

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

**665 Radio Road
Little Egg Harbor, NJ 08087**

Minutes of Meeting Held On March 9, 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. Visconti, Mr. Jordan, Ms. Doherty, Mr. Sullivan, Mr. Armitage (alternate #1) and Mr. Burr (alternate #2). ABSENT was Ms. Ramsay.

APPEARING FOR THE PROFESSIONALS:

Brian Rumpf, Esquire, of Rumpf, Reid & Dolcy, Zoning Board Attorney
Ernest J. Peters, Jr., PE, PP, CME of Remington, Vernick & Vena Engineers, Zoning Board Engineer
Amy Cieslewicz of Taylor Design Group, Planning Board Landscape Architect

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of February 10, 2016 was made by Mr. Visconti, seconded by Ms. Doherty. Roll Call:

Visconti – Yes	Jordan – Yes	Armitage – Yes
Doherty – Yes	Sullivan – Yes	Fuller – Yes Gautier - Abstain

6. RESOLUTIONS OF MEMORIALIZATION::

None

7. OLD BUSINESS:

None

8. NEW BUSINESS:

A. Variance Application # 2016-03

MSC Enterprises, LLC
158 Oak Lane
Block 292, Lot 12 / Zone: GB General Business
Use Variance

Howard Butensky, Esquire for the applicant, MSC Enterprises, LLC. Sworn in Michael and Michele Garofalo and their engineer, Michael Geller. Mr. Geller provided his background. Mr. Butensky provided a brief background of the site uses and why the applicant is requesting a Use Variance to be able to use the site for residential purposes instead of commercial. Marked as Exhibit A-1 was a color rendering of the proposed site showing residential units. Marked as Exhibit A-2 was an enlarged color rendering of the site. Marked as Exhibit A-3 was as aerial map of the site. Marked as Exhibit A-4 were photographs of the site. Mr. Geller provided an overview of the site and adjacent properties. Mr. Peters reviewed this letter dated February 26, 2016. There was some discussion on whether or not applicant is proposing six or seven units.

Applicant is proposing five 2-bedroom units and two 1-bedroom units. Applicant is retro-fitting the existing building with some exterior modifications. Applicant is proposing to remove four of the existing 16 parking spaces to make room for landscape islands. In the rear loading area, each unit will be separated with vinyl fencing and concrete patio areas. Mr. Geller provided testimony on the density, economic factors and positive and negative criteria of the proposed project. Mr. Peters asked about stormwater drainage. The chairman had safety concerns with the stormwater basin area. Mr. Burr asked for clarification where the wetlands were on the site. The Chairman asked about seeing an actual plan of the site. Ms. Cieslewicz reviewed Taylor Design Group's letter dated March 9, 2016. The Lighthouse will remain as part of the building with a small name sign added to it. Ms. Cieslewicz stated that rear and side elevations would be helpful so the board and professionals can see the location of HVAC equipment, existing and proposed buffering and lighting. The rear driveway area was discussed. The applicant will contact the fire department to determine if they require the concrete driveway to remain in the rear. Ms. Doherty commented on adding grass in lieu of the stone by the street so it has a more residential look. The chairman asked about trash and recycling pick-up locations. Mr. Peters reminded the board that the applicant filed a Use Variance application, not a site plan application nor a waiver for a site plan application. Mr. Armitage asked if the rentals would be short, term which they will not. Applicant owns and will maintain the site.

On a motion by Mr. Armitage, seconded by Mr. Visconti the application was opened to the public. All aye.

There being no public wishing to speak, on a motion by Mr. Armitage, seconded by Ms. Doherty the application was closed to the public. All aye.

On a motion by Mr. Jordan, seconded by Mr. Visconti this application was carried until the April 13, 2016 meeting with no additional notice required. The applicant also waived any time constraints by the board. Roll Call:

Visconti – Yes	Jordan – Yes	Armitage – Yes
Doherty – Yes	Sullivan – Yes	Fuller – Yes Gautier - Yes

B. Variance Application #2016-01

Flockhart / 15 Nantucket Court
Block 304, Lot 8 / Zone: R-50 Residential
Bulk Variance

Richard Kitrick, Esquire for the applicant, Elizabeth Flockhart, who was sworn in. Applicant is requesting a Variance for reyard setback to allow for a screened enclosure over an existing in-ground pool. Applicant received all necessary permits and inspections from the construction department. Marked were Exhibits A-1 thru A-4 - copies of building permits received from the Township of Little Egg Harbor; Exhibit A-5 – aerial photograph of site; Exhibit A-6 – Survey of site; and A-7 & A-8 – Photographs taken by applicant's daughter of the screened area around the pool.

