

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(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 June 3, 2010 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
Ernest Utsch III
Bruce Waterman
Robert Sweeten
Michael DiStefano
Christopher Kobik
Dianne Kelly

MEMBERS EXCUSED: David F. Brand, Jr.
Kristine Trusiak
Stephen Komar

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

CORRESPONDENCE:Handout:

List of Board Solicitor vouchers dated June 1, 2010.

List of Board Engineer vouchers dated June 3, 2010.

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

Mr. Utsch made a motion to approve the May 6, 2010 minutes. The motion was seconded by Mr. Waterman. Motion carried.

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

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

Mr. Utsch made a motion to approve the resolutions from the May 6, 2010 meeting. The motion was seconded by Mr. Waterman. Motion carried.

1. Use & hardship variance & minor subdivision applications for the creation of two (2) newly described lots for single family dwellings. Hardship variances needed for lot area, frontage, width, depth, front, side & rear yard setback, submitted by Park Properties, LLC for the location known as Block 410.01, Lot 38.02, 254 Ludlam Drive.

Mr. Peter Tourison, Esq., represented the applicant.

Mr. George Gray, applicant, was sworn in by Chairman Hanson.

Mr. Tourison explained that the property is next to the Sheridan Tract and zoned Industrial. He explained that they are proposing a two-lot subdivision for residential use and would like to use the bulk requirements for the adjacent residential zone.

Mr. Tourison had marked into evidence an aerial photograph of the area. He explained that there is a manufacturing building and Proud Plumbing on the property. He explained that the manufacturing building would be demolished and a single family dwelling would be erected.

Mr. Tourison had marked into evidence the tax map page for the Sheridan Tract.

Mr. Tourison explained that in 2004, the Zoning Board had approved a use variance for residential duplexes. He had marked into evidence the approving resolution.

Mr. Tourison explained that the subdivision plan shows the extension of Ludlam Drive to the airport. He explained that he doesn't believe the road was ever dedicated, but found an easement to the Municipal Utility Authority. He had the easement marked into evidence.

The Board asked if both lots were sewerable? Mr. Tourison explained that the lot with the Proud Plumbing building has sewer, but the other lot would have septic and well.

The Board explained that the subdivision plan did not show a building envelope. Mr. Tourison explained that all setbacks and requirements would be met for the R-3 zone.

The Board asked if single family dwellings or duplexes were proposed? Mr. Tourison explained that there will be two single family dwellings. One on each lot.

Mr. Sray read Engineer comments dated April 22, 2010.

Mr. Galestok read Bureau of Fire Safety comments dated April 26, 2010 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated May 11, 2010 in which they deemed this application incomplete.

Mr. Tourison explained that he has spoken with Mr. Teller and Mr. Schellinger from the County, and because the extension would be to the fence, they are requesting a rounded end. He explained that there will in three posts with reflectors on them.

Mr. Galestok explained the commercial use was abandoned and the building is to be demolished. He explained that a condition of approval would be the building envelope is put on the plan. Mr. Sray explained that County easement must also be placed on the plan.

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. Tourison explained that with the exception of the airport, this property is surrounded by residential uses. He read some of the permitted uses in the Industrial zone. He explained that the residential subdivision proposed is the best use for the property.

Mr. Armbruster made a motion to conditionally approve the use variance application. The motion was seconded by Mr. Waterman.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mr. Sweeten	YES	Mr. Kobik	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Armbruster made a motion to conditionally approve the subdivision application. The motion was seconded by Mr. Kobik.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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.

- Hardship variance application to construct a sunroom encroaching into the rear yard setback, submitted by Ed Ranalli for the location known as Block 467, Lot 24, 987 Fay Avenue.

Mr. Ed Ranalli, applicant, and Mr. Jonathan Cray, contractor, were sworn in by Chairman Hanson.

Mr. Ranalli explained to the Board that there is an existing deck that will be removed. He explained a new 14 x 18 deck will be constructed with a sunroom. He explained the sunroom will be seasonal. He explained that next to the sunroom would be a 12 x 14 deck without a roof.

