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| Frank Sippel, Mayorfsippel@townshipoflower.orgKevin Coombs, Deputy Mayorkcoombs@townshipoflower.orgThomas Conrad, Ward 1tconrad@townshipoflower.org | lower township logo from townshipoflower.orgTOWNSHIP OF LOWER2600 Bayshore RoadVillas, New Jersey 08251 | Joseph Wareham, Ward 2jwareham@townshipoflower.orgRoland Roy, Jr., Ward 3 rroy@townshipoflower.orgMichael Laffey, Manager  mlaffey@townshipoflower.org |

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 5, 2025, at the Lower Township Municipal Building. The meeting was called to order at 6:00 P.M. by Chairman 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

Joseph P. Baker

Robert Basco, Sr.

David F. Brand, Jr.

George Doherty

Robert Sweeten

Ernest Utsch, III

Geoffrey Bostard

 MEMBERS EXCUSED: Vice Chairman Michael Kennedy

 Thomas Doherty

STAFF PRESENT: William J. Galestok, Board Secretary

Anthony J. Harvatt, II, Board Solicitor

Patrick Wood, Recording Secretary

William Cathcart, Board Engineer

STAFF EXCUSED: Kathryn M. Steiger, Zoning Clerk

CORRESPONDENCE:

Handouts:

* List of Board Engineer Vouchers, dated May 30, 2025
* List of Board Solicitor Vouchers, dated June 3, 2025

Chairman Hanson read the agenda aloud for the benefit of the public. Chairman Hanson advised that, at the request of the applicants, the following application has been continued until the meeting of July 10, 2025:

Hardship variance application for the construction of a second-floor addition that would encroach into the front yard and side yard setbacks, as well as, exceeding the maximum principal lot coverage, and being deficient in minimum off-street parking. Submitted by Joseph Brennecke & Dilma Riddell for the location known as Block 796, Lot 44, 896 W. Rio Grande Avenue

Mr. Utsch made a motion to approve minutes from the meeting of May 1, 2025, seconded by Mr. Brand. Motion carried.

Mr. Brand made a motion to approve Board Solicitor Vouchers, seconded by Mr. Utsch. Motion carried.

Mr. Sweeten made a motion to approve Board Engineer Vouchers, seconded by Mr. Brand. Motion carried.

Mr. Sweeten made a motion to approve all resolutions from the meeting of May 1, 2025, seconded by Mr. Basco. Motion carried.

1. Use and hardship variance application for the utilization Golf-Cart (Low Speed Vehicles) and U-Haul rentals on a site that already utilizes towing storage. Hardship variance relief also required for signage. Submitted by Christian Baron for the location known as Block 842.02, Lot 12, 1149 Route 109

At 6:02 P.M., due to a conflict of interest, Mr. Utsch recused himself from the meeting.

Mr. Ronald J. Gelzunas, Jr., Esq., is representing the applicant.

Mr. Gelzunas reminded the Board this application was presented last month for Use and Hardship Variance approvals. Tonight’s presentation reflects the implemented improvements, as discussed at the previous meeting, including new signage.

Mr. Matthew J. Hender, L.LA., P.E., was sworn in by Chairman Hanson, and provided credentials, which were accepted by the Board.

Mr. Hender testified as follows:

* The large sign on the north west corner of the property will be removed
* Chain link fence will have vinyl privacy as additional buffer
* Elimination of left turn signs on Schellenger & Route 109
* Golf cart traffic signs have been added
* Proposed signage on existing free-standing sign and canopy
* No setback variances are needed
* There is adequate space for golf cart and & U-Haul rentals
* Repairs will be made to the existing asphalt pavement

Mr. Cathcart commented that most issues were discussed last meeting. Due to golf carts sitting low to the ground, it is recommended that arrows be painted on the driveway for left turns only. Mr. Gelzunas agreed.

 Mr. Galestok advised the applicant has accommodated all the Board’s requests, including the fencing.

