

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
MEETING MINUTES
JULY 14, 2005

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

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Stephen Ay, Marshall Behr, Frank Conrad, Ted Klepac, Jeffrey Pierson, Andrew Shawl, Matthew Unsworth, Paul Casaccio.

Absent: Elizabeth Bergus.

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

SWEARING IN OF BOARD PROFESSIONALS

Chairman Casaccio swore in Paul Dietrich and Robert Schultz as board professionals.

APPROVAL OF THE JUNE 9, 2005 MEETING MINUTES

A motion to approve the minutes was made by Mr. Unsworth, seconded by Mr. Klepac, and approved.

APPLICATIONS

1. LOUIS PELLEGRINI – BLOCK 791, LOT 19 – BA12-05:

Applicant is requesting variances for side and rear yard setbacks and building coverage to construct an addition to an existing single-family dwelling on Commonwealth Avenue, Strathmere.

Louis Pellegrini, Moorestown, NJ, and James E. Chadwick, Registered Architect and Professional Engineer, were sworn in.

Mr. Pellegrini testified that he purchased the property 29 years ago. The property provides wonderful views of the ocean and the bay. The existing dwelling is 22 ft. x 41 ft. This is a small dwelling with only 2 bedrooms and 1 bathroom. They are proposing to construct a 2-story addition. The addition will not increase the number of bedrooms or

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bathrooms. Renovations include a new roof, new siding and replacing some windows. They will also install a new septic on site. He believes the house with the addition will be consistent with other homes in the area. Some of the houses are much larger than what is being proposed.

Mr. Chadwick submitted photos showing the existing one-story structure. The photos were marked as Exhibits A-1 through A-4. There is sufficient room under the building to provide 2 parking spaces. They propose to replace the siding and roof and remove the existing chimney. He feels this will look like a much nicer and newer house. They will be able to create 3 parking spaces on site where only 1 currently exists. They are requesting a variance for rear yard setback. The lot is only 95 ft. deep. If the lot were 100 ft. deep like most of the other lots in Strathmere they would meet the setback requirement. They have established the wetlands on site. The DEP has designated a 50 ft. wetlands buffer leaving space for the septic in the rear of the dwelling. The addition and the septic will not encroach on the wetlands. A variance is also needed to allow the side yard setback to be 3'8" where 6' is required. The side yard setback on the south side of the property is over 14 ft. He believes the larger setback on the south side outweighs any detriment. He believes the dwelling will be very much in keeping with the neighborhood.

Mr. Chadwick testified that they are also requesting a variance for percentage of building coverage. This building sits back further than most of the other buildings on Commonwealth Avenue. They are requesting 32.4% where 25% is permitted. The building on lot 18 is 28%; lot 20 is 33%; lot 21 is 41.5%; lot 22 is 35%. He feels what they are proposing is in keeping with the neighborhood. He feels the variances requested are reasonable and appropriate. He believes the benefits of granting the variances outweigh any detriment. There will be an improvement to the environment in regards to the new septic. There will be significant aesthetic improvements to the property that will benefit the applicant and the area. He will submit a detail showing what they will be doing.

The meeting was open to the public.

Joan Reichert, 2204 Commonwealth Avenue, lot 16, was sworn in. She is in favor of the application. Her lot is smaller than the subject lot. They would like to raise their home and add an addition to their residence.

Hearing no further comment the meeting returned to the board for finding of fact.

MR. BEHR – Louis Pellegrini has owned block 791, lot 19, for almost 30 years. There is a small bungalow on pilings located on the property. The applicant described the interior of the residence. They propose to add an addition to the dwelling. They do not propose to increase the number of bedrooms or baths only relocate them. James Chadwick, Architect and Engineer, gave details as to the demolition. A new septic will be installed. There are wetlands in the rear of the property. If the lot depth conformed to the

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ordinance a rear yard setback variance would not be needed. Public comment was given by the adjoining property owner who was in favor of the application.

