

**UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
MARCH 9, 2006**

The regular meeting of the Upper Township Zoning Board was held at Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 7:30 p.m.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Elizabeth Bergus, MaryJean Burgin, Ted Klepac, Andrew Shawl, Lynn Petrozza, Paul Casaccio.

Absent: Stephen Ay, Jeffrey Pierson, Matthew Unsworth.

Also in attendance were Dean Marcolongo, Board Solicitor; Paul Dietrich, Board Engineer; Shelley Lea, Zoning Officer and Board Secretary.

SWEAR IN BOARD PROFESSIONALS

APPROVAL OF THE FEBRUARY 9, 2006 MEETING MINUTES

A motion to approve the minutes was made by Mrs. Bergus, seconded by Mrs. Burgin, and approved.

TABLED APPLICATIONS

Chairman Casaccio announced the following applications have been tabled until April 13, 2006 at 7:30 p.m. The applicants have agreed to waive the time in which the board has to act on the applications. No further notice of the application will be given.

1. ALEXANDER AND SANDRA MAGUIRE – BLOCK 860, LOTS 2 & 3 – BA21-05
2. STARDUST DEVELOPMENT, LLC – BLOCK 600, LOT 24.02 – BA02-06
3. ROBERT McALLISTER – BLOCK 549, LOTS 52.04 & 70 – BA05-06:

APPLICATIONS

1. GEORGE & CAROLE SWENSON – BLOCK 558, LOT 10 – BA04-06:

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Applicants are requesting a side yard setback variance to construct an addition to their single-family dwelling at 3092 Route 9 in Seaville.

George William Swenson, 3092 Route US 9 South in Seaville, was sworn in. The subject property is 2.6 acres. There is currently a 2 story single-family dwelling on the property. The house is situated 8.5 ft. from the side property line. They are proposing to construct an addition in the rear of the structure. The property is located in the residential zone and requires a 25 ft. side yard setback. The original house was constructed more than 104 years ago. There are mapped wetlands on the south side of the property. He feels this is the best location for the addition due to the u-shaped driveway on the opposite side. He does not believe the proposed addition will have a negative effect on the neighborhood.

The meeting was open to the public. Hearing no comment the meeting returned to the board for findings of fact.

MRS. BERGUS – The applicants are requesting a side yard setback variance to construct an addition to their house. This is an older home built over 104 years ago. The lot is 2.6 acres. The house is located close to the side property line. He feels this is the best location for the addition. It would be a hardship for the applicant to construct the addition on the south side of the property. There was no public comment.

MRS. BURGIN – The proposed addition will not substantially impair the intent and purpose of the zoning plan and would not be a detriment to the public. This is the best location for the addition due to the location of the driveway and septic.

MRS. PETROZZA – The addition would have no adverse effects.

MR. SHAWL – The addition would be in keeping with the rural character of the neighborhood. There are wetlands on the site.

MR. CASACCIO – The addition would be compatible to the existing house.

A motion was made by Mrs. Bergus and seconded by Mrs. Burgin, to grant the side yard setback variance with the standard conditions. Those in favor: Bergus, Burgin, Klepac, Shawl, Petrozza, Casaccio.

SPECIAL MEETING DATE SCHEDULED – APRIL 25, 2006

Due to the number of items on the agenda the board scheduled a special meeting for Tuesday, April 25, 2006 at 7:30 p.m. There will still be a meeting on April 13th at 7:30 p.m.

RESOLUTIONS

1. FREDERICK AND DEBORAH JACOB – BLOCK 791, LOT 42 – BA01-06

A motion was made by Mrs. Bergus and seconded by Mrs. Burgin, to adopt the resolution. Abstain: Petrozza.

A motion was made by Mrs. Burgin and seconded Mrs. Petrozza to appoint Mrs. Bergus as temporary Chairperson to sign the resolution for Clayton Development Associates.

2. CLAYTON DEVELOPMENT ASSOCIATES, LLC – BLOCK 573, LOT 26 – BA03-06

A motion was made by Mr. Klepac and seconded by Mrs. Burgin to adopt the resolution. Abstain: Petrozza, Clayton.

A motion was made by Mr. Klepac and seconded by Mrs. Burgin for Mr. Cassacio to return as Chair.

EXECUTIVE SESSION

A motion was made by Mr. Shawl and seconded by Mrs. Burgin to go into Executive Session to discuss pending litigation.

A motion was made by Mr. Shawl and seconded by Mrs. Burgin, to go back on the record.

ADJOURNMENT

A motion was made by Mrs. Burgin and seconded by Mrs. Petrozza to adjourn the meeting. The meeting was adjourned at 8:21 p.m.

Submitted by,

Shelley Lea
Board Secretary