



CORRESPONDENCE:

Handouts:

2009 Zoning Board Variance Report.

List of Board Solicitor vouchers dated January 21, 2010.

List of Board Engineer vouchers dated February 4, 2010.

Mr. Utsch made a motion to approve the January 7, 2010 minutes. The motion was seconded by Mr. Brand. Motion carried.

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

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

Approval of Annual Variance Report and adoption of Resolution #10-11-ZBA subject to MLUL 40:55D-71.1.

Mr. Galestok explained that he reviewed the report and did not find any patterns that the Board should be concerned with.

Mr. Armbruster made a motion to adopt Resolution #10-11-ZBA. The motion was seconded by Mr. Waterman. Motion carried.

Mr. Brand made a motion to approve the Resolutions from the January 7, 2010 meeting and also the revised Resolution for Commercial Services, Inc. The motion was seconded by Mr. Armbruster. Motion carried.

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

Mr. Galestok explained that at last month's meeting the Board heard and approved an application for Florence Raimondi. He explained that application was to demolish and rebuild a

single family dwelling exceeding building coverage. He explained that the applicant had testified that everything on the property was to be removed. He explained that the owner would like to keep the shed. He explained that because the applicant testified that the shed would be removed, he would like a determination by the Board if the applicant could keep the shed. He explained that there isn't any mention in the Resolution about the shed. The Board asked if there could be a condition that the shed must be removed after the certificate of occupancy is issued. It was explained there could be, but then the applicant could apply for a zoning permit for a shed meeting the setbacks.

There was a discussion that the shed can remain, but must be moved to meet setbacks.

1. Informal discussion regarding outstanding issues per Resolution 2009-181, submitted by Bayshore Holdings I, LLC, for the location known as Block 499.02, Lot 33.16, 3729 Bayshore Road.

Chairman Hanson excused himself from this discussion due to conflict of interest.

Mr. Hanson explained to the Board that when renewing the liquor license there were some issues that Council wanted resolved.

Mr. Hanson explained that there was a small shed that was relocated. He marked up a plan to show the new location.

Mr. Hanson showed the Board photos of the existing conditions to the rear of the property. He explained the Council requested addition planting along the fence area for an extra buffer for the residential uses behind. He explained that he did contact a landscaping company and there is a plant that when installed would be five to six-foot tall spaced four feet apart. He explained that this plant grows fast and would fill in like a hedge. He explained that it would max out at 20 feet tall. He explained that it would take between two to four years to spread and fill in. There was a discussion that the Council Resolution does indicate evergreens would be planted and what may be proposed are not evergreens and if this would put them in jeopardy of violating the resolution. Mr. Hanson explained that it is hard to eliminate all the noise. He explained that summer time is the issue with noise. He explained that he believes the proposed hedge is more manageable.

The Board asked if they could alter the conditions of Council? Mr. Galestok explained that the Board could only make changes to the previous Zoning Board's conditions.

Mr. Hanson explained that the 8 x 6 plastic shed was originally on the back curb. He explained that the shed was moved and is 40' from the fence.

Mr. Hanson explained that they will install no parking signs by the drainage basin. There was a discussion that the sign cannot exceed two square feet.

There was a discussion regarding the bar. The Board had approved a portable bar and a permanent bar was installed. Mr. Hanson explained that the outside area can only be used as a waiting area. He explained that all the stools were taken away from the bar and the hours are 12:00 P.M. to 10:00 P.M.

It was discussed that everything discussion tonight would have to be placed on the plan and a minor site plan application would be required.

2. General discussion of compensation trends for Board Solicitors in surrounding municipalities and future compensation for Lower Township Board Solicitors.

Mr. Galestok explained to the Board that when looking for a Solicitor for the Board a couple years ago, he had a Solicitor until he found out how much the pay was and also because it was a conflict with another municipality.

Mr. Galestok explained that in the past, Solicitor's have taken this position because of the pension. He explained that Solicitor's are no longer in the pension system.

Mr. Galestok explained that the salary currently is \$3,600.00 a year. He explained that when he started working here in the 1980's that was the salary then.

Mr. Galestok reviewed the salaries' Board Solicitor's of adjoining municipalities. They range from \$4,000.00 to \$40,000.00. He explained that this is a tight budget year, but going to try to get an increase in salary.

There was a discussion about raising the current salary to \$5,000.00 then increasing this a \$1,000.00 a year to bring the salary up to \$10,000.00.

The Board suggested a salary of \$7,500.00 and go from there.

Mr. Armbruster made a motion to adjourn at 8:06 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.

**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.**