

# 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 September 5, 2013 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  
John Armbruster  
David F. Brand, Jr.  
Ernest Utsch III  
Robert Sweeten  
Michael DiStefano  
Christopher Kobik  
Erik Collins  
Stephen Komar

MEMBERS EXCUSED: Bruce Waterman  
Dianne Kelly

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

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

Mr. Utsch made a motion to approve the minutes from the August 1, 2013 meeting. The motion was seconded by Mr. Brand. Motion carried.

1. Hardship variance application to construct a single family dwelling on a lot deficient in lot area and depth, submitted by Bernard Dera for the location known as Block 415, Lots 4 & 5, 236 Lennox Avenue.

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

Mr. Bernard Dera, applicant, and Mr. William Sweeney, Licensed Land Surveyor, were sworn in by Chairman Hanson.

Mr. Dwyer explained that this was a subdivision done in the 1950's and known as the Tabernacle Tract. He explained that when the subdivision was approved, they were approved as 50 foot lots.

Mr. Dwyer had marked into evidence a copy of the approved County well and septic permit.

Mr. Dwyer explained the lots are developed on both sides. He explained this is an isolated undersized lot. He explained the new single family dwelling would comply with all setbacks and building coverage. He explained the single family dwelling would fit into the area.

The Board asked if the lots have merged? Mr. Dwyer explained the lots have not merged, but would merge with this application.

There was a discussion that the survey shows the cross street as Tabernacle Road and not Fishing Creek Road. Mr. Sweeney explained when the subdivision was done, it was Tabernacle Road and that is what is shown on the filed plan. He explained he does not know when the County changed the name to Fishing Creek Road.

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

VOTE:	Mr. Armbruster	YES	Mr. Brand	YES
	Mr. DiStefano	YES	Mr. Utsch	YES
	Mr. Sweeten	YES	Mr. Kobik	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 explained to the Board that due to his new job position and the responsibility of that job, he would have to resign from the Board. He explained that he has enjoyed the time spent on the Board. He has learned a lot and may be in the future, would serve on the Board again.

Mr. Kobik made a motion to adjourn at 7:09 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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