

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
OCTOBER 12, 2006

The regular meeting of the Upper Township Zoning Board will be 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, Jeff Pierson, Andrew Shawl, Matthew Unsworth, Paul Casaccio.

Absent: Lynne Petrozza.

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

**SWEAR IN SHELLEY LEA**

**APPROVAL OF THE SEPTEMBER 14, 2006 MEETING MINUTES**

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

**NEW MEETING DATE FOR NOVEMBER 2006**

A motion was made by Mr. Unsworth and seconded by Mr. Pierson to change the date of the November meeting to Tuesday, November 21, 2006 at 7:30 p.m.

**TABLED APPLICATIONS**

1. CHRISTINE SHALLCROSS – BLOCK 455, LOT 39 – BA25-06
2. SILVANA D’ALESSANDRO – BLOCK 455, LOT 29 – BA22-06

The above applications will be heard on November 21, 2006. No further notice is required by the applicant.

3. THOMAS TOWER / ACTION SUPPLY, INC. – BLOCK 549, LOT 110 – BA09-06

Jules Konschak, Esquire, was present to represent the applicant. He requested the application be tabled since there are not 7 board members present to vote on the application. He requested the application be heard on December 14, 2006. No further notice is required by the applicant.

**RESOLUTIONS**

1. ROBERT & ELIZABETH DEHNARD – BLOCK 681, LOTS 1 THROUGH 4 – BA21-06

A motion to adopt the resolution was made by Mrs. Bergus, seconded by Mr. Unsworth, and approved. Abstain: Pierson.

2. ANTHONY URBANO & ANDREA KING-URBANO – BLOCK 15, LOT 8 – BA23-06

A motion to adopt the resolution was made by Mrs. Bergus, seconded by Mr. Unsworth, and approved. Abstain: Pierson.

3. BRUCE SHAW – BLOCK 839, LOT 19 – BA20-06

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

4. DONALD HOLLINGSHEAD – BLOCK 650, LOT 37 – BA18-06

A motion to adopt the resolution was made by Mrs. Bergus, seconded by Mr. Unsworth, and approved. Abstain: Pierson.

**BILLS**

A motion was made by Mr. Pierson and seconded by Mrs. Burgin, to approve the bills for payment. The motion was approved.

**APPLICATIONS**

1. STEPHEN BELL – BLOCK 843, LOT 2 – BA24-06

Applicant is requesting variances for lot coverage and side yard setback to construct a detached garage at 101 Bayview Drive in Strathmere.

Mrs. Bergus stepped down during this application.

Arthur T. Ford, III, Esquire, represented the applicant. Stephen Bell, 1121 Oakmont Drive, Lancaster, PA, and Gary Thomas, Professional Land Surveyor, were sworn in.

Mr. Bell testified that he purchased the property in 1994. His wife's family has vacationed in Strathmere for several decades. He submitted a Brief Chronology of Coast Guard Station in Strathmere New Jersey that was marked as Exhibit A-1. The Exhibit also includes photos. Exhibit A-2 is 6 photos of the property and the detached garage.

Mr. Bell testified that the garage was in poor condition and was falling down and rotting. This was the original building from years ago. The garage sits on a concrete slab. There were holes in the roof and the structure was no longer safe. The garage was taken down by hand to save as much of the material as possible. They are using the original studs, roof rafters and front and rear gables. He wanted to maintain the history and heritage of the original structure.

Mr. Bell further testified the new garage would be the exact dimensions and height as the original structure. He will use vinyl cedar shake siding to match the house. He shared a 1958 aerial photo of the property with the board. He plans to utilize about 25% of the original materials.

Mr. Thomas testified that he surveyed the property in 1994 and the garage was in the exact location. The variances are diminimis since the building was there for a very long time. The RR zone allows up to 5% accessory coverage. The applicant is requesting a variance to allow 12.26% coverage. He believes the location is appropriate for the garage. He does not believe that the location of the garage negatively affects the public.

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

MR. UNSWORTH – The subject property is located at 101 Bayview Drive also known as Block 843, Lot 2. The applicant is requesting a variance to allow 2.56 ft. setback where 6 ft. is required. A variance is also needed for lot coverage for the accessory structure. The ordinance allows 5% coverage and the applicant is requesting 12.26%. The applicant is reconstructing a pre-existing detached garage that was built around 1940. The applicant is saving the usable material and using it to rebuild the structure. If the applicant were only renovating the garage the variances would not be needed. The structure was taken down since it was not structurally sound and was unsafe. The applicant is trying to maintain the historic nature of the structure. The new garage will have the identical dimensions. The siding will match the siding on the house. There was no public comment. The variances are required as a technicality of the ordinance.

MR. SHAWL – The studs have been cut so they can be reused and the height of the structure is actually less than originally. Mr. Thomas has stated that the survey from 1994 show everything in the same location. The driveway will remain the same size. The variances can be granted without substantial detriment to the public and without impairing the intent and purpose of the zone plan.

MR. PIERSON – The applicant is making the structure safe for the public and his family. This historic site dates back to the 1800's.

MR. KLEPAC – He appreciates the historic account of the site given by the applicant.

MR. CASACCIO – The applicant has submitted photos and other information that was marked as Exhibits A-1 and A-2.

A motion was made by Mr. Pierson and seconded by Mr. Unsworth, to grant the application with the standard conditions. In favor: Burgin, Klepac, Pierson, Shawl, Unsworth, Casaccio.

**ADJOURN**

A motion to adjourn the meeting was made by Mrs. Bergus, seconded by Mr. Klepac, and approved. The meeting was adjourned at 8:35 p.m.

Submitted by,

Shelley Lea