

**DELANCO TOWNSHIP
JOINT LAND USE BOARD
REGULAR MEETING
JUNE 1, 2010**

Ms. vanGenderen called the meeting to order and led the flag salute.

Sunshine Statement

Adequate notice of this meeting has been provided in the following manner: written notice has been given to the Burlington County Times and Courier-Post newspapers and posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting. Written notice was also filed in the office of the Township Clerk and mailed to those persons who have requested copies and who have paid the required fee. The Secretary is directed to include this statement in the minutes of this meeting.

Present: Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi

Absent: Mr. Lord, Ms. Lohr, Ms. Jass, Mr. Schmitt

Board Professionals: Denis Germano, Esq.; Hugh Dougherty, Engineer; Scott Taylor, Planner

Approval of Minutes

Approval of May 4, 2010 regular meeting minutes

The May 4, 2010 minutes were approved by those Board members eligible to approve them. There were no corrections.

New Applications

John Force

Block 1802, Lot 4
2401 Burlington Avenue
R-2 Zone
Bulk Variances for new addition

Completeness Determination

Mr. Dougherty did not do a review letter for this application. He summarized the waivers being requested by the applicant. Mr Dougherty stated that he did not have a problem with them and the application could be deemed complete if the Board desired to waive the requested items.

Motion by Ms. Mader, seconded by Ms. Moore that the Board deem the application complete and grant the waivers that were identified by Mr. Dougherty.

Those voting in favor: Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi

Those voting against: none

Those abstaining/recusing: none

Hearing

Jeffrey Snow, Esq. was present on behalf of the applicant. He stated that the applicant was proposing to put an 18' by 27' addition onto the rear of his property. Mr. Snow referred to the drawings that had been

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submitted with the application and stated that it was his understanding that the applicant needed two variances: a variance for an existing condition because the lot is 60' wide where 100' is required and a variance for the side yard setback along the east side of the property.

Mr. Germano swore in applicant John Force. Mr. Germano discussed granting variances for existing conditions. He added that it was his opinion that the applicant did not need a variance for lot width but instead needed one for the aggregate side yard setback along with the variance for the single side yard setback on the east side of the property. Mr. Dougherty stated that the lot lines are not parallel to the building itself so when the new addition is built it will be closer to the east lot line. There was further discussion regarding the location of the addition in comparison to the east lot line.

Mr. Germano swore in Edward Lallo who will be assisting Mr. Force with the construction. There was discussion regarding how close the addition would be to the lot line if the Board allowed the new addition to be built straight back from the house and the space between the applicant's residence and the buildings on the adjacent lots.

Mr. Taylor stated that there were two other existing conditions. The lot does not comply with the lot area requirement and there are two existing garages and only one is permitted. Mr. Snow asked Mr. Lallo if it was possible to keep the addition 4' feet off the property line. Mr. Lallo said that did not pose a problem. Mr. Taylor asked if a surveyor would come out to make sure the measurement was correct. Mr. Snow responded that was not a problem.

Mr. Germano stated that the house also violates the front yard setback. Ms. vanGenderen asked if proper notice had been given. Mr. Germano responded that it had.

There was discussion regarding the depth of the addition, the need for a wall that is closer than 5' to the property line to be fire rated, the property being in a flood plain, the exterior building materials to be used, the layout of the current house and the reason for the new addition. Mr. Taylor asked if it would be impractical to build an addition that complied with all setback requirements. It would be a hardship for the applicant because of lot width. There was discussion regarding the relocation of the existing driveway and if the location of the existing septic system would be a problem. The applicant confirmed that he is not putting in a new kitchen. He is adding a dining area to the existing kitchen. No new plumbing will be installed. Mr. Force also confirmed that the site is being used for residential use only.

Mr. Taylor asked if there would be a negative impact on the zone plan or the zoning ordinance or a negative impact to the public good if the Board were to favorably consider the application. The applicant responded absolutely not.

Ms. vanGenderen opened the hearing to the public and since there were no members of the public present the hearing was closed to the public.

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Motion by Mr. Martin, seconded by Ms. Moore that the Board approve the variance with a 42' minimum side yard setback. The new structure will be 18' by 27'. The aggregate side yard setback is to be no less than 25 feet 2 inches (21 feet 8 inches plus 42 inches).

Those voting in favor: Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi

Board Member comments: Mr. Matulewicz voted in favor based on the hardship presented by the lot configuration and the zero impact on the zone plan. Mr. Taraschi voted in favor because he always likes to see young families expanding in Delanco and improving their properties.

Those voting against: none

Those abstaining/recusing: none

Creek Road Realignment Zoning Study

This item was continued pending State action regarding the Council on Affordable Housing.

Joint Land Use Board Rules & Regulations

Mr. Germano briefly spoke about the Rules & Regulations and some suggestions for changes that Mr. Martin had given him.

Motion by Ms. Moore, seconded by Mr. Taraschi that the Board adopt the Joint Land Use Board Rules & Regulations that were prepared by Mr. Germano, discussed by the Board and with the changes noted. The voice vote by the Board was unanimous in favor.

Open Meeting to the Public

Ms. vanGenderen opened the meeting to the public and since there were no public comments the meeting was closed to the public.

Comments from the Board

Mr. Martin asked if New Century had to come before the Joint Land Use Board. Mr. Germano responded that a change in ownership was not a reason for a business to come before the Board. New Century had applied for a zoning permit and had been approved by the Zoning Officer.

Executive Session

Motion by Ms. Moore at 7:55 PM, seconded by Ms. Mader that the Board enter into Executive Session to discuss litigation. The Board returned to Open Session and continued the meeting at 8:06 PM.

Adjournment

A motion to adjourn the meeting was made by Ms. Mader and seconded by Ms. Moore. The voice vote by the Board was unanimous in favor.

Katherine Martin
Board Secretary

Approved: July 6, 2010