

**UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
SEPTEMBER 13, 2012**

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

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

Present: Ted Klepac, Christopher Phifer, Jeffrey Pierson, Andrew Shawl, Matthew Unsworth, Lynn Petrozza, Joseph Healy, Hobart Young, Alistair Lihou, Susan Adelizzi-Schmidt and Chair Paul Casaccio.

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

Mr. Healy and Mr. Young left the meeting at this time since there was a quorum present.

SWEAR IN BOARD PROFESSIONALS

APPROVAL OF THE AUGUST 9, 2012 MEETING MINUTES

A motion to adopt the minutes was made by Mr. Unsworth and seconded by Mr. Klepac. In favor: Klepac, Phifer, Unsworth, Petrozza, Lihou, Adelizzi-Schmidt, Casaccio. Abstain: Pierson, Shawl.

APPLICATIONS

1. SUSAN MORGAN – BLOCK 477, LOT 9.02 – BA04-12

Applicant is requesting a use variance to operate a business in the residential zone at 1986 Tuckahoe Road, Petersburg.

Solicitor Marcolongo explained that this application was tabled last month since the applicant did not notify the utilities. The applicant did not notice the utilities again this month so the Board does not have jurisdiction to hear the application. The Zoning Officer has issued a summons.

Solicitor Marcolongo will write a letter to Mrs. Morgan advising her to resend the notices, notice the utility companies and notice in the newspaper for the October meeting.

2. JAMES AND BETTY COOMBS – BLOCK 834, LOT 2 – BA10-12

Applicants are requesting variances for side yard setback, building coverage and impervious coverage to extend the side porch and variances for length of curb cut, size of the on-site parking spaces, distance between the house and the outbuildings and setbacks for an existing shed at 6 East Sumner Avenue, Strathmere.

James Coombs and Betty Coombs, 16 Route 77, Elmer, NJ were sworn. They are the owners of the subject property. Mrs. Coombs submitted a file folder with 10 photos that Solicitor Marcolongo marked as Exhibit A-1.

Mr. Coombs testified that the front and rear decks and some of the side landings were already on the building when they purchased the property in 2008. The shower, outbuilding and shed were all in their present location when the property was purchased. Mr. Coombs also testified that the second floor was added in early 1980.

Mr. Dietrich stated that the shower, outbuilding and shed do not meet the setbacks. The applicants were advised to advertise for these non-conformities. The entire frontage is an apron. Parking vehicles under the front porch is difficult because of the configuration of the posts. In order to get off street parking they have to park somewhat in the right of way.

Mr. Coombs testified that the curb along the front needs to be replaced. He stated there is 28 ft. from the house to the curb which is sufficient for a parking stall.

Mrs. Coombs submitted google shots showing the location of the parking lot on adjacent lot 1 that is part of the Strathmere Motel property. The google photos were marked Exhibits A-2 and A-3.

Mr. Dietrich believes the applicants were trying to make a more stable and wider staircase to the second floor. Mr. Coombs testified the previous staircase was not safe and people have fallen and gotten hurt. They moved the stairway over 6 inches to provide for the railing. The porch was made larger to make it easier to get in and out of the house with large items. The 40 ft. wooden fence in the rear was rotten and taken out.

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

MR. UNSWORTH – Jim & Betty Coombs of Elmer, New Jersey are the owners of 6 East Sumner Avenue in Strathmere, block 834, lot 2. The house has pre-existing non-conforming decks that they were repairing. The applicant has not made any significant changes to the footprint of the

decks. The decks were extended and are now encroach 6 inches more into the setback. There is a slightly larger landing. The Township Engineer feels the depressed curb is sufficient. There was no public comment. There was very little change by the applicant. He would be in favor of the application.

MS. ADELIZZI-SCHMIDT – Nothing to add.

MR. KLEPAC – The applicants represented themselves.

MR. SHAWL – The Strathmere Motel parking lot is located on the side of the applicant's property where the variance is being requested and not a residential lot. The decks do not interfere with light, air and open space. A new curb will be constructed.

MR. PIERSON – He believes this could be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning plan or zoning ordinance.

MR. PHIFER – Nothing to add.

MS. PETROZZA – She believes the relief could be granted since it satisfies special reasons 40:55D-2, c.

MR. LIHOU – He thinks that it should be approved.

CHAIR CASACIO – He concurs with his colleagues and is in favor of the application as presented.

A motion was made by Mr. Pierson and seconded by Mr. Shawl to grant the variance relief for side yard setback, front yard setback, building coverage, impervious coverage, width of curb cut, setbacks for the small shed, distance between buildings, size of parking stall, rear yard setback for outbuilding and the standard conditions. In favor: Klepac, Phifer, Pierson, Shawl, Unsworth, Petrozza, Casaccio.

RESOLUTIONS

1. BUSTED KNUCKLE AUTO & TIRE LLC – BLOCK 544.02, LOT 9 – BA09-12

A motion was made by Mr. Unsworth and seconded by Mr. Shawl to adopt the Resolution. In favor: Klepac, Lihou, Petrozza, Phifer, Unsworth, Casaccio.

BILLS

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

DISCUSSION

Solicitor Marcolongo informed the Board that Robert Breunig is appealing the Boards decision on the T & R Holdings application.

ADJOURNMENT

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A motion to adjourn the meeting was made by Mr. Phifer, seconded by Ms. Petrozza and approved. The meeting was adjourned at 8:04 p.m.

Submitted by,

Shelley Lea
Zoning Officer