

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
 REGULAR MEETING MINUTES
 JULY 13, 2023

The meeting of the Upper Township Zoning Board of Adjustment was held at Township Hall at 2100 Tuckahoe Road, Petersburg. The meeting was called to order at 6:30 p.m.

SUNSHINE ANNOUNCEMENT
SALUTE TO THE FLAG
ROLL CALL

| Member | Attendance |
|-------------------------|------------|
| James Burger, Alt #1 | Present |
| Paul Casaccio, Chairman | Present |
| Sherrie Galderisi | Present |
| Tom Jackson Alt #2 | Absent |
| Richard Mashura | Present |
| Lynn Petrozza | Absent |
| Christopher Phifer | Present |

| Member | Attendance |
|-----------------------|------------|
| Donald Rainear Alt #3 | Absent |
| Andrew Shawl | Present |
| Matthew Unsworth | Absent |
| Hobie Young, Alt #4 | Present |
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Also, in attendance were Jeffrey Barnes, Board Solicitor, Greg Schneider, Substitute Township Engineer and Liz Oaks, Board Secretary and Zoning Officer.

Greg Schneider and Liz Oaks were sworn.

RESOLUTION

Professional Services Contract with Kates Schneider

A motion to approve the resolution was made by Mr. Burger, seconded by Ms. Galderisi

In Favor: Burger, Galderisi, Mashura, Phifer, Shawl, Young, Casaccio

APPROVAL OF THE JUNE 8, 2023 MEETING MINUTES

A motion to approve the minutes was made by Mr. Burger and seconded by Mr. Phifer.

In Favor: Burger, Mashura, Phifer, Young, Casaccio

Abstain: Galderisi, Shawl

NEW APPLICATIONS

115 ROUTE 50 ASSOCIATES, LLC – BLOCK 549 LOTS 3 – BA 12-2023

Applicant is seeking a use variance and preliminary and final site plan approval with variances for impervious coverage of 58.8% where 50% is required, tree preservation of 9.3% where 15% is required, accessory structure in a front yard, a sign of 80 sq ft where 32 sq ft is permitted and a 5 ft setback of a sign where 20 ft is required for an outdoor storage facility at 115 Route 50, Seaville, New Jersey.

Tabled to the August 10, 2023 meeting.

GIBSON, HARRY – BLOCK 563 LOT 26 – BA 13-2023

Applicant is seeking variance relief for a side yard setback to construct an addition to an existing one-story single-family dwelling at 14 Hope Corson Road, Seaville, New Jersey.

Avery Teitler, Attorney for the applicant. The site is in the R zone and contains a small single-story single-family dwelling on a narrow lot. They seek a bulk variance to construct an addition on to the existing building. The addition will be approximately 22' by 67' on the east side of the building. They intend to include a new master bedroom, laundry room and bathroom. The existing structure only contains one bedroom. The applicant would like to add two bedrooms to create additional living space. The only variance they seek is for a side yard setback on the east side of the property. The requested variance is being sought under the C(2) criteria. The project provides a significant aesthetic improvement creating a more desirable visual environment. And providing setbacks that are compatible with other buildings in this section of Hope Corson Road. Testimony will show that the positives outweigh any negatives and there is no substantial detriment to the public good. There is no substantial detriment to the zone plan or zoning ordinance.

Terry Thomas, George Wray Thomas Architect, was sworn as an expert. Mr. Thomas explained the existing structure is a one-bedroom single-family dwelling. They propose a three-bedroom two bath residence with a garage. Only one side yard setback is being requested. The lot is larger and deeper than the zone requires. It complies with all other bulk variances. There is a significant buffer on the east. That neighbor is not adjacent; that structure is behind them. There is also a 6' privacy fence and many trees that create a physical vegetation buffer. The proposed is to create more living space. It is uncommon to have a one-bedroom home in Upper Township. He believes the variances can be granted under the C(2) criteria. The benefits outweigh any detriments and the proposed will improve the visual environment and improve the housing stock. There is no detriment to the public good. There will be no significant impairment to the intents and purposes of the zone plan or zoning ordinance. He believes the negative criteria has been satisfied.