MR. UNSWORTH – The renovations will improve the aesthetics of the home and neighborhood. The proposed lot coverage is consistent with the neighborhood.

Additional parking will be provided under the house.

MR. PIERSON – The applicant has demonstrated that the proposed addition will be similar to other lots in the neighborhood.

MR. KLEPAC – The number of bathrooms will not increase.

MR. CASACCIO – There is not any additional property to acquire.

A motion was made by Mr. Pierson and seconded by Mr. Unsworth, to grant the application with the standard conditions. Ay, Behr, Klepac, Pierson, Shawl, Unsworth, Casaccio.

2. T-C ENTERPRISES – BLOCK 663, LOT 1 – BA06-05:

Applicants are requesting variances for lot area, lot width, and setbacks, to renovate and relocate an existing single-family dwelling and construct an addition at 316 Route US 9 South, Beesleys Point.

Mr. Ay stepped down during discussion and voting on this application.

Jules Konschak, Esquire, represented the applicants. He stated that there is a very old house located on the property. They are proposing to preserve the historic part of the house and demolish the rear portion of the house that was added on and the deck. They want to dig a basement foundation immediately behind the structure and move the house onto the foundation and construct an addition in the rear of the home. The lot is long and narrow. The house is currently located only 10 ft. from Route 9 and will be moved back so it is 35 ft. from the road. The structure is fragile and they do not want to move it too far. The topography of the property is very low in the rear. The side yard setback will be improved. A copy of the architectural drawing was marked as Exhibit A-1.

Cynthia Chemerys, Licensed Professional Engineer and Planner, was sworn in. She testified that the open deck in the front of the house would be 35 ft. from the property line. The owners are not able to comply with the front yard setback due to the topography of the property in the rear and the sensitivity of the historical dwelling. The current side yard setback is 18 ft. 6 in. and will meet the required setback after the house is moved. She believes the benefits of granting the setback variances outweighs any detriment since they are improving the side and front yard setbacks and centering the dwelling on the lot and providing more open space and yard area. She believes the variances can be granted without detriment to the public good and without impairing the intent and purpose of the zone plan and zoning ordinance.

She submitted photographs of the house and other homes in the area. The photos were marked as Exhibits A-2 through A-10. She believes the proposed location of the

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structure will conform to the the setbacks and the character of the neighborhood. There are several older homes in the area and they have a tendency to be closer to the road than the newer homes. The house was probably constructed in the early 1800's. A new septic will be installed. The garage in the back of the property will remain and the shed, the garage closest to the house and the deck will be removed. They will revise the plan to show what will remain on site.

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

MR. UNSWORTH – T-C Enterprises are the owners of the property located at 316 North Shore Road also known as Block 663, Lot 1. They are requesting variances for lot area, width and front and side yard setbacks. The old home on the property is only 10 ft. from the front property line. They are proposing to move the home back towards the rear of the property and saving the historic portion of the house. This is a unique shape lot. The house will be relocated so that it is centered more on the lot. The topographical elements of the lot make it more feasible for the house to be 35 ft. from the front yard setback rather than 50 ft. required. The renovated structure will be consistent with the older homes in the neighborhood.

MR. BEHR – The house is approximately 200 years old. The unique topographic features in the rear of the property create a hardship.

MR. PIERSON – The improvements will enhance the appearance of the house.

MR. KLEPAC – The improvements will be consistent with what is existing. The existing windows will be restored and replaced.

MR. CASACCIO – There is no additional land to purchase. The plan will be revised to show what will be eliminated on the lot and what will remain.

A motion was made by Mr. Conrad, and seconded by Mr. Klepac, to grant the requested variances along with the standard condition and that a revised plan is submitted. In favor: Ay, Behr, Conrad, Klepac, Pierson, Shawl, Unsworth, Casaccio.

RESOLUTIONS None

BILLS

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

ADJOURNMENT

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

Submitted by,