

Shamong Township
September 18, 2012

A regular 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 the Acting Chairman Burgin, at 7:06 P.M.

The Secretary provided the sunshine statement.

Members present were:

Noni Bookbinder-Bell	P	Susan Onorato	P
Chris Bouffard	p	Bonnie Schneider	A
Charles Burgin	P	Jon Shevelew	A
Colin Cumming	A	James Sweet	P
Mike DiCroce	P	Gary Vinciguerra	A
Ken Long	P	Kevin Wise	A

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

Pledge of allegiance

On motion of Mr. DiCroce, seconded by Mr. Sweet, it was moved that the minutes of the August 21, 2012 regular meeting be approved as submitted. All members present were in favor of adopting the minutes except for Mr. Long, Ms. Bookbinder-Bell, Mrs. Onorato and Mr. Bouffard who abstained.

Mr. Lange reviewed the resolution to memorialize the approval of the Valenzano application to construct an in-ground swimming pool on block 23.01 lot 2.01 on the side of an existing single family dwelling, the size of which exceeds 20% of the floor area of the principle structure. **On motion by Mrs. Onorato, seconded by Mr. Sweet Resolution 2012-9 Memorializing the decision of the Board for the Valenzano application was approved with all members present voted yes except for Ms. Bookbinder-Bell and Mr. Bouffard who abstained.**

Mr. Lange swore in Stephen Cortese of block 9.01 lot 4 (87 Grassy Lake Rd.) who then gave his testimony on his bulk variance to permit the 14' by 40' metal car port to park his RV(accessory structure) on the side of his home and in front of the rear line of the primary building. Mr. Cortese provided a site plan with his application and provided recent photos of his property which he presented and informed the Board of the reasons why he placed the car port at the current location. These photos were marked exhibits A-1, A-2, A-3, A-4 and A-5. Mr. Lange informed the Board that Mr. Cortese has submitted an application for two (2) variances, and the Board will need to consider and determine if there are any hardships to prevent the structure to be moved to a location behind the rear line of the primary residence that would provide the required 15 foot setback from the side property line. Mr. Lange also informed the Board that they could award a C1 variance or Hardship variance if they deemed the current location car port is due to physical limitations of the lot which would prevent it from being placed in a different

location. He stated the Board could award a C2 variance or “soft C” which would consider the aesthetics of where the car port is located. Mr. Cortese confirmed the Car Port could be moved to permit the side setback but he would like to keep it in a similar angle. Mr. Cortese stated he could possibly drive the RV down the slope towards the barn in the rear of his property but this might require some grading and more stones. Mr. Burgin opened the meeting to the public at which time Mr. Greg Daily from 90 Grassy Lake Road came forward and stated lives directly across the street and stated the structure is approximately 25 feet from the road and he is primarily concerned with the financial impact to the neighboring properties. Mr. Daily stated the giant structure is very visibly from his home and due to the angle it is at he can see the whole structure. Mr. Lange questioned Mr. Cortese on the size of the existing barn size in the rear of the property. Mr. Cortese stated it is 50’ by 20’ including the overhang. Mr. Lange stated Mr. Cortese needs a third variance due to the size of the existing barn as the combined square footage of both structures exceeds the 20% of the square footage of the primary structure. Mr. Cortese stated it could be possible to place the Car Port in the rear yard but there would be a need to re-grade and possible relocate or replace fencing. Mr. Lange summarized for the Board the 3 variances to consider are: variance for locating the structure in the front yard; locating the structure closer than 15’ from the side property line; and for the excessive square footage of accessory structure which exceeds 20% of the primary residence. **On motion by Mr. Bouffard, seconded by Mr. DiCroce the application for the bulk variances to construct an oversized accessory structure in front of the rear line of the primary residence within the required setback of 15’ was denied. Mr. Bouffard stated there is no positive impact from the street as to why the structure should remain there, it does not meet the physical criteria to remain at its current location and there is ample opportunity for the structure to be placed in the rear yard beside the barn without consideration of financial investment involved to move structure and there is a detrimental impact to the neighborhood in the design scheme. All members present voting yes to deny the application except Mr. Long and Mrs. Onorato who abstained.** Mr. Cortese asked how long he has to remove or move the car port and he was included to contact the Township Zoning Officer, Mr. Schmidt to work that out with him.

