

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

665 Radio Road
Little Egg Harbor, NJ 08087

Minutes of Meeting Held On June 8, 2016

1. Meeting called to order at 7:00 p.m. by Chairman Gautier.
2. Reading of the Sunshine Law & Notice of Public Meeting.
3. FLAG SALUTE
4. ROLL CALL:

PRESENT Chairman Gautier, Vice-Chairman Fuller, Mr. Jordan, Ms. Doherty, Mr. Sullivan and Mr. Armitage (alternate) and Mr. Burr (alternate)

ABSENT were Mr. Visconti & Ms. Ramsay.

APPEARING FOR THE PROFESSIONALS:

Christopher Reid, Esquire, of Rumpf, Rumpf & Reid, Zoning Board Attorney
Ernest J. Peters, Jr., PE, PP, CME of Remington, Vernick & Vena Engineers, Zoning Board Engineer

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of May 11, 2016 was made by Ms. Doherty, seconded by Mr. Jordan. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

6. RESOLUTIONS OF MEMORIALIZATION::

A. Resolution #2016-17

Variance Application #2016-06
Palmiotto
133 East Hudson Drive
Block 325.106, Lot 32 / Zone: R-50 Residential

Mr. Reid read Resolution #2016-17 into the record. After confirming with the board's engineer that the updated survey received was acceptable, a motion to memorialize Resolution #2016-17 was made by Ms. Doherty, seconded by Mr. Jordan. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

B. Resolution #2016-18

Application #2016-08
Cacacie
225 Beaver Dam Road
Block 2, Lot 2 / Zone: PV - Pinelands Village

Mr. Reid read Resolution #2016-18 into the record. A motion to memorialize Resolution #2016-18 was made by Mr. Fuller, seconded by Mr. Doherty. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

7. OLD BUSINESS:

A. Variance Application #2016-02

Weaver
21 West Boat Drive
Block 315, Lot 11 / Zone: R-50 Residential
Bulk Variance

Richard Kitrick, Esquire for the Applicant. Mr. Kitrick provided a summary of the prior testimony regarding the errors made by the original builder during the raising of the existing storm damage residence. Mr. Kitrick stated that the stairs cannot be placed under the residence without impacting the floorplan, and on one side of the residence is a storm drain easement and there is another set stairs on the other side. The existing shed has been moved, as well as the fence and pavers moved. Photographs were marked as Exhibits A11, A12 & A13. Sworn in applicant, William Weaver. Applicant paid someone to raise his storm damaged residence and he did not accomplish what he was paid to do. Marked as Exhibits A14 & A15 were the original floorplans submitted to the township. Marked as Exhibit A16 was a stair plan. The pilings were set in the wrong location. There was discuss regarding the location of the staircases. Two forms and ingress and egress are required. The staircase to the electrical panel is also required by code. Marked as Exhibit A17 was Layout Placement by Woodhaven Lumber and Exhibit A19 was a hand drawn sketch (there was no Exhibit A18 marked in error). Mr. Fuller had concerns with outside lighting so close to the neighbors windows.

After much discussion, a motion to carry the application until the August 10, 2016 was made by Mr. Burr, seconded by Mr. Armitage. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – No	Gautier - Yes	

The chairman made a statement that he believes that the board may be over-stepping their bounds with the dialog. Mr. Reid stated that the applicant has made a request for certain relief and it is the board's job to vote on that request.

8. NEW BUSINESS:

A. Variance Application #2016-09

Nolan
4 Surfside Boulevard
Block 325, Lot 33 / Zone: WFD - Waterfront Development
Use and Bulk Variance

Susan Tierney, Engineer from Dewberry Engineering and Chris Adler, America's Home Builder for the applicant, Pauline Nolan, who was also present and stated her name for the record. Mr. Peter's reviewed his letter dated May 25, 2018. Applicant's primary residence is located in the

Waterfront Development Zone, where single family homes are not permitted. Mr. Peter's stated that applicant's residence is considered a pre-existing, non-conforming use and since it was torn completely down will require a Use Variance to allow the expansion of a non-conforming use. Marked as Exhibit A1 was floor plan described by Mr. Adler (noted as C-1). Applicant is proposing a two bedroom, 1,100 sq. ft. home with a covered porch. Existing sheds will be removed and none are proposed. The house will not be raised high enough to allow for parking underneath of the structure, just storage. The site is not bulkheaded and due to the shallowness of the water, does not appear to be required. Marked as Exhibit A2 was an aerial of the site. Mr. Burr commented on the containers for ferial cats, but it was noted that is not under the board's jurisdiction.