The Board asked Mr. Ranalli if he had any rendering of what the sunroom would look like? Mr. Ranalli submitted photos of the proposed sunroom into evidence.

The Board asked if the sunroom could be placed anywhere else on the property? Mr. Ranalli explained the septic system is located on the left side of the house and the well is located on the other side. He explained that this is the best location for the sunroom.

The Board asked what the sunroom would be constructed of? Mr. Cray explained it will be aluminum and windows.

Mr. Ranalli explained that he has all woods behind his house.

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. Utsch.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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.

- Hardship variance application to construct a single family dwelling on a lot deficient in lot area, frontage & width, submitted by LDTD Developers, LLC for the location known as Block 512.08, Lot 2988, 409 Baywyn Road.

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

Mr. William Sweeney, Licensed Land Surveyor, was sworn in by Chairman Hanson.

Mr. Dwyer explained to the Board that this is an isolated lot. He explained there isn't any adjacent vacant land available. He explained that the proposed single family dwelling would meet all setbacks and requirements for the zone. He explained that on-site parking would be provided.

Mr. Sweeney explained that this area is all 50 x 100 lots. He explained that what is proposed would be keeping with the neighborhood.

Mr. Dwyer explained that there wouldn't be any negative impact to approving this application.

The Board explained that the survey shows a proposed location of the single family dwelling. They asked if this would be the location of the house? Mr. Dwyer explained that he would like a building envelope approved.

Mr. Galestok explained that he received a letter opposing this application which he marked as inadmissible. The letter was marked into evidence.

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. Waterman.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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.

4. Hardship variance application to construct an addition encroaching into the side yard setback and exceeding allowed building coverage, submitted by Luke & Roxann Donahue for the location known as Block 494.43, Lot 17, 3112 Hemlock Road.

Mr. Luke Donahue, Mrs. Roxann Donahue, applicants, and Ms. Mary Rothwell, family member, were sworn in by Chairman Hanson.

Mr. Donahue explained to the Board that they would like to construct an addition for a den and master bedroom.

The Board asked if the addition would be one or two stories? Mr. Donahue explained it would be a one story addition.

Ms. Rothwell explained the house is 1,337 square foot and they would like to add an addition 796 square foot. She explained that everything would be under one roof. She explained that what is proposed would be keeping with the neighborhood.

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.

The Board discussed that this would be the most logical place for the addition.

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

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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.

5. Use & hardship variance & minor subdivision applications for the creation of two (2) newly described lots. Use variance needed for lot containing non-conforming use. Hardship variances needed for lot area, frontage & width, submitted by Elayne Brick & William Quigley for the location known as block 551, Lots 1-7, 13 Delford Road.

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

Mr. William Quigley and Ms. Elayne Brick, applicants and Mr. William Sweeney, Licensed Land Surveyor, were sworn in by Chairman Hanson.

Mr. Dwyer explained that the property fronts on Delford Road and Fairview Avenue. He explained there are two dwellings on the property.

Mr. Dwyer submitted into evidence photographs of the existing single family dwelling and rear cottage.

Mr. Dwyer explained that they would like to create two 70 x 100 lots.

Mr. Sweeney explained that he did an analysis of the area. He had marked into evidence a marked up tax map page. He explained that there are 39 lots in the general area. He explained that out of the 39 lots, 22 are non-conforming with 17 lots conforming. He explained that he did not think there were any properties in the area that had 140 foot frontage.

Mr. Dwyer had marked into evidence the original subdivision plan of Townbank from 1931.

Mr. Dwyer explained the history of this lot. He explained that originally it was 100 x 100 with the other two parcels purchased at a later date.

Mr. Dwyer explained that the cottage would be demolished and his client's personal house would be constructed on that lot. He explained that the other house would be sold to fund the construction of his client's house.

Mr. Dwyer explained that he doesn't feel there would be any negative effects to granting the subdivision or variances.

Mr. Dwyer explained that there is case law where the lots on Delford Road could be concerned a stand alone lot and he could present the Board with a hardship variance for a 40-foot lot. He explained that they thought the application before the Board would be more conforming to the area.

The Board asked Mr. Dwyer if there was ever a deed of consolidation for the lots? Mr. Dwyer explained that there wasn't. He explained that the assessor combined the lots.

