

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

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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 September 2, 2021 at the Lower Township Municipal Building. The meeting was called to order at 6:00 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
Robert Sweeten
Robert Basco, Sr.

MEMBERS EXCUSED: Bruce Waterman

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

CORRESPONDENCE:

Handouts:

List of Mott MacDonald vouchers dated August 31, 2021.

List of Board Solicitor voucher dated August 31, 2021.

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

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

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

Mr. Kennedy made a motion to approve the Resolution from the August 5, 2021 meeting. The motion was seconded by Mr. Brand. Motion carried.

Mr. Utsch made a motion to approve the minutes from the August 5, 2021 meeting. The motion was seconded by Mr. Kennedy. Motion carried.

1. Informal discussion regarding building a second home & detached three (3) car garage with a gym/game room above. Existing house to be demolished once certificate of occupancy is issued, submitted by William & Carrise Mornick for the location known as Block 252, Lots 13 & 14, 24 Fulling Mill Road.

Chairman Hanson explained this was an informal discussion so anything said tonight was non-binding.

Mr. Mornick explained to the Board that they had submitted paperwork of what they wanted to do. He explained they would like to construct a three-bedroom house with a three-car garage apartment. Once the house is built, they would demolish the existing house.

The Board explained they plan shows a studio with a kitchen and bathroom. Mr. Mornick explained there would not be a kitchen. He explained the second floor would be used as a game room/exercise room.

Mr. Galestok explained he's not sure if a site plan would be required because there's a business and it's a County Road. Mr. Mornick explained he is retired and no business use would be at this property.

Mr. Mornick explained the existing house would be demolished within 30 days of the certificate of occupancy on the new house.

Mr. Galestok asked if they were a corporation? Mr. Mornick explained they were not. Mr. Galestok explained a use variance would be required. He recommended the Mornick's hire an attorney and have a surveyor plot the proposal on the survey.

There was a discussion regarding the 'U' shaped driveway.

The Board asked the size of the garage? Mr. Mornick explained the garage would be 24 x 40. Mrs. Mornick explained the upstairs would be finished for a game room.

Mr. Galestok explained a bond would have to be posted for the demolition of the house. He explained the Construction Official would set the amount based on how much it would cost to demolish and remove the house.

Mr. Galestok explained because it is a County Road, they would have to address the access with them.

2. Hardship variance application to construct an 18 x 30 addition encroaching into the front yard setback, submitted by Charles Howat for the location known as Block 160, Lot 27, 202 West New York Avenue.

Mr. Charles Howat, applicant, was sworn in by Chairman Hanson.

Mr. Howat explained to the Board that he would like to construct a 18 x 30 addition that would encroach into the front yard setback. He explained that even though Yale Street is unimproved, it is still considered a front yard. He explained his property is 37' wide and it would be hard to construct an addition that would meet the front yard setback.

Mr. Howat explained the current house is 540 square feet which includes the porch. He explained the proposed addition would increase the number of bedrooms and bathrooms. He explained all the other requirements would be met except the front yard setback.

Mr. Howat submitted two photos into evidence which were marked as A-1 and A-2. Both photos were of the unimproved section of Yale Street.

This portion of the hearing was opened to the public.

Mr. Robert Crompton, Jr., was sworn in by Chairman Hanson.

Mr. Crompton explained he feels what is proposed would be a great improvement to the neighborhood.

This portion of the hearing was closed to the public.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	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. Preliminary & final site plan applications for four (4) office space units, submitted by Marcello Mogavero for the location known as Block 497.01, Lot 5.02, 616 Shunpike Road.

Mr. Marcello Mogavero, applicant, was sworn in by Chairman Hanson.

Mr. Mogavero explained he is before the Board tonight for site plan approval. He explained he has no exceptions to the Engineer comments.

Mr. Cathcart summarized Engineer's comments dated August 27, 2021. He explained there is not a lot of grading or contours which effects drainage. He explained the exterior lighting has to be shown on the plan. He explained he will leave it up to the Board if they need more information on the drainage and lighting or not.

Mr. Mogavero explained he agreed to provide the information in the Engineer's comments.

The Board explained they should waive the striping requirements for the parking lot as it is stone.

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 this application. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	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. Use variance, variance and permit where lot does not abut street applications to construct a second single family dwelling then covert the existing single family dwelling into an accessory use in front of the principal use, submitted by Ronald & Elizabeth D'Adamo for the location known as Block 505, Lot 22.01, 819A Seashore Road.

Mr. Ronald D'Adamo and Mrs. Elizabeth D'Adamo, applicants were sworn in by Chairman Hanson.

Mr. D'Adamo explained they purchased this property in April of this year. He explained it is a flag lot off Seashore Road. He explained there is a 15' wide easement to his property that is also used by the adjacent property owners.

Mr. D'Adamo explained they would like to construct another single family dwelling on the property and than convert the existing single family dwelling into an accessory use that would be used as a wood working shop and for jewelry making.

It was asked if they are living in the existing house? Mr. D'Adamo explained they were not.

Mr. D'Adamo explained they spoke with an Engineer and they are limited to the area adjacent the existing barn to build. He explained the proposed house would be well within the setbacks.

Mr. Galestok explained he is not sure what to do with the existing building. He explained it is currently a house. He explained a demolition bond would have to be posted and once it is converted to an accessory use, the bond would be returned. He explained the kitchen would have to be removed. Mr. D'Adamo explained they would not have a problem removing the kitchen. He explained they would try to open up the interior as much as possible.

This portion of the hearing was opened to the public.

Ms. Lee Ann Shaw was sworn in by Chairman Hanson.

Ms. Shaw explained she is in favor of this application. She explained the applicant's have already cleared the property and it looks so much better now.

This portion of the hearing was closed to the public.

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

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

Motion carried.

Mr. Kennedy made a motion to conditionally approve variance and permit where lot does not abut a street applications. The motion was seconded by Mr. Brand.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	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. Brand made a motion to adjourn at 6:33 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.

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