

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

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THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.

## LOWER TOWNSHIP ZONING BOARD

A regularly scheduled meeting of the Zoning Board of Adjustment was held on October 2, 2014 at the Lower Township Municipal Building. The meeting was called to order at 7:05 P.M. by Chairman James Hanson. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Chairman James Hanson  
David F. Brand, Jr.  
Ernest Utsch III  
Bruce Waterman  
Michael DiStefano  
Dianne Kelly

MEMBERS EXCUSED: John Armbruster  
Robert Sweeten  
Erik Collins

STAFF PRESENT: Anthony J. Harvatt, II, Board Solicitor  
Joseph Maffei, Board Engineer  
William J. Galestok, Board Secretary  
Lisa A. Schubert, Recording Secretary

CORRESPONDENCE:

Handouts:

List of Board Solicitor vouchers dated October 1, 2014.

List of Board Engineer vouchers dated October 2, 2014.

List of Hatch Mott MacDonald voucher dated October 2, 2014.

Mr. Brand made a motion to approve the minutes from the September 4, 2014 meeting. The motion was seconded by Mr. Waterman. Motion carried.

Mr. Waterman made a motion to approve Hatch Mott MacDonald vouchers. The motion was seconded by Mr. DiStefano. Motion carried.

Mr. Waterman made a motion to approve Board Engineer vouchers. The motion was seconded by Mr. DiStefano. Motion carried.

Mr. Waterman made a motion to approve Board Solicitor vouchers. The motion was seconded by Mr. Brand. Motion carried.

Mr. Waterman made a motion to approve the resolutions from the September 4, 2014 meeting. The motion was seconded by Mr. Brand. Motion carried.

1. Use & hardship variance & minor site plan applications for a single family dwelling and a 60 x 60 pole barn facility for construction equipment. Hardship variances needed for lot frontage and accessory use larger than principal use, submitted by Jeffrey Van Mourik for the location known as Block 498, lot 1.10, 151 Fishing Creek Road.

Mr. Peter Tourison, Esq., represented the applicant.

Mr. Jeff Van Mourik, applicant, was sworn in by Chairman Hanson.

Mr. Tourison explained to the Board the property has 50' frontage on Fishing Creek Road. It also has frontage on Pine Street. He explained the property is 6.8 acres. He explained that his client has a part-time business and he would like to keep his dump trucks and bull dozers

on site.

Mr. Van Mourik explained he plans to build his house and live there. He explained he would like the pole barn to store his equipment. He explained he has six pieces of equipment. He explained he averages seven to ten jobs a year. He explained the access to the property is from Pine Street and he has no problem extending Pine Street. He explained the pole barn wouldn't be visible from Fishing Creek or Breakwater Roads. He explained the pole barn will probably be smaller than what is proposed. He explained there would be one exterior light on the barn outside the door.

The Board explained it seems the driveway is narrow for emergency vehicles. There was a discussion that 12' is a standard width they have requested. Mr. Galestok explained that it should be left up to the fire department. Mr. Van Mourik explained that if the fire department wants the driveway wider, he'll make it wider.

Mr. Tourison explained that in 2007 the Planning Board approved a seven-lot subdivision for this property. He explained that if this is approved, that approval would be abandoned. He submitted the approving resolution into evidence.

Mr. Van Mourik explained there would be no access to the property from Fishing Creek Road.

Mr. Maffei read Engineer's comments dated August 27, 2014.

This portion of the hearing was opened to the public.

Ms. Marian Raff was sworn in by Chairman Hanson.

Ms. Raff asked Mr. Van Mourik what the benefit of this application was? Mr. Van Mourik explained the property is currently vacant and one residence would improve the area and the property.

Ms. Raff asked Mr. Van Mourik how many pieces of equipment he had and to name them, if he would be lighting the property and that she has been mowing a small section of the lot that fronts on Fishing Creek Road. Mr. Van Mourik explained that he would not be lighting the property. He explained there would be a light on the house and one by the door of the garage.

Mr. Dave LePor was sworn in by Chairman Hanson.

Mr. LePor explained he is partners with Mr. Van Mourik in the business. He explained the property is 6.8 acres and there are a lot of options for the property. He explained what is proposed is a lot less intense than what could be for this property. He explained this is not a store front and no one would be coming to this property.

This portion of the hearing was closed to the public.

The Board asked Mr. Van Mourik where his equipment is being stored? Mr. Van Mourik explained he had the equipment stored for a while at the mobile home park. He explained there weren't any complaints and there is more density at that location.

The Board asked about the height of the pole barn? Mr. Van Mourik explained it would be 27' or less in height.

Mr. Waterman made a motion to conditionally approve the use variance application. The motion was seconded by Mr. Brand.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mrs. Kelly	YES	Chairman Hanson	YES

Motion carried.

Mr. Waterman made a motion to conditionally approve the hardship variance application. The motion was seconded by Mr. Brand.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mrs. Kelly	YES	Chairman Hanson	YES

Motion carried.

Mr. Brand made a motion to conditionally approve the site plan application. The motion was seconded by Mr. Waterman.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mrs. Kelly	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

2. Hardship variance application to construct a detached garage - total accessory use square footage exceeding square footage of principal use, submitted by Quintin Lilly & Catherine Hunt for the location known as Block 227, Lots 1-4, 103 Cardinal Avenue.

Mr. Quintin Lilly and Ms. Catherine Hunt, applicants, were sworn in by Chairman

Hanson.

Ms. Hunt explained they would like to construct a garage. She explained they need additional storage. She explained that the setbacks would be met, but the total accessory use square footage would exceed the square footage of the house. She explained that they do not want outside storage. Mr. Lilly explained they would have to pull onto the property to access the garage.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Waterman made a motion to conditionally approve this application. The motion was seconded by Mr. Brand.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mrs. Kelly	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

Mr. Brand made a motion to adjourn at 7:58 P.M. The motion was seconded by Mr. Waterman. Motion carried.

Respectfully submitted,

Lisa A. Schubert,  
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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