Mr. Sray read Engineer comment's dated May 24, 2010.

Mr. Dwyer explained that the cottage would be demolished prior to filing the subdivision.

Mr. Galestok read Bureau of Fire Safety comments dated May 11, 2010 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated May 19, 2010 in which they waived this application.

This portion of the hearing was opened to the public.

Mr. Stephen Sheftz was sworn in by Chairman Hanson.

Mr. Sheftz submitted into evidence what he called an 'enlightenment package'. He explained that there is a similar lot across the street from this property. He explained that he is against the application. He explained that they have encouraged people to try and increase their lot size. He explained that if this application is approved, he feels it would open up a can of worms. He explained that he feels this property should be deed restricted for single family use only and the application should be denied.

Mr. Paul Streicher, son to Ms. Jean Pettine of Delford Road, was sworn in by Chairman Hanson.

Mr. Streicher explained that this is a quiet neighborhood. He explained that the neighborhood has an open feel to it. He explained that he would hate to see the area with smaller lots.

Mr. Streicher explained that it appears that the current dwelling is used as a rental unit. The Board explained that whether the application were approved or denied has no bearing on whether it will be a rental unit.

Mr. Terry Tolchin was sworn in by Chairman Hanson.

Mr. Tolchin explained that the neighborhood isn't as quiet as it used to be. He explained that there are a lot of weekend parties at this property. He explained that he was against the application.

This portion of the hearing was closed to the public.

Mr. Dwyer explained his clients have rented the main building. He explained that there is a phone number posted on the site. He explained that no one has called the owners about the

goings on at this property. He explained that this application would do away with any problems. He explained that his client's would be building their own home on the one lot, but unfortunately they have no control over who purchases the other house.

Mr. Galestok explained to the Board the reason the use variance was needed.

There was a discussion that if the property were vacant, an application before the Planning Board would be required. Mr. Dwyer explained that he could have also come before this Board for a hardship variance for the 40' lot based on case law pertaining to "L" shaped lots.

Mr. Waterman made a motion to approve the use variance application. The motion was seconded by Mr. Armbruster.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	YES
	Mr. Sweeten	YES	Mr. Kobik	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Waterman made a motion to approve the subdivision application. The motion was seconded by Mr. Armbruster.

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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.

6. Hardship variance application to construct a covered porch encroaching into the side yard setback, submitted by Sheri Waide for the location known as Block 753.04, Lot 10.01, 941 Seashore Road.

Ms. Sheri Waide, applicant, was sworn in by Chairman Hanson.

Ms. Waide explained that they are taking down the existing porch and would like to construct a wrap around porch. She explained that it would be bigger than what currently exists.

The Board explained that because of the angle of the house, the porch would only

encroach slightly. Also, it would be keeping in line with the existing house.

The Board asked how big the porch would be? Ms. Waide explained it would come out 10'6" from the house.

The Board explained that they would like hard numbers on the survey. Mr. Harvatt explained that the Board is asking for more information to be indicated on the survey. He explained to Ms. Waide that she may want to come back next month with the information that the Board is asking for. If she decided to proceed tonight, there is a chance the application would be denied. The Board explained that they would really like the information on the survey and explained that the application could be continued until the next months meeting without new notice required. Ms. Waide explained that she couldn't continue the application until next months meeting. She explained that she would continue with the application as presented.

The Board discussed that without measurements on the survey, they are giving car-blanch to building whatever they want.

Ms. Waide submitted a drawing of the proposed porch.

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	NO	Mr. DiStefano	NO
	Mr. Utsch	NO	Mr. Waterman	NO
	Mr. Sweeten	NO	Mr. Kobik	NO
	Chairman Hanson	NO		

Motion denied.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

7. Hardship variance application to construct a deck encroaching into the front yard setbacks, submitted by Susan Moreinis & Charles Penza for the location known as Block 512.04, Lot 2896, 514 Baywyn Road.

Ms. Susan Moreinis and Mr. Charles Penza, applicants, were sworn in by Chairman Hanson.

