

**UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
AUGUST 13, 2015**

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

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Joseph Healy, Ted Klepac, Alistair Lihou, Christopher Phifer, Susan Adelizzi-Schmidt, Andrew Shawl, Carol Tutelian, Matthew Unsworth and Paul Casaccio.

Absent: Sherri Lisa Galderisi and Lynn Petrozza.

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

SWEAR IN BOARD PROFESSIONALS

APPROVAL OF THE JULY 9, 2015 MEETING MINUTES

A motion to adopt the minutes was made by Ms. Adelizzi-Schmidt, seconded by Mr. Shawl, and approved. Abstain: Healy, Klepac, and Lihou.

SWEAR IN PAUL DIETRICH AND SHELLEY LEA

APPLICATIONS

1. **CLERMONT HOMES LLC – BLOCK 838 LOT 2 – BA 16-15**

Applicant is requesting a use variance to allow a single family dwelling in the Resort Commercial zone and bulk variances for lot area, lot frontage, lot width, front, rear and side yard setbacks and building coverage and variances for the width of the driveway and setback at 301 S. Commonwealth Avenue in Strathmere.

Carol Tutelian stepped down during discussion and voting.

Matthew Unsworth, 2 Farm Road, Petersburg, New Jersey, was sworn along with Joseph Maffei, Professional Engineer.

Mr. Unsworth testified he is the sole member of Clermont Homes, LLC. The subject property is located on the southeast corner of Commonwealth Avenue and Vincent Avenue in Strathmere. This is a 40' x 100' corner lot. He is requesting a use variance to construct a single family in the Resort Commercial zone. Bulk variances are needed for lot area, frontage and width. These are

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pre-existing non-conforming conditions since the lot is 4,000 sq. ft. where 6,000 sq. ft. is needed. Front, side and rear yard relief is needed because of the location of the septic and because this is a corner lot with two front yards. A variance for building coverage is needed for the proposed decks on the house. The decks add to the aesthetics and function of the property. A variance is needed for the driveway width due to the narrowness of the lot.

Mr. Maffei testified the lot is in a commercial district although the majority of the neighborhood is residential. Approximately 65% of the lots are less than 6,000 sq. ft. He reviewed each of the requested variances. He stated the septic system is designed for a two bedroom home. He stated that a variance for building coverage would not be needed if this were a residential zone. He also stated that four off-street parking spaces would be available, three on Commonwealth and one on Vincent Avenue.

Mr. Maffei testified regarding the requested use variance. He feels the proposed house is an appropriate use. He believes the variance can be granted in accordance with 40:55D-2 a, b and g. He stated that numerous variances would be needed to develop this as a commercial site. The proposed house is 1,056 sq. ft. and the proposed decks are 384 sq. ft. He testified that granting the variances would not have a detriment on the public good and would not impair the intent of the zone plan or zoning ordinance.

Mr. Dietrich requested the applicant install a French drain along the rear and side property lines that would tie into the rain gutters. He also requested the applicant add a pop up drain toward Commonwealth Avenue on the south side. Curb and sidewalk are needed. He feels the wider curb cut is acceptable since other homes in the area have wide driveways or two curb cuts.

The meeting was open to the public.

Rosalind Garrigle, 10 E. Vincent Avenue, was sworn. She had questions about her existing fence.

Patricia Erickson, 6 Tecumseh Avenue, was sworn. She asked who would be living in the house.

Hearing no further comment the meeting returned to the board for findings of fact.

MR. SHAWL – Clermont Homes LLC is the contract purchaser of a vacant lot located on the corner of Commonwealth Avenue and Vincent Avenue in Strathmere. The lot is 4,000 sq. ft. and is zoned RC. The applicant is requesting a D variance to allow a single family dwelling in the commercial zone. Several bulk variances are also required. The location of the house is dictated by the septic. Joseph Maffei provided testimony regarding the amount of residential uses in the area. The proposed house was designed to fit in with the area. This is a corner lot and requires two front yard setbacks. The proposed house is 1,056 sq. ft. with 384 sq. ft. of decks which are customary in a seashore town like Strathmere. Four offsite parking spaces would be provided. The house would be secured from flood. Two residents within 200 ft. had questions.

MR. PHIFER – There would be no substantial detriment to the public good would be created by granting the requested relief. He finds that a commercial use on the property could be more detrimental to the neighborhood and would create more traffic. He finds the residential use is more fitting with the neighborhood. He agrees that special reasons a, b and g apply.

MR. KLEPAC – He concurs. There were no objections from the public.

MR. HEALY – He finds that relief can be granted without substantial detriment to the public.

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A motion was made by Ms. Schmidt and seconded by Mr. Lihou, to grant a use variance to allow a residential use in the commercial zone along with multiple variances to construct a single family dwelling in the RC zone with the standard conditions and that the plans are revised to create a stone trench/French drain to tie into the gutter, the location and size to be approved by the board engineer and curb and sidewalk. In favor: Healy, Klepac, Lihou, Phifer, Schmidt, Shawl and Casaccio.

BILLS

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

RESOLUTIONS

1. ADVANTAGE EQUIPMENT SALES – BLOCK 600 LOTS 26 & 30 – BA25-14

A motion to adopt the resolution was made by Ms. Schmidt, seconded by Mr. Shawl, and approved.

2. MARION LOTKA – BLOCK 731 LOT 4 & 5.01 – BA13-15

A motion to adopt the resolution was made by Ms. Schmidt, seconded by Mr. Shawl, and approved.

3. GEORGETTI INVESTMENTS LLC – BLOCK 567 LOTS 55.02- 55.17 – BA14-15

A motion to adopt the resolution was made by Ms. Schmidt seconded by Mr. Shawl, and approved.

4. JOYCE JOHNSON – BLOCK 547 LOTS 3.01 & 3.02 – BA15-15

A motion to adopt the resolution was made by Ms. Schmidt, seconded by Mr. Shawl, and approved.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Shawl and seconded by Ms. Schmidt. The meeting was adjourned at 8:06 p.m.

Submitted by,

Shelley Lea