



CORRESPONDENCE:

Handout:

List of Board Solicitor vouchers dated May 28, 2019.

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

Mr. Brand made a motion to approve the minutes from the May 2, 2019 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

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

Mr. Kennedy made a motion to approve the resolutions from the May 2, 2019 meeting. The motion was seconded by Mr. Brand. Motion carried.

1. Discussion of possible meeting time change.

There was a discussion about possibly moving the meeting time from 7:00 P.M. to 6:00 P.M. The time change would take effect starting with the August meeting. If this time change is favorable to the Board, a vote can be taken on the resolution.

Chairman Hanson read resolution #19-24-ZBA that indicated the time change would begin for the August meeting and continue for the remainder of the year.

Mr. Brand made a motion to approve resolution #19-24-ZBA, approving the change in meeting time. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	YES
	Chairman Hanson	YES		

Motion carried.

2. Hardship variance application to construct a 26 x 26 detached garage in front of the principal use and accessory uses exceeding the allowed building coverage, submitted by John & Susan McGarrity for the location known as Block 528, Lots 65-69, 18 Delair Road.

Mr. John McGarrity and Mrs. Susan McGarrity, applicants and Mr. Hal Noon, PP and Licensed Land Surveyor, were sworn in by Chairman Hanson.

Mr. McGarrity explained to the Board that they would like to construct a 26 x 26 detached two-car garage which would meet the 20' front yard setback, but would be in front of the house. He explained there is an existing detached garage that is used for storage.

The Board asked why the proposed garage couldn't be moved back? Mr. Noon explained the proposed garage meets the front yard setback, but having it in front of the house allows for more fire protection. Mr. McGarrity explained there is a side door there from the house.

The Board explained if what is proposed were attached to the house, it could stick out further than the house.

The Board explained they are also seeking a coverage variance and asked why the size of the garage could not be reduced? Also, with the proposed size and being two-stories, it could be used for possible living space. Mr. McGarrity explained the garage was a one-story with a height of 17' to 18'. He explained they are not having stairs.

There was a discussion about restricting the use of living in the garage. It was discussed living is not permitted in an accessory use. If they wanted to use the garage for living, they would have to come back to the Board.

There was a discussion to have a condition of approval that the garage is one story. Mr. Noon explained he would amend the plan to reflect a one story 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. Kennedy made a motion to conditionally approve this application. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Kennedy	YES	Mr. Brand	NO
	Mr. Utsch	NO	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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 construct an 8 x 22 screen room on an existing deck closer than permitted to an accessory use, submitted by Anthony & Diane Ricciardi for the location known as Block 404, Lot 13, 125 Edna Avenue.

Mr. Anthony Ricciardi and Mrs. Diane Ricciardi, applicants were sworn in by Chairman Hanson.

Mr. Ricciardi explained to the Board they have an existing deck that they would like to convert into a three-season room. He explained there is only four feet between the existing deck and the garage.

The Board explained the construction code required fire rating. Mr. Ricciardi explained he has documentation the sunroom is fire rated.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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 covered front porch and expansion of the existing house encroaching into the front yard setback and exceeding the allowed building coverage, submitted by Robert & Barbara Marsicano for the location known as Block 512.13, Lot 3039, 421 Forest Road.

Mr. Thomas Keywood, Esq., represented the applicants.

Mr. Robert Marsicano and Mrs. Barbara Marsicano, applicants and Mr. Paul Farnan, Licensed Architect, were sworn in by Chairman Hanson.

Mr. Farnan explained to the Board the property is 5,022 square feet. He explained the

applicants would like to construct additions to their home. He explained what is proposed matches with the other houses in the area.

Mrs. Marsicano explained she has been coming down for summer vacations for 32 years. She explained this will be their permanent residence. Mr. Marsicano explained they have three grown sons and the family is expanding. He explained the current house is small and they need more room.

Mr. Keywood explained they are adding the front-covered deck that would encroach into the front yard setback and the allowed building coverage would be exceeded by 3%.

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. Keywood explained what is proposed would have a desired visual environment to the area. Mr. Farnan explained they are looking to be cohesive with the area.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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.

6. Extension of hardship variance approval, submitted by Frank & Colleen Rizzo for the location known as Block 234, Lot 1, 400 Rose Lane.

Mr. Frank Rizzo, applicant, was sworn in by Chairman Hanson.

Mr. Rizzo explained to the Board they purchased the lot in 2018. He explained there was an extension in place when he purchased, but that extension is set to expire. He explained they are in the process of designing the house and asking for an additional three-year extension.

The Board discussed it is not out of the ordinary to grant extensions.

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. Sweeten made a motion to approve a three-year extension to expire June 2, 2022. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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.

5. Use & hardship variance and minor subdivision applications for the creation of two (2) newly described lots. Use variance to allow single family dwellings in the General Business (GB) Zone. Hardship variances needed for lot area, frontage, width, depth and encroaching into the front and side yard setbacks and exceeding the allowed building coverage, submitted by Gerrit Van Mourik Family Trust for the location known as Block 775, Lots 16-19 & Block 775, Lots 30-35, 900-906 Wissahickon Avenue & 901-911 Osage Avenue.

Mr. Sweeten excused himself from this application due to a conflict of interest.

Mr. Charles Sandman, Esq., represented the applicant.

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

Mr. Sandman explained what is before the Board looks like they are asking for a lot of relief. But there isn't any bulk requirements for the General Business zone. He explained because of this, you have to apply the bulk requirements for the highest adjoining residential zone. He explained that zone is the R-2 unsewered zone. He explained this property has sewer. He explained if the R-2 with sewer requirements were used, there wouldn't be a need for as many variances.

Marked into evidence as A-1 was a plan of survey. Mr. Sandman explained the survey shows about 10 little lots.

Mr. Van Mourik explained he is the trustee for the property. Mr. Van Mourik explained his family has owned the lots for a long time. He explained they thought they were residential lots and just recently found out they were in the General Business zone. He explained they have CAFRA taken care of. He explained they plan to sell the properties and there will be two single family dwellings. He explained they have tried to sell the property before, but had no interest. He explained there is city sewer and water in the area. He explained this property is adjacent to the Urgent Care and the new Canals liquor store. The mobile home park is across the street. It

was explained there are about six single family dwellings in the area. It was explained what is proposed is the best use for the property.

The Board explained the commercial uses are along the Parkway. Mr. Galestok explained if this area were to be rezoned, it should be an R-3 zone. He explained what is proposed fits with the area.

Mr. Carr summarized Engineer's comments dated May 30, 2019.

Mr. Van Mourik explained he has been to the DEP for the wetlands line.

Mr. Galestok read Cape May County Planning Board comments dated May 28, 2019.

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 the use variance application. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Doherty	YES
	Mr. Basco	YES	Chairman Hanson	YES

Motion carried.

Mr. Kennedy made a motion to conditionally approve the minor subdivision and hardship variance applications. The motion was seconded by Mr. Brand.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Doherty	YES
	Mr. Basco	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. Sweeten made a motion to adjourn at 7:43 P.M. The motion was seconded by Mr. Kennedy. Motion carried.

Respectfully submitted,

Lisa A. Schubert,  
Recording Secretary

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

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.