Mr. Penza explained to the Board that they would like to increase the size of the existing deck to 10 x 40. He explained that the deck would be uncovered. Ms. Moreinis explained that

the deck is elevated and there is nothing to interfere with any line of sight.

Mr. Penza explained that the proposed setback from Baywyn Road would be 5'1" and 5'9" from Shore Drive. He explained that the proposed deck would be 15' from the street line.

Mr. Penza explained that the deck is nine feet above grade. He explained that proposed deck would be the same. He explained they are not proposing lattice around the base of the deck. He explained that the deck would be wide enough for a wheelchair, but they do not have a wheelchair ramp. They explained that it must be carried up.

Mr. Galestok explained to the Board that he did a site visit. He showed the Board on the survey where the existing deck second floor deck was.

The survey of existing conditions was marked into evidence.

There was a discussion that the existing deck is 15'5" from the property and the applicant's want to add an additional ten feet to that. The second floor deck is 12 x 8. This deck is not being touched.

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.

Ms. Moreinis explained that she didn't know what Mr. Galestok's concerns were and that she did not know what he showed the Board. Mr. Galestok explained that he showed the Board where the existing decks were located. Explaining that it is not totally clear on the survey.

The Board explained that they feel if they allow a five-foot setback, this would open a can of worms. Mr. Penza explained that there was new construction a block away and that house has decks similar to what is proposed here. The Board explained that if it were a rear yard deck, they would look at this differently. There was a discussion that the other deck down the street is a ground level deck.

The Board explained that the application indicates the deck would be more wheelchair friendly, but there's no ramp and no ramp is proposed.

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

VOTE:	Mr. Armbruster	NO	Mr. DiStefano	NO
	Mr. Utsch	NO	Mr. Waterman	NO
	Mr. Sweeten	NO	Mr. Kobik	NO
	Chairman Hanson	NO		

Motion denied.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

8. Hardship variance application to allow six (6) foot fence in front yard and pool in front yard, submitted by Erik Collins for the location known as Block 498, Lot 15.18, 18 Rabbit Run.

Mr. Christopher Baylinson, Esq., represented the applicant.

Mr. Erik Collins, applicant, was sworn in by Chairman Hanson.

Mr. Baylinson explained to the Board that they are before the Board for an application for a taller fence than permitted in the front yard. He explained that the entire property is front yard. He explained that his client's grandfather owned the house. He explained that he had a six-foot cyclone fence around the entire property that was taken down. He explained that his client then installed a six-foot fence in what he considered his back yard. He explained that they are also proposing a pool. He explained that he doesn't feel any variance relief is needed for the pool.

Mr. Collins explained that when he purchased the property it was in bad shape and overgrown. He explained that he has removed over 200 trees from the lot. He explained that the fence is to delineate a rear yard. He explained that this property has been in his family since 1982. He explained that his grandfather had a six-foot fence around the entire property. He explained that there is really only one spot on the property for a pool. He explained that he would like the pool to be behind a six-foot fence. He explained the reason is with a four-foot fence, passer-by's can see the pool, jump the fence, and go in the pool.

This portion of the hearing was opened to the public.

Mr. Donald Wernick was sworn in by Chairman Hanson.

Mr. Wernick explained that he is against the application. He explained in some places the fence is 6'3" to 6'6". He explained that he feels this is a safety hazard. He explained that when walking around this property, the fence reduces visibility. He submitted into evidence photographs of the site. He explained that the speed limit was increased to 25 MPH. He explained that there is a homeowner's association and if there's an accident, what happens to the insurance? He explained that he isn't against Mr. Collins having a pool.

Ms. Eileen McCarthy was sworn in by Chairman Hanson.

Ms. McCarthy submitted photographs into evidence. She explained that she has the same concerns as Mr. Wernick. She explained that she is against this application.

Ms. Fran Ascoli was sworn in by Chairman Hanson.

Ms. Ascoli explained that she is against the application. She explained that this is like a solid wall. She explained that you cannot see with this fence.

Mr. Robert Taege was sworn in by Chairman Hanson.

Mr. Taege explained that he agrees with the others. He explained that he feels the fence could be modified. He explained that some shrubbery could be added in front of the fence. He explained that 'slow - children' signage should be added.