Mr. Lange swore in Jeremiah Phillips of block 8.01 lot 12.11 (42 Bunker Hill Road) who then gave his testimony on his bulk variance to construct a 30’ by 40’ accessory building in the rear of his property. Mr. Phillips stated he would like the building for general storage and a place to keep his trailer and a show car. Mr. Phillips submitted photos of his property from the street and the rear yard to show the location where he would like to replace an existing shed with the larger building and a photo of a building similar to what he proposes to build. These photos were marked as exhibits A-1, A-2 and A-3. Mr. Phillips stated he does not believe the new building will be visible from the street. Mr. Phillips agreed to accept the restriction on the property that he could not use the building for commercial purposes. Mr. Phillips testified his home is approximately 2,800 square feet and the new building is 1,200 square feet and therefore exceeds the 20% of primary residence. Mr. Phillips stated the building would have 16’ walls with overall height of 24’ to allow loft storage accessible via stairs. Mr. Phillips stated the building will be accessed through the existing double gate and he does not want to install a driveway due to the current landscaping and aesthetics of the home. Mr. Phillips confirmed the building will be steel siding close to the color of the existing home. Mr.

Phillips stated the neighbor on the left side of his property will most likely be able to see the new building but that he has planted trees to screen the view of the building and that there is no home behind him. Mr. Phillips will have electricity in the garage but no water or heat. The discussion was opened to the public; there were no comments from the public. **On a motion by Mr. Long, seconded by Mr. DiCroce the variance to construct an accessory building in excess of 20% of primary residence was approved with all remaining Board members voting yes.**

Mr. Lange swore in Brian Miller of block 8.01 lot 12.02 (60 Bunker Hill Road) who then gave his testimony on his bulk variance to construct an approximately 20' X 30' two story addition. His home is currently 3 bedroom 1½ bath and he would like to build the two story addition on the left side of his home as there is a detached garage on the right side of the home and a pool and septic tank behind the home limiting his ability to only build the addition to the left side of the home. After the addition is completed, two of the existing bedrooms would be combined into one room and the house would become a 3 bedroom 2½ home with a new play room. Mr. Guzzi confirmed the variance is needed due to the encroachment of the side yard setbacks. He also noted the lot dimensions are a pre-existing non-confirming lot with 120' of road frontage which attributes to the hardship on the existing lot limitations. Mr. Miller also stated he did have the existing septic system approved to be sufficient to handle the needs of the home with the addition. Mr. Burgin opened the meeting to the public for comment, there being no public present it was closed to the public. **On a motion by Mr. Sweet, seconded by Mr. Bouffard the variance to construct a two story addition within the set-back limitations was approved with all remaining Board members voting yes.**

The Secretary reviewed correspondence items with the Land Use Board Members present including:

- Copies of the July/August edition of the NJ Planner were circulated to the Board Members.
- Letter dated September 5, 2012 regarding the McGovern sub-division of lots 4.01 & 4.02, block 13 was approved by Burlington County. The deed of subdivision was filed with the Secretary of the Joint Land Use Board and will be reviewed.
- Letter dated September 13, 2012 regarding the Burlington County Farmland Preservation Program to the Township Committee requesting their feedback on the current list of Acquisition Targeting List of properties within Shamong.
- Letter dated August 24, 2012 from Pinelands Commission addressed to Mr. Everett Abrams, Jr. regarding block 19.01 lot 5 three lot subdivision and no further development. The Pinelands Commission stated the placement of the mobile home is still in violation and must be removed within 30 days or an application must be filed with the Pinelands Commission for the Mobile Home. A revised site plan also must be filed related to the 3 lot subdivision.
- Letter received from Waterford Township was received notifying Shamong Township they will have second readings on an ordinance Amending Chapter 176 of the Code of the Township of Waterford Captioned "Land Use, Development and Zoning". Mrs. Onorato stated a copy of the ordinance was provided to Mr. Guzzi to review relative to the Sustainable Energy Facilities including solar and wind energy. Mrs. Onorato stated the Waterford Township ordinance provided

language relative to placement of solar panels to minimize glare to neighboring properties and height restrictions which might be reviewed for consideration as we continue to review our master plan. Mr. Burgin opened the meeting to the public, but since there were no members of the public present; the meeting was closed to the public.

Mrs. Onorato stated that there is the potential of three additional applications to be filed for next month's meeting. Mr. Guzzi stated we will need to place an emphasis on the master plan review after that meeting and early next year. **On a motion by Mr. DiCroce, seconded by Mr. Cumming the meeting was adjourned, all members present voting yes. The meeting was adjourned at 8:28 pm.**

Susan Onorato
Secretary