

Shamong Township
September 20, 2016

A meeting of the Shamong Township Land Use Board was held on the above date at the Municipal Building. The meeting was called to order by Jim Sweet, Deputy Chairman, at approximately 7:28 P.M.

The Secretary stated that in accordance with the Open Public Meetings Law, notice of this meeting had been published in The Burlington County Times, and posted accordingly.

The pledge of allegiance

Members present from re-organization meeting were:

Noni Bookbinder-Bell	P	Susan Onorato	P
Charles Burgin	P	Richard Orrechio	A
Dave Diamond, Alt	A	Bonnie Schneider-Alt	P
Joseph Gigantiello	A	James Sweet	P
Timothy Gimbel	A	Kathleen Wigley	A
Michael Cooney	P	Vacant	

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

On motion of Mrs. Schnieder seconded by Mr. Sweet, it was moved that the minutes of the August 16, 2016 regular meetings be approved as submitted with all members' present voting yes except Mr. Burgin and Mr. Cooney who abstained.

Application:

Mr. Sweet stated for the record that both applications tonight are continuation from the August 16, 2016 meeting. Block 2.02, lot 1 (4 Burr Trail) bulk variance to construct a mother-in-law addition within the side yard set-back requirements – Donahue.

Mrs. Onorato stated for the record that Mr. Burgin and Mr. Cooney have listened to the recording of the August 16th hearing on both the Donahue and Geiger applications and therefore meet the requirements to participate in the applications tonight.

Mr. Sweet excused himself from participating on this application as he is a neighbor of Mr. & Mrs. Donahue and he took a seat in the audience.

Mr. Lange stated that here was an issue with notifying all the parties identified on the 200' list which has been resolved since the August 16th meeting and swore in the applicant, Bob Donahue. Mr. Donahue stated his application is to construct a 20' X 20' addition to accommodate his 87 year old mother-in-law and be able to care for her. The addition will include a bedroom, bathroom and closet. The addition will cause an encroachment of the 30' setback requirement as the addition will be 16.62' from the property line. Mr. Donahue also stated the property has some wet land issues as well. Mr. Lange stated the Engineer's report reflects a setback encroachment related to an above ground pool. Mr. Donahue testified he did obtain a permit #00112 for the pool in 2000 and was not aware of any violation at that time. Mr. Donahue also testified the need for the addition to meet the needs of his mother-in-law who cannot do stairs and has no access to

the upstairs bathroom. This addition will help his family meet the needs of his mother-in-law as well as his family. Mr. Lange stated that the Board is concerned the addition would become an apartment in the future and asked the applicant if he would accept a restriction to limit the use of the space to be lived in by a member of the family only and that a man door exist between the addition and existing home, as well as permit a zoning inspection to confirm the addition is housing a member of your family, which the applicant agreed to. There was also a discussion on the potential deed restriction to notify all future owners of this restriction. This was later determined to not be necessary as the addition would not include a kitchen. Mr. Guzzi reviewed his report on this application including a concern of potential wetland issues sand potential DEP permit to construct within the wetland buffer. There was also a brief discussion to confirm there are an internal man door as well as a slider door as egress to the outside. The applicant also testified his closest neighbor from his property line on the side the additional will be 400 – 500 feet and be minimal impact to that neighbor and that due to existing vegetation there should be little to no impact on that neighbor. Mr. Donahue stated relative to the wetlands issue he has educated himself relative to the 50' wetland buffer and found the Pinelands Commission does not get involved in the approval process but rather the Township does. He also stated that although 50' buffer exist, once the addition is in place it will be 40' – 45' from the buffer which he believes is a minimal encroachment. He stated the additional costs to obtain additional permits could cost him an additional \$3,500. He also testified his neighbor put an addition on within the wetlands, although that neighbor lives in Tabernacle and he understands Shamong has nothing to do with that approval. There was a lengthy discussion relative to the current 50' wetland buffer which is already reduced from the normal 300' buffer. Mr. Guzzi confirmed the Board has the responsibility to grant approval if they can verify there will be no adverse impact to the wetlands. There was a discussion on the wetland versus current construction and the parameters of future construction on that area. Mr. Guzzi stated the Board could approve the variance provided they required protective measures to protect the wetlands, which would require the applicant to install silt fencing during the construction. The meeting was opened to the public - Mr. Jim Sweet, 3 Burr Trail testified he lives across the street from the applicant who has been a good neighbor for the past 15 years that keeps and maintains a nice property. Mr. Sweet also stated as a Supervising Environmentalist for the State of NJ he does not feel there will be adverse effects to the wetlands and would like to commend the Donahue family for caring for their family member. **On a motion by Mrs. Onorato, seconded by Mr. Cooney, the application was approved by all members present, except Mr. Sweet who did not participate or vote on this application as he is a neighbor of the applicant. The approval allows the construction of the 20' X 20' addition partially constructed within the 30' side yard setback requirement with the restriction allowing only an immediate family member occupy the addition, a man door is required between the addition and existing home, the applicant permit Zoning inspections if deemed necessary by the Zoning Official; and that silt fence be installed to protect any potential damage to the adjacent wetlands during construction; approval of the pre-existing pool constructed within the 15' side yard setback requirement for an accessory structure.**

Mr. Sweet re-joined the meeting at 8:06PM.

Mr. Sweet began the continuation of the application on Block 12.02, lot 33 (571 Oak Shade Rd.) Bulk variance to construct an oversized accessory structure within the side yard set-back requirements – Geiger. Mr. Geiger was sworn in by Mr. Lange. Mr. Lange verified Mr. Burgin and Mr. Cooney have listened to the August 16th recoding of the meeting. Mr. Guzzi reviewed his updated report relative to the outstanding issued discovered at the August meeting and verified all questions have been answered. The total 1,022 square feet of accessory structures will

reside on the property which includes the existing shed, framed barn and proposed addition to the existing barn. Mr. Guzzi also reviewed the pre-existing nonconforming side yard setback encroachments along with the proposed encroachments created by the proposed addition to the existing shed. The total square footage of the residence on the property is 3,387 SF; the ordinance will allow 20% which allows 677 sf where 1,022 sf of total accessory structures is requested. The variances required for the application are for side yard setbacks of the house, existing shed, existing barn and proposed barn addition as well as for the placement of the existing shed in front of the rear line of the house. The applicant stated the new barn addition will be serviced for water and electricity from the existing barn. Mr. Lange also reviewed from the prior hearing that the applicant is agreeable to no commercial use of the barn. The meeting was opened to the public, which there was no comments made and the meeting was closed to the public. **On a motion by Mrs. Onorato, seconded by Mr. Burgin the application for the variances listed above were approved with the required restriction of no commercial use is permitted in the barn with all members present voting yes.**

Resolutions: None

Correspondence:

NJ Planner – July/August 2016 was distributed

Copy of letter from Burlington County Freeholders re: Farm Land Preservation was previously distributed via e-mail.

Mr. Sweet opened the meeting to the public at which no public wished to comment and therefore the meeting was closed to the public.

There being no further business, on motion by Mr. Burgin, seconded by Mrs. Onorato the meeting was adjourned at approximately 8:22 pm with all members voting in favor.

Attested by:

Susan D. Onorato
Secretary Shamong Township Joint Land Use Board