Applicant feels that the tree in the neighbor's yard obstructs the neighbors view more than the see-thru screen enclosure. Applicant has been taxed on the screened addition since August, 2015. Marked as Exhibits A-9 thru A-12 were additional photographs of the screened enclosure taken from other properties looking toward the site. Mr. Peters reviewed his letter dated February 3, 2016. The Chairman compared the screened area to that of a fence and confirmed that all necessary paperwork was provided and approved by the township. The variance requirement came about after a neighbor filed a complaint and the zoning officer went out to the site. Mr.

Rumpf spoke about the Estoppel issue involving the application and prior permits received by the applicant.

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

Ronald VanDalinva (sworn in) – Mr. VanDalinva referred to a document he received from the Township by way of an OPRA request, which was a survey prepared by Nelke, Constantine & Assoc. dated 2-13-98. He does not feel the pool is in compliance, nor is the shed on the applicant's property or her mailbox. Applicant indicated that the shed and mailbox were pre-existing when she purchased the home.

Eileen Krayne (sworn in) – Ms. Krayne asked for clarification on why the screened area was not considered a porch.

MaryBeth Park (sworn in) – Ms. Parks has no problem with the screened area and feels it adds value to the property.

Renee Godlewski (sworn in) – Ms. Godlewski is in favor of the screened area and feels it adds value and looks good in the neighborhood.

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

Mr. Rumpf once again discussed the Estoppel issue with Mr. Kitrick. Mr. Rumpf stated that the applicant has done nothing to mislead and acted in good faith when adding the screened area, by obtaining all necessary permits.

On a motion by Mr. Sullivan, seconded by Mr. Armitage, Application #2016-01 was approved. Roll Call:

Visconti – Yes
Doherty – Yes

Jordan – Yes
Sullivan – Yes

Armitage – Yes
Fuller – Yes Gautier - Yes

C. Variance Application #2016-02

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

Richard Kitrick, Esquire for the applicants. This is a storm-damaged secondary resident for Mr. & Mrs. Weaver, who were both sworn in. Applicant is raising the existing structure on pilings. There is a drainage easement on the site, which prevents the applicant from putting the stairs to the raised structure in certain areas. Pilings were mis-set and stairs cannot be set under the house due to the location of the pilings. If the location of the stairs were to be moved it would decrease the width of the hallway making it non-compliant. Marked as Exhibit A1 was a photograph of the house set on pilings. The house was incorrectly set by 14 inches. Marked as Exhibits A2 thru A6 were photographs of other houses in the neighborhood with stairs in the sideyard taken by Mrs. Weaver. Marked as Exhibits A7 thru A9 were additional photographs taken by Mrs. Weaver. The location of the stairs and access to the house was discussed in detail. Marked as Exhibit A10 was a drawing done by Mr. Weaver. The platform to the electrical box must remain according to Mr. Kitrick. The Chairman discussed the photographs taken and the location of the stairs. The existing shed will be removed or brought into compliance. The location of the existing fence was

also discussed. After some discussion, it was agreed to carry the application until the next meeting. The Chairman requested that the surveyor be present.

On a motion by Mr. Jordan, seconded by Ms. Doherty this application was carried until the April 13, 2016 meeting with no additional notice required. The applicant also waived any time constraints by the board. Roll Call:

Visconti – Yes	Jordan – Yes	Armitage – Yes
Doherty – Yes	Sullivan – Yes	Fuller – Yes Gautier - Yes

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

There was no public remaining in the courtroom, so the meeting was not opened to the public.

11. BOARD DISCUSSION / COMMENTS:

None

12. 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) a payment of \$280.00 to Remington, Vernick & Vena Engineers; (b) a payment of \$3,138.96 to Rumpf, Rumpf & Reid; and (c) a payment of \$100.00 to Robin Schilling as the board's recording secretary. A motion to approve payment of vouchers was made by Ms. Doherty, seconded by Mr. Jordan. Roll Call:

Visconti – Yes	Jordan – Yes	Armitage – Yes
Doherty – Yes	Sullivan – Yes	Fuller – Yes Gautier - Yes

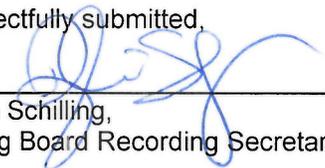
13. EXECUTIVE SESSION:

On motion was made and seconded for the board went into Executive Session. All Aye.

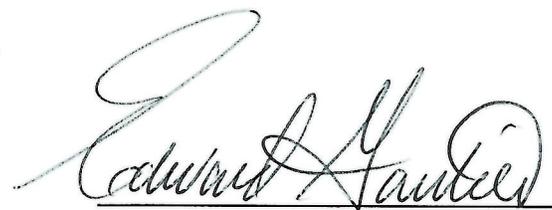
14. ADJOURNMENT:

After returning from Executive Session, a motion to adjourn was made by Mr. Armitage, seconded by Ms. Doherty. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



Edward Gautier, Chairman
Township of Little Egg Harbor
Zoning Board