

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

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(609) 886-2005

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 December 6, 2018 at the Lower Township Municipal Building. The meeting was called to order at 7:00 P.M. by Vice-Chairman Michael Kennedy. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Vice-Chairman Michael Kennedy  
David F. Brand, Jr.  
Ernest Utsch III  
Robert Sweeten  
George Doherty  
Robert Basco, Sr.

MEMBERS EXCUSED: Chairman James Hanson  
Bruce Waterman

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

CORRESPONDENCE:

Handouts:

List of Board Solicitor vouchers dated December 3, 2018.

List of Board Engineer vouchers dated December 6, 2018.

The New Jersey Planner: September/October 2018; Vol, 79. No. 5.

Vice-Chairman Kennedy explained the following applications were continued until the January 3, 2019 at 7:00 P.M. at the applicant's request and no new notice would be required.

1. Use variance application to allow an office building and public storage facility, submitted by TB Storage, LLC for the location known as Block 499.01, Lots 23.01, 24.01 & 26.03, 669 Townbank Road.
3. Technical final major subdivision application for the creation of six (6) newly described lots. Preliminary approval was approved on November 1, 2018. Use variance previously approved for residential use in a General Business zone on September 6, 2018, submitted by Mark Platzer for the location known as Block 820, Lot 2.05, 8100 Bayview Drive.
4. Use & hardship variance application to convert the 2<sup>nd</sup> floor of a detached garage into a bedroom and bathroom. Variances needed for front & side yard setbacks, submitted by Lawrence & Barbara Ann Wind for the location known as Block 115, Lot 3, 97 Millman Lane.
6. Use variance application to allow 21 single family dwellings in the Conservation and R-3 Zone, submitted by Marcello Mogavero for the location known as Block 494.01, Lot 28, 10 Shawmount Road.

Mr. Utsch made a motion to approve the minutes from the November 1, 2018 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

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

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

Mr. Utsch made a motion to approve the resolutions from the November 1, 2018 meeting. The motion was seconded by Mr. Brand. Motion carried.

- 2. Use & hardship variance & dune review site plan applications to construct an addition to one of the single family dwellings on the property encroaching into the side yard setback, submitted by Donna Boyle for the location known as Block 69, Lots 1-4, Block 110, Lot 6 & Block 1, Lot 2, 80 Millman Lane.

Mr. Joseph Maffei, PE, PP, and Ms Donna Boyle, applicant was sworn in by Vice-Chair Kennedy.

Mr. Maffei had marked into evidence a colored rendering of the site plan that was submitted with the application.

Mr. Maffei reviewed the rendering with the Board and explained there are three structures on the lot. Two are detached single family dwellings and the third is a garage. He explained that CAFRA approval was received August of this year. He explained that this property is over five acres with owning out into the Delaware Bay and along the beach. He explained because the lot is oddly shaped, a side yard setback variance is needed. He explained a use variance is needed because it is an expansion of a non-conforming use. He explained along with the addition, they would also be enclosing some of the porches. He explained the property and structures have existed this way for quite some time now.

This portion of the hearing was opened to the public.

Mr. Paul Hoffman was sworn in by Vice-Chair Kennedy.

Mr. Hoffman explained he is a neighbor of the property and he has no problem with this application.

This portion of the hearing was closed to the public.

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

VOTE:	Mr. Brand	YES	Mr. Utsch	YES
	Mr. Sweeten	YES	Mr. Doherty	YES
	Mr. Basco	YES	Vice-Chair Kennedy	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.

- 5. Hardship variance application to construct a two-story detached garage exceeding the height and square footage of the house, submitted by Anthony Carino & Linda Wenger for the location known as Block 129, Lot 1, 301 West Atlantic Avenue.

Mr. Anthony Carino, applicant, was sworn in by Vice-Chair Kennedy.

Mr. Carino explained they would like to do this in Phases. He explained the first Phase would be to construct the garage. It would be a three-car garage with a second floor. He explained they eventually will do a second floor on the house, but they haven't decided if they will demolish the house and rebuild or just do a second floor.

The Board asked if there would be living quarters above the garage? Mr. Carino explained there would not be living above the garage and had no problem with this as a condition.

Mr. Galestok asked about the shed and whether it was to be removed or relocated? Mr. Carino explained he would like to relocate it. There was a discussion as to where the shed would be relocated to. It was determined that as long as the shed met the zoning requirements, the shed could be moved.

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. Utsch	YES
	Mr. Sweeten	YES	Mr. Doherty	YES
	Mr. Basco	YES	Vice-Chair Kennedy	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. Sweeten made a motion to adjourn at 7:23 P.M. The motion was seconded by Mr. Basco. 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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