

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

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## LOWER TOWNSHIP ZONING BOARD

A regularly scheduled meeting of the Zoning Board of Adjustment was held on August 3, 2017 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  
Michael Kennedy  
David F. Brand, Jr.  
Ernest Utsch III  
Bruce Waterman  
Robert Sweeten  
George Doherty

### STAFF PRESENT:

Anthony J. Harvatt, II, Board Solicitor  
Jeffrey Betz, Acting Board Engineer  
William J. Galestok, Board Secretary  
Lisa A. Schubert, Recording Secretary

### STAFF EXCUSED:

Shawn Carr, Board Engineer

CORRESPONDENCE:

Letter:

TO: Mr. William Galestok,  
Planning Director

FROM: John Armbruster

DATE: July 25, 2017

RE: Letter of resignation

Handouts:

List of Board Solicitor vouchers dated August 1, 2017.

List of Board Engineer vouchers dated August 3, 2017.

The New Jersey Planner: May/June 2017 - Vol. 78, No. 3.

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

Chairman Hanson explained Mr. Armbruster, Vice-Chairman has resigned from the Board. He explained a new Vice-Chairman has to be appointed and nominated Mr. Kennedy. Mr. Waterman seconded by motion.

VOTE:	Mr. Brand	YES	Mr. Waterman	YES
	Mr. Sweeten	YES	Mr. Doherty	YES
	Chairman Hanson	YES		

Motion carried.

Chairman Hanson read Resolution #17-36-ZBA, appointing Mr. Kennedy as Vice-Chairman for the remainder of the year.

Mr. Brand made a motion to approve the minutes from the July 6, 2017 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

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

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

Mr. Brand made a motion to approve the resolutions from the July 6, 2017 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

1. Hardship variance application to construct an addition encroaching into the side yard setback, submitted by Arthur Craig for the location known as Block 753.01, Lot 19.03, 1039 Seashore Road.

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

Mr. Arthur Craig, applicant, was sworn in by Chairman Hanson.

Mr. Craig explained the house was built in the 1800's and is known as the Isaac Smith house. He explained the rooms in the house are small. He explained he was going to build this for his wife who was ill, but she passed away a month ago. He explained that he would like to continue with the addition. He explained it would be a bedroom and handicap accessible bathroom.

The Board asked if there were a master bedroom and bathroom on the first floor currently? Mr. Craig explained there wasn't.

The Board explained they read the exceptional conditions on the application and agree with all of them.

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. Utsch	YES
	Mr. Waterman	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Mr. Doherty	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 roof over an existing deck encroaching into the side and rear yard setbacks, submitted by Family Promise of Cape May County for the location known as Block 494.03, Lot 19.05, 505 Townbank Road.

Mr. Patrick Martin, Esq., represented the applicant.

Mr. Martin explained Family Promise is a nonprofit organization which assists families in crisis. He explained this is an Eagle Scout project. He explained Mr. Holloway's brother came before the Board for approval for his Eagle Scout project for a deck. He explained this application is to construct a roof over that deck. He explained Mr. Holloway would like this to be an open air gazebo.

Mr. Matt Hender, License Architect and PP, was sworn in by Chairman Hanson.

Mr. Hender explained Mr. Holloway would like to construct a roof over the existing deck so families and staff members can enjoy and be out of the elements.

Mr. Hender explained 4' side and rear yard setbacks are required and the existing deck is ground level and on the property line. He explained the deck cannot be moved because the posts go right into the ground. He explained he doesn't see a negative impact with adding the roof. He explained the property is odd shaped and it is hard to place anything on the property and meet setbacks.

The Board explained the only problem they see is an encroachment onto the neighbor's property. There was a discussion that the roof line would be flush with the property line and no drainage onto the neighboring properties.

Mr. Andrew Holloway was sworn in by Chairman Hanson.

Mr. Holloway explained to the Board that this is his last step to become Eagle Scout. He explained what is proposed would improve the property value.

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

VOTE:	Mr. Brand	YES	Mr. Utsch	NO
	Mr. Waterman	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Mr. Doherty	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. Harvatt explained he would like to enter into Closed Session to discuss the Bikini Bottom application.

Mr. Kennedy made a motion to enter into Closed Session at 7:16 P.M. The motion was seconded by Mr. Brand.

The meeting was called back to order at 7:22 P.M.

Mr. Harvatt read the Bikini Bottom resolution into the record.

Mr. Kennedy made a motion to adopt the resolution. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Sweeten	YES	Mr. Kennedy	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Brand made a motion to adjourn at 7:35 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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