 The Board inquired if a bond was required for the sign demolition. Mr. Galestok stated he did not believe that was mandatory.

 Mr. Christian Baron, applicant, was sworn in by Chairman Hanson.

 Mr. Baron explained that a contract is in place to remove the sign, within two to three weeks.

 This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

 Mr. Gelzunas noted this project enables improvement to the site, which will no longer be in disrepair, and be more beautified.

Mr. Sweeten made a motion to conditionally approve the hardship variance application, seconded by Mr. Baker.

During the vote, the following Member gave findings of fact along with a decision:

Mr. Brand: No Based on same reasons stated from the previous

 Meeting

VOTE: Mr. Baker YES Mr. G. Doherty YES Mr. Basco YES Mr. Sweeten YES Mr. Brand NO Mr. Utsch YES

Chairman Hanson YES

Motion was approved.

A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

At 6:11 P.M., Mr. Utsch rejoined the meeting.

1. Use variance, minor subdivision, and hardship variance application for the creation of two newly described lots that would be deficient in area, depth, frontage, and front & rear yard setbacks. Use variance relief is required for the implementation of residential units with the GB-2 (General Business 2) zone. Submitted by Sea Haven Holdings, LLC for the location known as Block 216, Lot(s) 28-31, 1508 Main Street

Mr. Ronald J. Gelzunas, Jr., Esq., is representing the applicant.

Mr. Gelzunas explained the property is located behind the CVS store.

Mr. John E. Halbruner, AIA, was sworn in by Chairman Hanson, and provided credentials, which were accepted by the Board.

Mr. Gunar Arenberg, member of the applicant’s LLC, was sworn in by Chairman Hanson.

Mr. Halbruner restated the site is located directly behind the CVS store. This is an irregularly shaped lot, located in a General Business (GB-2) Zone and across the street from a Mainland Residential (R-3) Zone. The lot is vacant and partially wooded. The applicant is requesting to subdivide and create two (2) properties, where a single-family dwelling (SFD) will be constructed on each new lot. D(1) use variance for non-permitted use, that being residential in a General Business Zone. The GB-2 Zone is meant to be fronting on Bayshore Road; however, this parcel, with the new homes, will front on Main and Weber Streets. The proposed new homes are consistent with the rest of the street.

Mr. Halbruner submitted aerial photographs of the area into evidence.

Mr. Halbruner continued and explained the proposed structures are similar to the residences behind the neighboring Wawa Store. This will provide an additional buffer for the rest of the neighborhood from the rear of the existing business and will be consistent with the rest of Main Street. Sufficient light, air, and open space is provided. The proposed lots are larger than the average of those within a 500-foot radius and is appropriate space for residential use. Residential use will reduce commercial traffic, and is far more compatible with the neighborhood, rather than commercial. A corner lot in commercial area requires 15,000 square feet. The proposal is a 20-foot front yard setback, again, similar to the neighboring R-3 Zone. The positives outweigh the detriments. There are no detriments to the public good, Zoning Plan, or Ordinance.

Mr. Gelzunas advised this parcel is listed for sale. The neighborhood may want it to sit as a vacant lot, which is completely conforming for a developable commercial lot. The Board’s decision tonight will determine whether it will be developed for commercial or a residential use. If approved as residential, it finishes off the neighborhood, so that all Main Street is conforming with residential structures.

Mr. Cathcart commented that the applicant did well in identifying the variances needed. Testimony as to vegetation and mature trees, including the existing fence surrounding the lot, was requested from the applicant. In response, Mr. Halbruner replied the fences will be removed and may be replaced. Efforts will be made to spare the existing trees.

Mr. Cathcart inquired whether stormwater management was required. Mr. Halbruner stated that, due to the size, it is not required.

Mr. Galestok advised the Fire Safety report of May 22, 2025, was acceptable. The County report of June 2, 2025, was waived.

 This portion of the meeting was opened to the public.

