stated that at the time he did not plan to have to use

the second floor for residential purposes, but now, seeing the completed garage and how it could be used by family members, he would like to have the availability to do so. He contemplates no additional development and in the future may consolidate Lot 22.06, the lot where he now has his driveway, and Lot 25. Mr. Masterson said that it is not unusual for large estate properties such as this to have a living area for use of family members in a separate building. The Board then reviewed Mr. Guzzi's letter of September 20, 2010. The applicant will provide copies of the approval from the Burlington County Health Department for the proposed dwelling. The applicant owns Lot 22.06 which as has been previously stated is being used for his driveway. As to the difference in the location of the garage, Mr. McAndrew said that when they received approval, they indicated that they would locate the garage further back on the lot if the Pinelands Commission would so approve. Mr. McAndrew also stated that an in-law suite has been found to be good for society in general and that this is a large lot and main house and the property is suited for a carriage house. The meeting was then opened to the public at which time Robin Miller said that she thought this was a "great idea." There being no further comments from the public, the public hearing portion of the meeting was closed. On motion of Mr. Heinold, seconded by Mr. Sweet, a use variance for a second residence was granted subject to the filing of a deed restriction that this residence cannot be rented, that there will be a single meter for the building, that there will be no change to the exterior, and that the area that the Pinelands Commission has required to be re-vegetated shall be done, and Mr. Guzzi's letter of September 20, 2010. All members present voted yes.

The meeting was then opened to the public at which time Mrs. Onorato asked if the new Master Plan could be produced in a format that would be able to be placed on the Township's website, and Mr. Guzzi said it would be completely computerized. Mr. Sweet said he was concerned about the age of the Master Plan and felt that it should be updated. Ms. Bookbinder Bell said she hoped it would not be too costly.

There being no further business, the meeting was adjourned.

L. E. Heinold
Secretary