Mr. David Wiscott was sworn in by Chairman Hanson.

Mr. Wiscott explained that he doesn't have a problem with the fence. He explained that the fence would be soften up with some shrubbery in front. He explained that he feels the children shouldn't be playing in the street, but on their own property.

Mr. Joe Boyle was sworn in by Chairman Hanson.

Mr. Boyle explained that he feels Mr. Collins should be allowed to keep his fence. He explained that it would allow his children safety.

Mr. Gary Osmundsen was sworn in by Chairman Hanson.

Mr. Osmundsen explained that he has lived here for a long time. He explained that there was a six-foot fence and the lot was wooded. He explained that he disagrees that the visibility is reduced. He explained that when the fence went up, it was a shock to most people. He explained that it just takes getting used too. He explained that Mr. Collins and his family need privacy. He explained that the property looks 100% better then what it did. He explained that you can see more now then when the chainlink fence and trees were there.

Ms. Kara Osmundsen was sworn in by Chairman Hanson.

Ms. Osmundsen explained that she has a two year old daughter that she walks. She explained that she doesn't agree that this is a safety hazard.

Mr. Tom Lippincott was sworn in by Chairman Hanson.

Mr. Lippincott explained that the visibility is better now then before. He explained that he doesn't feel there is a safety problem. He explained that he walks with his three year old grandson at least three times a week and he feels safe.

Mr. Charles McCarthy was sworn in by Chairman Hanson.

Mr. McCarthy explained that he is against the application. He explained that the neighbor's who are not against the application are on the opposite side. He explained that those against it, are looking right at the fence.

Mr. Sean Whittington was sworn in by Chairman Hanson.

Mr. Whittington explained that he didn't realize the speed limit was changed. He explained that he would look into that. He explained that he will look into having 'slow - children playing' signs installed. He explained that he is not against the fence. He explained that the back properties are affected by the fence. He explained that he disagrees with people saying they cannot see anything. He explained that you couldn't see anything before. He explained that he wants a six-foot fence around the pool.

Mr. Fred Ascoli was sworn in by Chairman Hanson.

Mr. Ascoli was sworn in by Chairman Hanson.

Mr. Ascoli explained that he feels there is line of sight problems and safety concerns with the fence. He explained that he would like to see what the fire department has to say about the fence. He explained that he would think that the police would have concerns with this fence.

Ms. Irene Gibbons was sworn in by Chairman Hanson.

Ms. Gibbons explained that she likes the property better the other way. She explained she feels the fence should be four feet, moved onto the property more and shrubbery added in front of the fence. Mr. Baylinson explained that a four foot could go right on the property line.

Mr. Joe Chambers was sworn in by Chairman Hanson.

Mr. Chambers explained that Mr. Collins needs to have some privacy and feels a four-foot fence would afford him that privacy. He explained that maybe there needs to be some compromise.

This portion of the hearing was closed to the public.

Mr. Collins explained that he had removed trees from the property that were eight inches to two feet in diameter. He explained that he will be staining the fence and if the Board and neighbor's want, he will install shrubbery in front of the fence.

The Board asked Mr. Collins how much fence he installed? Mr. Collins explained that he installed 47-8 foot sections.

The Board discussed that Mr. Collins is entitled to a rear yard. They explained that they have to define the rear yard and go from there.

There was a discussion that Mr. Collins should have talked to the neighbors. Mr. Collins could also plant something that would be fast growing and it would be taller than 6 feet.

There was a discussion that maybe there should be a short recess so Mr. Collins can talk

with the neighbors and possibly come to some agreement.

Chairman Hanson called for a short recess at 9:42 P.M. The meeting was called back to order at 9:49 P.M.

Mr. Baylinson explained to the Board that they have spoken with the neighbor's and cannot come to an agreement. He explained that they would proceed with the application as is. He explained that if the Board wants, Mr. Collins would put shrubs in front of the fence.

The Board explained that the applicant is entitled to a back yard. They explained once the fence is stained darker, it should look better.

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

VOTE:	Mr. Armbruster	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Waterman	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. Armbruster made a motion to adjourn at 9:51 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.