

**UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JULY 14, 2011**

The regular meeting of the Upper Township Zoning Board of Adjustment was held at the Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 7:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Christopher Phifer, Jeffrey Pierson, Andrew Shawl, Joseph Healy and Chair Paul Casaccio.

Absent: Ted Klepac, Matthew Unsworth, Peter Schuler and Lynn Petrozza.

Also in attendance were Dean Marcolongo, Board Solicitor; Paul Dietrich, Board Engineer; Shelley Lea, Zoning Officer and Board Secretary.

APPROVAL OF THE JUNE 9, 2011 MEETING MINUTES

A motion to approve the minutes was made by Mr. Pierson, seconded by Mr. Healy, and approved. Abstain: Shawl.

PAUL DIETRICH AND SHELLEY LEA SWORN

TABLED APPLICATIONS

T & R HOLDINGS LLC – BLOCK 348, LOT 1.01 – BA01-11

This application has been tabled until August 11, 2011. The applicant has agreed to waive the tolling of time. No further notice will be given.

SEASIDE CEMETERY COMPANY – BLOCK 599, LOTS 2, 2, 4, 8 – BA04-11

This application has been tabled until September 8, 2011. The applicant has agreed to waive the tolling of time. No further notice will be given.

ATLANTIC CAPE BUILDERS LLC – BLOCK 568, LOT 2.05 – BA12-11

This application has been tabled until August 11, 2011. The applicant has agreed to waive the tolling of time. No further notice will be given.

NEW BUSINESS

1. RYAN PARRIS – BLOCK 505, LOT 31 – BA13-11

Applicant is requesting variances for rear yard setback to construct an addition to a single-family dwelling at 340 Essex Avenue, Marmora.

Michael Stanton, Esquire, represented the applicant.

Ryan Parris, 340 Essex Avenue, Marmora, was sworn. Mr. Parris testified he is the owner of the property. He is proposing to convert his screen porch into a family room to be able to use it throughout the year. The room is currently used as storage. The room is currently 12' x 16' and he is proposing to add 148 sq ft so that the room will be 17' x 20'. The ordinance requires a 25 ft rear yard setback and the applicant is requesting 20.6 ft.

Mr. Stanton stated the variances are diminimis and would not be a detriment the neighborhood. He feels the variances could be granted using both the C1 and C2 criteria. There is no available land to purchase.

The meeting was open to the public. Hearing no comment the meeting returned to the Board for findings of fact.

MR. PIERSON – Ryan Parris is the owner of 340 Essex Avenue in Marmora, New Jersey. Michael Stanton, Esquire, is representing the applicant. Mr. Parris is applying for a variance for rear yard setback to allow 20.6' where 25' is needed. He would like to make the porch more livable by increasing the size from 12' x 16' to 17' x 20'. The room will be insulated so that it can be used year round. There were no comments from the public. The building coverage complies with the ordinance. He believes the variance could be granted without substantial detriment to the public good and would not impair the intent and purpose of the zoning plan and zoning ordinance.

MR. SHAWL - The addition will conform to the existing house.

MR. CASACCIO – There was discussion about vacating Mistletoe Avenue to give the applicant additional property, however it was determined this would not be possible.

A motion to grant the application with the standard conditions was made by Mr. Pierson, seconded by Mr. Shawl, and approved. In favor: Phifer, Pierson, Shawl, Schuler, Healy and Casaccio.

RESOLUTIONS

1. JLC DEVELOPERS LLC – BLOCK 853, LOT 10 – BA11-11

A motion to adopt the Resolution was made by Mr. Pierson, seconded by Mr. Healy, and approved. Abstain: Shawl.

2. SEAN MONTGOMERY / INTEGRITY BAYVIEW PROPERTIES LLC –
BLOCK 825, LOT 10 & 10.01 – BA10-11

A motion to adopt the Resolution was made by Mr. Pierson, seconded by Mr. Healy, and approved. Abstain: Shawl.

BILLS

A motion to pay the bills was made by Mr. Shawl, seconded by Mr. Pierson, and approved.

EXECUTIVE SESSION

A motion to go into Executive Session to discuss pending litigation was made by Mr. Pierson, seconded by Mr. Healy, and approved. (7:45 p.m.)

The Board returned to the record at 7:48 p.m.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Pierson, seconded by Mr. Shawl, and approved. The meeting was adjourned at 7:48 p.m.

Submitted by,

Shelley Lea