 Mr. John O’Rourke, resident of 1514 Main Street, was sworn in by Chairman Hanson.

 Mr. O’Rourke expressed concern regarding stormwater drainage, since flooding is common on Weber and Main Street during every hard rain. Fencing status was also questioned. In response, Mr. Arenberg advised the property is being purchased from the seller (Conroy), with the intent to construct two single family homes. Fencing will be replaced.

 Mr. Francis O’Brien, resident of 1015 Main Street, was sworn in by Chairman Hanson.

 Mr. O’Brien expressed concern over the condition of the lot.

 Mr. Walter G. Miller, Jr., resident of 1518 Main Street, was sworn in by Chairman Hanson.

 Mr. Miller expressed concern over traffic. The corner of Weber & Main Street is dangerous. He is upset over the approvals of Wawa and CVS trash. In conclusion, the application is a bad idea.

 This portion of the meeting was closed to the public.

The following Members gave findings of fact along with their decisions:

* Mr. Brand: Acknowledged concerns expressed by the public about the site being an eyesore. These issues could be addressed by the contractor, who will try to beautify the site for resale purposes.
* Mr. Utsch: Commented the best use would be for CVS to acquire the site; however, that is not an option. The applicant is seeking to improve vacant, disheveled lots. Drainage issues will need to be addressed, if any exist, and noted the applicant’s thorough and efficient attention to the issues.
* Mr. Basco; Commended the applicant for finding the lots. Public comments expressed tonight are handled by the police and code enforcement, not under the jurisdiction of the Zoning Board.
* Mr. Sweeten: Noted it is not feasible to have a commercial structure back there, with no access to Bayshore Road. This will fit well within the neighborhood.
* Mr. Baker: Stated this is a perfect location for two new residences.

Mr. Brand made a motion to conditionally approve the use variance, seconded by Mr. Basco.

VOTE: Mr. Baker YES Mr. G. Doherty YES Mr. Basco YES Mr. Sweeten YES Mr. Brand YES Mr. Utsch YES

Chairman Hanson YES

Motion was approved.

Mr. Brand made a motion to conditionally approve the minor subdivision and hardship variance application, seconded by Mr. Basco.

VOTE: Mr. Baker YES Mr. G. Doherty YES Mr. Basco YES Mr. Sweeten YES Mr. Brand YES Mr. Utsch YES

Chairman Hanson YES

Motion was approved.

Memorializing resolutions will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

 After voting was concluded, Mr. Brand addressed the public regarding concerns over the application, and stated that positive results of this project for the area are expected.

1. Hardship variance application for the construction of an addition that would encroach into the front yard setback, submitted by Jon & Emily Crabtree for the property known as Block 675, Lot 18, 706 Atlantic Avenue

Mr. Ronald J. Gelzunas, Jr., Esq., is representing the applicant.

 At 6:51 P.M., due to a conflict of interest, Chairman Hanson recused himself from the meeting. Mr. Utsch then stepped in as Acting Chairman.

 Mr. Gelzunas provided an overview of the application by explaining the request is to renovate the structure, add a second floor, and a wrap-around porch.

 Ms. Alexandra Wojono, Architect, was sworn in by Acting Chairman Utsch.

 Mr. Jon Crabtree, applicant, was sworn in by Acting Chairman Utsch.

 Mr. Crabtree testified this property is occupied as a secondary residence. The purpose of the application is to increase the square footage, either as a tear down and redo, or the proposed project being presented. The result will produce an improved streetscape for the neighborhood and

better home for us.

 Ms. Wojno provided the following details of the proposed project:

* + A proposed five (5) foot “bump out” towards the front yard from the existing structure
	+ Addition mainly consists of glass or is open
	+ Height will be 26 feet
	+ Coverage will be under the maximum
	+ Promotes open air, light, and open space
	+ Consistent with the neighborhood

 Ms. Wojno stated the least amount of encroachment and disturbance is always best, rather than a demo and rebuild. This will promote a more desirable visual environment. Further, most of the neighbors have enclosed porches that encroach, and noted that open porches promote indoor/outdoor living and connectivity with neighbors. In conclusion, the benefits outweigh the detriments.