Mr. Shawl questioned the existing fence shown on the plan and what would be happening with that.

Harry Gibson Jr., 12 Valmar Court, Ocean City, was sworn.

Mr. Gibson testified that the existing wood fence is rotted and will be replaced after the addition has been completed.

Mr. Mashura questioned the septic.

Mr. Gibson testified that a new septic has been installed.

Mr. Schneider asked if any land could be acquired to prevent the need of the variance.

Mr. Teitler explained that all lots in the area were similar in shape and size.

The meeting was open to the public. Hearing no one and seeing no one, the public portion was closed and returned to the board for findings of fact.

Mr. Shawl – The applicant, Harry Gibson, comes before the board regarding 14 Hope Corson Road, Seaville also known as block 563 lot 26. The property has an existing 1 story frame dwelling with one bedroom. The applicant wants to construct an addition on the side of the house including a garage and two more bedrooms to make it a three-bedroom house. To do that they need a variance for a side yard setback due to the narrowness of the lot. The width of the lot is

just over 100' and the depth of the lot is 432'. To create an aesthetically pleasing compliment to the property they were unable to put the addition elsewhere. The improvement of the house is going from a one-bedroom structure to a three-bedroom structure. The criteria under the C(2) would apply to this. We heard testimony from the architect that improving the housing stock is a benefit to the community and the benefits outweigh any detriments. The architect also provided testimony that there was no substantial detriment to the intents and purposes of the zone plan or zoning ordinance. There would be no substantial detriment to the public health as it is a residential use currently and will continue to be a residential use in the future. There was no public comment.

Mr. Burger – Nothing to add.

Mr. Young – Nothing to add.

Mr. Phifer – Nothing to add.

Mr. Mashura – Nothing to add.

Ms. Galderisi – Nothing to add.

Mr. Casaccio – The septic has already been improved to accommodate the three- bedroom proposed addition.

A motion to grant the variance as presented was made by Mr. Young, seconded by Ms. Galderisi. In Favor: Burger, Galderisi, Mashura, Phifer, Shawl, Young, Casaccio

RESOLUTIONS CONT'D

Strathmere Motel, Inc. – Block 834 Lot 1 – BA 09-2023

A motion to approve the resolution was made by Mr. Shawl, seconded by Mr. Burger.

In Favor: Burger, Mashura, Phifer, Casaccio

Abstain: Galderisi, Shawl, Young

Scrocca, Joseph – Block 382 Lot 18 – BA 11-2023

A motion to approve the resolution was made by Mr. Shawl, seconded by Mr. Mashura

In Favor: Burger, Mashura, Phifer, Casaccio

Abstain: Galderisi, Shawl, Young

BILLS

A motion to pay the bills as presented was made by: Mr. Shawl and seconded by Ms. Galderisi. All in attendance voted in favor.

DISCUSSION

Board Engineer position.

Mr. Casaccio updated the board on the search for an engineer. He has had discussions with Mayor Jay Newman. The last report to the board was that Mr. Dietrich would substitute for July, August, and September; however, they were unable to come up with an agreement. He had two or three engineers in mind and was able to get Kates Schneider as substitute for July and August. We will see where September takes us. The Township Committee is supposed to do an RFP between now and the end of the year. They still have to write the requirements for the professional services contract. Mr. Schneider will be available for us August and his partner, Paul Kates, is available in September.

Mr. Casaccio reminded the board members that Mr. Barnes will be coming up with a resolution for the date changes of the meetings. The August meeting will stay the same, August 10, 2023.

The following will be the remainder of the year:

September 7, 2023

October 5, 2023

November 2, 2023 (originally planned due to holidays)

December 14, 2023 (no change due to scheduling conflict with the planning board)

ADJOURNMENT

A motion to adjourn the meeting was made by: Mr. Mashura, seconded by Mr. Shawl.
All in favor. The meeting ended at 6:57 pm.

Submitted by,
Liz Oaks