

**UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JUNE 9, 2016**

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, Lynn Petrozza, Christopher Phifer, Susan Adelizzi-Schmidt, Andrew Shawl, Carol Tutelian and Paul Casaccio.

Absent: Sherrie Lisa Galderisi, Ted Klepac and Matthew Unsworth.

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

APPROVAL OF THE MAY 2016 MEETING MINUTES

A motion to approve the minutes was made by Ms. Adelizzi-Schmidt, seconded by Mr. Phifer, and approved.

SWEAR IN PAUL DIETRICH AND SHELLEY LEA

TABLED APPLICATIONS

1. RONALD MONTGOMERY – BLOCK 845 LOT 7 BA25-15

This application will be heard on July 14, 2016 at 7:30 p.m. The applicant has agreed to waive the time in which the board has to act on this application. No further notice of this application will be given.

BILLS

A motion was made by Mr. Healy and seconded by Ms. Adelizzi-Schmidt to pay the bills as presented. The motion was approved.

RESOLUTIONS

1. JEFFREY AND JILL MCINTYRE – BLOCK 479 LOT 40.02 – BA07-16

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

2. DONALD SIMON SR. – BLOCK 348 LOT 94.04 – BA09-16

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

3. JIG NJ LP – BLOCK 836 LOTS 1, 2, 5.01 – BA05-16

A motion to adopt the resolution was made by Ms. Adelizzi-Schmidt, seconded by Mr. Shawl, and approved. Abstain: Adelizzi-Schmidt and Tutelian.

APPLICATIONS

1. EDWARD MCCARRON AND LINDA CHECCHIO – BLOCK 851 LOT 17 – BA06-16

Applicants are requesting variances for front yard setback, side yard setback, building height, impervious coverage, driveway width and waiver from installing a sidewalk as part of the raising of a single family dwelling at 17 E Willard Avenue in Strathmere.

Linda McCarron, 434 Washington Avenue, Haddonfield, New Jersey and Chad Ziegler of Ziegler Construction, were sworn.

Ellen Nicholson Byrne, Esquire, represented the applicants. She stated that this house was lifted after Sandy. She believes the benefits of granting the requested variances substantially outweigh any detriments. The lot is conforming and the original house was built in the 1940's. A copy of the survey by Thomas Karr, dated 5-1-2009, was included with the application. She submitted a packet of six black and white photos of the property that was marked as Exhibit A-1.

Mrs. McCarron testified that she purchased the house in May 2009. Mrs. McCarron explained each of the photos in Exhibit A-1. She testified the garage shown in the photos has been demolished and storage was created under the structure. She testified the rear steps go to the second floor apartment. She stated this is a duplex, however they use it as a single family home and do not rent it out. There is no interior entryway. The upstairs is used as a guest room for family. There is a total of five bedrooms and two baths in the structure. She testified that the original curb cut was 18 ft. and they are requesting a variance to allow it to remain 18 ft.

Mrs. McCarron testified that after receiving the Substantial Damage Letter from Paul Dietrich, dated August 21, 2013, they decided to elevate their home. They contacted R.D. Green Engineering and they prepared a proposed site plan.

ZONING BOARD OF ADJUSTMENT

MAY 12, 2016

PAGE 3 OF 4

A set of six pages of renovation plans was marked A-2. A package containing three photos of the property was marked A-3. The board determined that a height variances is not needed. Mr. Dietrich stated that the driveway width is pre-existing. He also stated that the impervious coverage is 215 sq. ft. over what is permitted. There was discussion regarding the sidewalk and what type of material could be used.

Ms. Lea testified that she did not know this was a duplex when she signed the zoning permit to raise the structure. She stated the structure meets the criteria for a two family dwelling and requires a use variance to proceed. There was a short break. Upon returning to the record Mr. Dietrich testified the property record card indicates this is a two family dwelling. Solicitor Marcolongo stated that several modifications and additions were made to the structure that have expanded this non-conforming use. The board does not have jurisdiction since a use variance was not requested. The applicant will have to re-notice prior to the next hearing. Mr. Dietrich stated that the survey shows that after the improvements to the property the impervious coverage was reduced by only 15%. Ms. Lea testified the impervious coverage on the As Built Survey is more than the proposed plan submitted along with the zoning permit.

2. MARK & PATRICIA LAWLOR – BLOCK 348 LOT 94.14 – BA11-16

Applicants are requesting variances for lot area, lot width, side yard setback, building coverage, setbacks for accessory structure and distance between buildings to construct a single family dwelling and storage shed at 5 Crop Street, Petersburg.

A motion to appoint Christopher Phifer as Chair during this application was made by Ms. Adelizzi-Schmidt, seconded by Mr. Healy, and approved.

Chairman Casaccio, Mr. Shawl and Mrs. Tutelian stepped down during this application.

Patricia Lawlor, 34 Caledonia Drive, Seaville, was sworn. Mrs. Lawlor testified they are proposing to construct a single family dwelling and a shed on this lot. The lot is 92,913 sq. ft. and is located in the “AR” zoning district.

Mr. Dietrich explained how the zoning was changed now requiring a variance to build on this lot.

The meeting was open to the public. Hearing no comment the meeting returned to the board for finding of fact.

MS. PETROZZA – The Lawlor’s are the owners of the subject property. The property was subdivided in 2004 and in 2007 the property was zoned from “R” to “AR” making it an undersized lot. Bulk variances are needed to build a house since the lot is undersized. If the zone were not changed a variance would not be needed. There was no public comment.

ZONING BOARD OF ADJUSTMENT

MAY 12, 2016

PAGE 4 OF 4

A motion to grant the application was made by Mr. Healy and seconded by Ms. Adelizzi-Schmidt. In favor: Healy, Petrozza, Adelizzi-Schmidt, Phifer.

ADJOURNMENT

A motion to adjourn the meeting was made by M Adelizzi-Schmidt, seconded by Ms. Petrozza, and approved. The meeting was adjourned at 8:42 p.m.

Submitted by,

Shelley Lea
Secretary