 In response to the Board’s question about a tear down/rebuild, Ms. Wojno responded the intent is not to tear down and keep/work with the footprint of the existing building.

 Mr. Crabtree stated if the building were to be demolished, new construction would comply with required setbacks.

 In response to the Board’s questions regarding a front yard setback and second floor access, Ms. Wojno confirmed:

* Only a front yard setback is requested; and,
* Interior steps will provide access to the second floor

 Mr. Galestok inquired about the flood elevation requirement for a B Zone, and noted that if renovated by more than 50%, the structure may have to be raised. Ms. Wojno responded if that occurs, the structure would be moved to adhere to all setback requirements.

 Mr. Galestok recommended to note or condition that, in fact, a demo occurs, the new construction must conform, or return to the Board for relief.

 This portion of the meeting was opened to the public.

 Mr. James Hanson, resident of 24 Taylor Lane, was sworn in by Acting Chairman Utsch.

 Mr. Hanson stated this is a wonderful plan and expressed support for approval, noting the five (5) feet being de minimis in nature.

 This portion of the meeting was closed to the public.

The following Member gave findings of fact along with decision:

 Acting Chairman Utsch: Approve Nice application that is beneficial

 to the neighborhood.

Mr. Brand made a motion to conditionally approve the hardship variance application, seconded by Mr. Baker.

VOTE: Mr. Baker YES Mr. G. Doherty YES

Mr. Basco YES Mr. Sweeten YES

Mr. Brand YES Acting Chairman Utsch YES

Motion was approved.

A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

1. Hardship variance application for the construction of a new single-family dwelling on a lot deficient in lot area and frontage, submitted by Tullybeg Properties, LLC for the location known as Block 494.46, Lot 4, 500 Sycamore Road

At 7:18 P.M., Chairman Hanson rejoined the meeting.

Ms. Lyndsy M. Newcomb, Esq., is representing the applicant.

Ms. Newcomb explained to the Board the address of the property is on Sycamore; however, the property fronts on Butternut Road, and is currently vacant. The applicant is looking to construct a single-family dwelling (SFD) for a future retirement home, which will be built within the required setbacks, even though the lot is undersized. There are no wetlands on the property.

Mr. Louis A. Scheidt, P.E., P.P., was sworn in by Chairman Hanson, and provided credentials, which were accepted by the Board.

Mr. Scheidt testified that the neighborhood consists of SFDs on rectangular shaped lots. This parcel, created as an odd-shaped lot, circa 1970, was never developed. The lot shape is consistent with development during that time. The proposed SFD could not be more compatible to the neighborhood and provides adequate air, light, and open space. There are no substantial detriments to the public good, nor the Zoning Plan or Ordinances. There are no wetlands or buffers that affect this property.

Ms. Newcomb submits into evidence:

* Determination of no existing wetlands on the property
* Confirmation of sewer hook up

 In response to the Board’s question on location of the driveway, Mr. Scheidt confirmed the driveway would be located on Butternut Road.

 In response to the Board’s question on Sycamore Street, Ms. Newcomb confirmed this, indeed, is a “paper street.”

 This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

 Chairman Hanson commented that confirmation on wetlands and the sewer hook-up was crucial for this property.

Mr. Sweeten made a motion to approve the hardship variance application, seconded by Mr. Brand.

VOTE: Mr. Baker YES Mr. G. Doherty YES Mr. Basco YES Mr. Sweeten YES Mr. Brand YES Mr. Utsch YES

Chairman Hanson YES

Motion was approved.

A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

 At 7:29 P.M., Mr. Basco made a motion to adjourn, seconded by Mr. Doherty. Motion carried.

Respectfully submitted,

Patrick L. Wood,

Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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