

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

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## LOWER TOWNSHIP ZONING BOARD

A regularly scheduled meeting of the Zoning Board of Adjustment was held on October 4, 2012 at the Lower Township Municipal Building. The meeting was called to order at 7:00 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  
Robert Sweeten  
Michael DiStefano  
Christopher Kobik  
Dianne Kelly  
Kristine Trusiak  
Stephen Komar

**MEMBERS EXCUSED:** John Armbruster  
Bruce Waterman

**STAFF PRESENT:** Anthony J. Harvatt, II, Board Solicitor  
Shawn Carr, Acting Board Engineer  
William J. Galestok, Board Secretary  
Lisa A. Schubert, Recording Secretary

**STAFF EXCUSED:** Mark Sray, Board Engineer

CORRESPONDENCE:

Handouts:

List of Board Solicitor vouchers dated October 3, 2012.

List of Board Engineer vouchers dated October 4, 2012.

The New Jersey Planner: July/August 2012; Vol. 73, No 4.

Chairman Hanson read the agenda for the benefit of the public.

Mr. Utsch made a motion to approve the September 6, 2012 minutes. The motion was seconded by Mr. Brand. Motion carried.

Mr. Brand made a motion to approve the Board Engineer vouchers. The motion was seconded by Mr. Utsch. Motion carried.

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

Mr. Brand made a motion to approve the resolutions from the September 6, 2012 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

1. Hardship variance application to construct an addition to an existing single family dwelling encroaching into the side yard setbacks, submitted by Samuel & Kimberly Downes for the location known as Block 499.01, Lot 4.02, 683 Townbank Road.

Mr. Louis C. Dwyer, Jr., Esq., represented the applicants.

Mr. Samuel Downes, applicant, and Mr. Joseph Ross, Licensed Architect, were sworn in by Chairman Hanson.

Mr. Dwyer explained the property is in an R-2 zone. He explained the lot is irregularly shaped.

Mr. Harvatt explained he understands the architecture plans and survey do not match.

The architecture plan was marked into evidence. Mr. Dwyer explained the architect plan and survey were submitted to the Planning & Zoning Office August 23, 2012. He explained the architect worked off an old survey. He explained that the proposed addition exceeds the lot coverage by 1.3%. He explained he noticed for side yard setbacks and any other variances that may be needed. He explained that he feels this is sufficient for the noticing. Mr. Harvatt explained that the notice didn't indicate a lot coverage variance was needed. There was a discussion that the survey and architect's plan should be the same.

Mr. Dwyer explained he would continue the application until the November 1, 2012 meeting and they would re-notice the application.

- 2. Hardship variance application to construct a single family dwelling on a lot deficient in lot frontage & width, submitted by Robert Crane for the location known as Block 542, Lots 60-62, 202 Iselin Road.

Mr. Robert Crane, applicant, was sworn in by Chairman Hanson.

Mr. Crane explained to the Board that he would like to construct a single family dwelling on a lot deficient in lot frontage and width. He explained a hardship variance was previously approved for this lot, but has since expired.

The Board asked if adjacent vacant land was available? Mr. Crane explained there wasn't.

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

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kobik	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.

- 3. Hardship variance application to demolish the existing single family dwelling and construct a new single family dwelling on a lot deficient in lot area, frontage, width & encroaching into the side yard setbacks, submitted by Richard Hill for the location known as Block 433, Lot 14.02, 629 Breakwater Road.

Mrs. Isabella Hill, applicant, and Mr. Bernard Dera, were sworn in by Chairman Hanson.

Mr. Dera explained that the survey provided with the application is not what the Hill's would like. He explained that they would like the house moved forward and a six foot and ten foot side yard setbacks. He explained that they would like a building envelope and not a footprint. Mr. Galestok explained the Board can't approve a building envelope when setback variances are needed.

Mr. Dera explained they would like to continue the application until the November 1, 2012 meeting with no new notice. Mr. Harvatt explained new notice would be required. He explained that with the building being relocated, notice would be required.

There was a discussion that a new application fee would not be needed, but additional escrow for the resolution would be required.

Mr. Brand made a motion to dismiss this application without prejudice. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kobik	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.

- 4. Hardship variance application to construct a screened porch encroaching into the side yard setback, submitted by Nicholas Randazzo for the location known as Block 499.01, Lot 18, 691 Townbank Road.

Mr. Nicholas Randazzo, applicant, was sworn in by Chairman Hanson.

Mr. Randazzo explained to the Board that he would like to construct a screened porch to the rear of the house. He explained the lot is long and narrow. He explained there would be electric, but no heat at this time.

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

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kobik	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. Kobik made a motion to adjourn at 7:32 P.M. The motion was seconded by Mr. Brand. 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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