

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT

MEETING MINUTES

AUGUST 13, 2020

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 began at 7:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Joseph Healy, Richard Mashura, Lynn Petrozza, Andrew Shawl, Larry Trulli, Paul Casaccio.

Absent: Sherrie Lisa Galderisi, Karen Mitchell, Christopher Phifer, Matthew Unsworth.

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

APPROVAL OF THE JULY 9, 2020 MEETING MINUTES

A motion was made by Mr. Healy and seconded by Mr. Mashura to approve the minutes.
Abstain: Petrozza.

SWEAR IN PAUL DIETRICH AND SHELLEY LEA

APPLICATIONS

1. JASON AND STACEY LERA – BLOCK 453 LOT 248.06 – BA 11-2020

Application is for a rear yard setback variance, 10' proposed where 15' is required to construct an accessory structure at 12 Lauradell Drive in Seaville.

Michael Gruccio, Esquire, represented the applicants. He stated the property is zoned R2. The applicant is asking to place an accessory structure 10 ft. from the rear property line. The structure will be used for family entertainment and outdoor recreation. This is a 256 sq. ft., stick-built structure on an existing concrete pad. The structure will be open on one side. Photos of the partially constructed structure are included with the application. A zoning schedule indicating the accessory coverage of the proposed structure and the existing shed is a total of 1.15% accessory coverage. The survey shows the property is an unusual configuration due to the frontage along the cul-de-sac. The Google Earth Map shows the area is very heavily vegetated so the shed will not be a detriment to any of the surrounding properties. He referred to a section in the ordinance that states accessory structures under 100 sq. ft. can be as close as 5 ft. to the property line. He stated that

granting the variance would not have a detrimental effect to the zoning ordinance. There is an existing 10 ft. vegetated buffer along the side and rear property line.

The meeting was open to the public.

Thomas McQuillen, 11 Lauradell Drive, was sworn. He supports the application. The concrete slab the shed is being built on is pre-existing. He feels this will be a nice addition to the neighborhood.

Hearing no further testimony, the meeting returned to the board for finding of fact.

MR. SHAWL – Jason and Stacey Lera are the owners of 12 Lauradell Drive, Block 453 Lot 248.06. The property is zoned R2. There is an existing accessory structure on the property. The applicant is asking for a bulk variance for a structure that will be located 10 ft. from the property line where 15 ft. is required. The structure will be used for family entertainment and will be stick built on an existing concrete pad. The accessory structure is 16' x 16' equaling 256 sf. The structure will be open on one side and will have a roof. The structure is partially constructed since the applicant did not know they needed a building permit. The applicant stopped construction when he found out that a variance was required. The structure is under the maximum coverage permitted for accessory structures. The applicant's attorney has advised the property is uniquely shaped and located on a cul-de-sac. The shed complies with all the bulk requirements except for the rear yard setback. The shed would not cause any parking or traffic issues. This area is heavily wooded. An accessory structure less than 100 sf can be as little as 5 ft. from the property line. The vegetated buffer will remain. The structure will be open on one side and not fully enclosed. Good civic design and arrangement were exercised in the location of this structure. Mr. McQuillen, a resident within 200 ft, testified that he supports the application. He feels the application can be granted for reasons set forth by the applicant's attorney.

MR. PHIFER – Nothing to add.

MR. TRULLI – He concurs.

MR. HEALY – He concurs.

MS. PETROZZA – She concurs.

MR. MASHURA – He concurs.

MR. CASACCIO – He concurs.

A motion to grant the application with the standard conditions was made by Ms. Petrozza, seconded by Mr. Trulli, and approved. In favor: Healy, Mashura, Petrozza, Shawl, Trulli, Casaccio.

2. NOEL MCCREESH – BLOCK 723 LOT 61.11 – BA 10-2020

Applicant is requesting a use variance for the expansion of a non-conforming use to construct a pole barn at 307 Route US 9 North in Beesleys Point.

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Noel McCreesh, 905 Stagecoach Road, Marmora, was sworn. He testified the property is occupied by his daughter and her family. The garage will be for storage since the house does not have a garage. The garage would be located toward the rear of the property and it would meet the setbacks and height requirements. A use variance is needed since there are two pre-existing residential dwellings on the lot which makes the property non-conforming.

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

MR. SHAWL – Noel McCreesh is the owner of the subject property at 307 Route US 9 North in Beesleys Point, Block 723 Lot 61.11. There are two dwellings on the property that are connected by a breezeway. The dwellings have been in the township for a very long time and are in keeping with the historic nature of the Beesleys Point area. The applicant is requesting a use variance for the expansion of a non-conforming use to add a 24' x 32' pole barn with an 8' x 24' porch. The barn is 14' tall. The proposed building meets all the bulk requirements. The barn is one story and would be used for storage since the main house does not have a garage. The garage would be consistent with the character of the neighborhood. Several other properties in this area have garages. He feels the variances can be granted since light, air and open space will be maintained, the garage meets all the bulk standards and is in keeping with the neighborhood.

MR. MASHURA – Nothing to add.

MR. TRULLI – He concurs.

MR. HEALY – He concurs.

MS. PETROZZA – She concurs.

MR. CASACCIO – He concurs.

A motion to grant the application with the standard conditions was made by Mr. Healy, seconded by Ms. Petrozza, and approved. In favor: Healy, Mashura, Petrozza, Shawl, Trulli, Casaccio.

RESOLUTIONS

1. CLAYTON INDUSTRIES INC AND CLAYTON RENTALS LLC – BLOCK 599 LOTS 26, 27 28 – BA 07-2020

A motion to adopt the resolution was made by Mr. Healy, seconded by Ms. Petrozza, and approved. Abstain: Casaccio.

2. THOMAS TOWER – BLOCK 453 LOTS 180.03, 180.04 180.05 – BA 08-2020

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

INVOICES

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

CLOSED SESSION

A motion to go off the record and into closed session was made by Mr. Shawl, seconded by Ms. Petrozza, and approved.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Shawl, seconded by Ms. Petrozza, and approved. The meeting was adjourned at 8:27 p.m.

Submitted by,

Shelley Lea
Secretary