On a motion by Mr. Fuller, seconded by Mr. Jordan this application was opened to the public. All aye.

Luis Olivo (1254 Radio Road) – Mr. Olivo complained about the 12 animal shelters and 17 ferial cats. He was advised that such a complaint is not under the board's jurisdiction and to contact the township.

Mr. Tinko (sworn in) – Mr. Tinko stated that he resides in the adjacent property and the cats are a huge health problem. He was advised that such a complaint is not under the board's jurisdiction and to contact the township.

On a motion by Mr. Fuller, seconded by Mr. Jordan this application was closed to the public. All aye.

On a motion by Mr. Sullivan, seconded by Mr. Armitage this Application #2016-09 was approved. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

As this property is applicant's storm damaged, primary residence, Mr. Reid read proposed draft Resolution #2016-19 into the record. On a motion by Mr. Jordan, seconded by Ms. Doherty Resolution #2016-19 was memorialized. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

B. Application # 2016-10

Falduto
35 Stage Road
Block 276, Lot 7 / Zone: GB - General Business
Use and Bulk Variance

Richard Kitrick, Esquire for the Applicant, Michael Falduto, who was sworn in. Applicant is proposing a 20x24 addition to an existing residential structure that he is planning on making his primary residence, which is located in the GB Zone. Applicant requires a Use Variance, for a pre-existing, non-conforming use. Marked as Exhibits A1 & A2 were photographs taken by the applicant of his neighbors properties and Exhibit A3 were architectural of the proposed residence and addition. The proposed addition consists of two bedrooms and a small extension of the kitchen. Applicant testified that the site will not be used for his landscaping business, strictly residential. Aside from his personal work vehicle, no other commercial vehicles will be permitted to be stored at the site.

On a motion by Ms. Doherty, seconded by Mr. Jordan this application was opened to the public. All aye. There being no public wishing to comment, on a motion by Ms. Doherty, seconded by Mr. Jordan this application was closed to the public. All aye.

On a motion by Ms. Doherty, seconded by Mr. Jordan, Application #2016-10 was approved. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier – Yes	

C. Application #2016-11

Esarey
351 Thomas Avenue
Block 69, Lot 10 / Zone: R3A - Residential
Bulk Variance

Applicant, Will Esarey, sworn in. Mr. Esarey stated that he is proposing to replace an existing detached garage and shed with a new detached garage. Applicant wishes to construct the new garage with a similar roof pitch to the house. Mr. Peters reviewed his letter dated Mary 31, 2016 setting forth the required Variance needed from the accessory structure height requirement, where 15 ft. is required and 24.4 ft. is proposed, as well as a variance for the maximum gross floor area of an accessory structure, where 900 sq. ft. is required and 924 sq. ft. is proposed. Applicant's property consists of approximately 2 acres and there are many other houses in the area with detached garages. Applicant stated that the second floor of the garage is for storage only, not habitation. The box trailer will be removed once the garage is built (30 days). It currently holds the building materials. No bathroom or sewer hook-up is being proposed. There is existing water and electric to the garage, which will remain.

On a motion by Mr. Jordan, seconded by Ms. Doherty this application was opened to the public. All aye. There being no public wishing to comment, on a motion by Mr. Jordan, seconded by Ms. Doherty this application was closed to the public. All aye.

On a motion by Mr. Jordan, seconded by Mr. Fuller, Application #2016-11 was approved. Roll Call:

Armitage – Yes	Jordan – Yes	Burr – Yes	Doherty - Yes
Sullivan – yes	Fuller – Yes	Gautier - Yes	

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

There was no public wishing to speak, so the meeting was not opened to the public.

11. BOARD DISCUSSION / COMMENTS:

N/A

12. CLOSED SESSION:

N/A

13. PAYMENT OF VOUCHERS:

After being reassured that all voting members had an opportunity to personally review the individual voucher requests and having questions, if any answered to their satisfaction, the following vouchers were presented for payment:

A payment of \$2,155.64 to Rumpf, Rumpf & Reid, and
a payment of \$200.00 to Robin Schilling as the board's recording secretary (2 meetings).

A motion to approve payment of vouchers was made by Mr. Armitage, seconded by Ms. Doherty.
Roll Call:

Armitage – Yes
Sullivan – yes

Jordan – Yes
Fuller – Yes

Burr – Yes
Gautier - Yes

Doherty - Yes

14. ADJOURNMENT:

A motion to adjourn was made at 9:15 p.m. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



Edward Gautier, Chairman
Township of Little Egg Harbor
Zoning Board