

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT MEETING MINUTES FEBRUARY 7, 2019

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: Sherrie Lisa Galderisi, Joseph Healy, Richard Mashura, Karen Mitchell, Lynn Petrozza, Christopher Phifer, Andrew Shawl, Matthew Unsworth, Paul Casaccio.

Absent: Ted Klepac, Larry Trulli.

Also, in attendance were Robert Belasco, Esquire, Acting Board Solicitor; Paul Dietrich, Board Engineer; Shelley Lea, Board Secretary and Zoning Officer.

SWEAR IN PAUL DIETRICH AND SHELLEY LEA

APPROVAL OF THE JANUARY 3, 2019 MEETING MINUTES

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

ZONING BOARD OF ADJUSTMENT OATH OF OFFICE 2019

TABLED APPLICATIONS

1. KAROLANN KEMENOSH – BLOCK 723 LOT 56 – BA 18-18

A letter from Jon Batastini, Esquire, requests to table the application until March 14, 2019 at 7:30 p.m. The applicant agrees to waive the tolling of time. No further notice is required.

2. HARRIET LANE LLC / 2058 SOUTH SHORE ROAD LLC – BLOCK 567 LOT 24 – BA 25-18

Due to a change in the meeting date this application will be tabled until March 14, 2019 at 7:30 p.m. The applicant has agreed to waive the time in which the board has to act on the application. No further notice is necessary.

RESOLUTIONS

1. CORIN & NANCY ARSENAULT – BLOCK 449 LOT 4 – BA 24-18

A motion to adopt the resolution was made by Mr. Unsworth, seconded by Mr. Shawl and approved. Abstain: Galderisi, Healy.

2. CONTRACT FOR LEGAL SERVICES – ROBERT BELASCO, ESQUIRE

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

3. RESOLUTION APPOINTING ROBERT BELASCO, ESQUIRE, AS
TEMPORARY BOARD SOLICITOR

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

BILLS

A motion to approve the bills as submitted was made by Ms. Petrozza, seconded by Mr. Shawl, and approved.

APPLICATIONS

1. KRISTINA WRIGHT – BLOCK 449 LOT 2 – BA 23-18

Applicant is requesting a side yard setback variance, 13 ft. required, 5 ft. proposed, for a 14' x 40' accessory structure at 941 Upper Bridge Road in Petersburg.

Kristina Wright, 941 Upper Bridge Road, was sworn. Ms. Wright is the owner of the property. She testified the proposed location is the best and most suitable location for the structure because of the size of the property, existing layout of the buildings and location of the septic system. The proposed location would not be a detriment to the neighbors property since it meets the required distance between a pool and a structure and will comply with the boards recommendation contained in the annual report for a distance of 15' between a pool and structure. This location would not have a negative effect on light, air and open space. Placing the shed in this location would require the removal of some trees and vegetation. This location mirrors the location of the neighbors shed.

Ms. Wright testified the shed is pre-owned, so she can't control where the doors and windows are located. Because of the location of the windows and doors on the structure this is the best location for security. The other side of the lot already contains a garage and a septic system so there is not enough space. The structure would be barely visible from the road. The structure is used for storage of cars and parts that are brought in on a trailer. If the structure were moved she would not be able to get a trailer to the shed to unload it. This location also limits the amount of vegetation that will have to be

removed. There is no electric in the shed. She collects classic cars. The cars that are running are in the garage. The cars that are being restored are in this structure.

The meeting was open to the public.

Jane Powell, 921 Upper Bridge Road, Petersburg, was sworn. She owns the property next to the applicant. She feels the structure is too close to the property line. She has a hyper grandchild and she is scared he will climb up the fence and onto the shed. She finds the building is a deterrent. She doesn't want to have to see the building. She has lived here for 46 years without any problems. She stated the shed causes shadows.

Ms. Wright submitted a photo that was marked Exhibit A-1. The photo shows the shed on Mrs. Powell's property and the shed on property owned by her daughter. She doesn't understand why Mrs. Powell is so concerned about her shed when both of their sheds are on the property line.

Mr. Dietrich indicated the shed would have less shading on the neighbor's property than the trees she will be removing. Any shading the neighbor has today would be decreased with the removal of some of the trees.

The board gave their findings of fact.

MR. SHAWL – Kristina Wright is the owner of 941 Upper Bridge Road, known as Block 449 Lot 2. Ms. Wright is requesting a 5' side yard setback for an accessory structure. This is an undersized lot requiring a 13' setback. This is a prefab shed for storage. The applicant collects and restores classic cars. The shed would be used for storage of inoperable vehicles and large components of the vehicles. She provided drawings showing the property is a unique shape, less than 40,000 sq. ft. and contains a single-family home, detached garage and three sheds. The structure to be relocated is 14' wide, 40' long and 11' tall. The proposed location is the best compromise that can be made to accommodate the existing layout of the house, sheds, pool and the distance to the property line. Some mature trees will be cleared to make room for the shed. The applicant testified the shed would have no detriment to the public good. The shed is located behind the house and would have limited visibility from the street. A trailer is used to back up to the shed to load and unload the cars into the shed. Having the shed 5' from the property line allows her to back up to the overhead door on the shed. Locating the shed on the other side of the property would interfere with the septic system and would be too close to the garage and other sheds. The shed would be located 15' from the neighbors pool and 27' to Ms. Wrights pool. The shed was moved from another location to this site. Ms. Powell testified she is concerned about the proximity of the shed to the property line. She finds the pool is a public nuisance and would negatively impact her property. This is a prefab shed and the applicant is not able to control where the door and windows are located. The shed is similar to other sheds in the neighborhood.

MR. PHIFER – Nothing to add.

MS. PETROZZA – Nothing to add.

MRS. GALDERISI – Nothing to add.

MR. MASHURA – He doesn't believe a hardship exists.

MR. HEALY – Nothing to add.

MR. UNSWORTH – He finds the location of the shed is constant with other sheds in the neighborhood.

A motion to grant the application with the standard conditions was made by Ms. Petrozza and seconded by Mrs. Galderisi. In favor: Galderisi, Healy, Petrozza, Phifer, Shawl, Unsworth. Opposed: Mashura.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Healy, seconded by Mrs. Galderisi, and approved. The meeting was adjourned at 8:15 p.m.

Submitted by,

Shelley Lea
Board Secretary