

**DELANCO TOWNSHIP PLANNING BOARD
REGULAR MEETING
AUGUST 5, 2008**

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

Sunshine Statement:

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner. Written notice has been mailed to the Burlington County Times and Courier-Post newspapers and published in the January 7, 2008 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

Present: Mr. Ouellette, Mr. Lord, Mr. Martin, Mr. Matulewicz, Ms. vanGenderen, Ms. Jass,
Mr. Taraschi.

Absent: Mr. Corcoran, Mr. Templeton, Ms. Mader, Ms. Moore, Mr. Denlinger.

Continued Applications:

**Robert T. Winzinger, Inc.
Block 1900, Lot 7
900 Coopertown Rd.
I-2 General Industrial Zone
Site Plan Waiver Resolution Review**

Mr. Germano advised the Board and the public that the resolution had not been done. Ms. vanGenderen advised the Board and the public that the application would be continued until the September 2, 2008 meeting.

**Greyhound Friends of NJ, Inc.
Block 2100 Lot 11.02
307 Creek Rd.
I-1 Light Industrial Zone
Use & Bulk Variances**

Mr. Germano advised the Board and the public the applicant had requested an adjournment until the September meeting. Ms. vanGenderen advised the Board and the public that the application would be continued until the September 2, 2008 meeting.

New Applications:

**Seeth, Patricia L.
Block 1003 Lot 15
911 Third St.
R-4 Single Family Residential Zone
Bulk Variance**

Jeffrey Snow, Esq. appeared on behalf of the applicant. Ms. Seeth was also present as was her contractor, Mr. Edward Lallo. Mr. Germano swore in Ms. Seeth and Mr. Lallo.

Mr. Snow stated that Ms. Seeth was requesting bulk variances from the Board so that she could put an addition onto her home and construct a screened in porch on top of her garage. Mr. Snow referenced the survey that was attached to the application and stated that the lot dimensions are 49 feet wide by 64 feet in depth. There is a two-story frame dwelling house that exists on the property. The house is very close to the easterly and southerly property lines and the garage is only four feet from the street. Mr. Snow stated that because of the way the existing house was built, the applicant is requesting multiple bulk variances because of those existing conditions not because of proposed conditions. The addition that Ms. Seeth is proposing would be located at the front of the house. Mr. Snow stated that the second aspect of the application is to put a screened-in porch on top of the garage. The addition would not exceed the height of the existing structure and the residence would not be extended beyond the existing perimeter.

Ms. vanGenderen asked Ms. Seeth if she knew why the house had been built that way. Ms. Seeth stated that the house was originally a small guest house on a larger lot. Her parents bought the guest house and added the second floor.

Mr. Snow stated that the proposed renovations to the property would not alter the existing character of either the house or the neighborhood. The renovation should not have an adverse impact on the value of the homes in the immediate area. Mr. Snow does not feel that granting the variance will impair the intent or purpose of the land use ordinance. The addition would be sided in the same color as the existing house.

Ms. vanGenderen asked Mr. Dougherty if a completeness determination needed to be done for this application. Mr. Dougherty replied that he recommended a completeness determination and referenced his letter of July 16. The applicant is seeking bulk variances because the lot is currently non-conforming. The Board does not re-grant variances, however, there may be additional variances regarding maximum building height, building coverage, and impervious coverage. With regard to completeness there were two items that were not provided in the package. One was a location or key map that was not submitted on the survey. Since the lot is easily identifiable on the tax map Mr. Dougherty suggested a waiver of that requirement. Architectural sketches are also required in accordance with the Board's checklist. The sketches would provide more detail about the addition however Mr. Dougherty had no objection to the Board granting a waiver and stated that with the two waivers the application could be declared complete.

Mr. Taraschi stated that he had some questions regarding the architectural sketches. He asked if those questions should be addressed before entertaining the motion for completeness. Mr. Taraschi wanted more testimony regarding the details of the addition. Mr. Dougherty wanted more testimony regarding the addition. The only detail mentioned was that the siding would be the same color. Mr. Dougherty suggested that the Board may want to hear testimony in order to determine completeness.

Mr. Taraschi had a comment and a question. His comment was that he had driven by the house today. He had no problem with the addition. He asked if the addition was going to join the peak of the existing front of the house where the front door was located. Mr. Lallo stated that the addition was not going to be that high because it was only a one story addition.

Ms. vanGenderen asked if Mr. Lallo had any architectural drawings. Mr. Lallo stated that there were drawings that had been submitted to the Construction Office and that they had been

approved by that office. Mr. Dougherty had not seen those drawings. They were not submitted to the Board, only to the Construction Office. Mr. Dougherty surmised that the Construction Office must have realized there were variances and the matter was referred to the Board. Mr. Dougherty stated that the package had not been submitted to the Board. He asked Mr. Lallo if he had anything with him however Mr. Lallo stated that he thought the Board had the package. Mr. Snow suggested that he and Mr. Lallo could go to Riverside to get the drawings. Ms. vanGenderen agreed with this suggestion.

Mr. Germano stated that notice was properly given for Ms. Seeth's application.

The Board took a brief recess.

Ms vanGenderen asked Ms. Seeth if she had drawings. Ms. Seeth stated that she did. Mr. Snow had not returned to the meeting. Mr. Lallo stated that he was on his way. Mr. Germano suggested that the application be continued however Ms. Seeth wished to proceed. She showed the Board a sketch of her house and explained where the addition would be. Mr. Germano reminded everyone that the Board was just trying to determine completeness. He asked Ms. Seeth to give him the drawing so that he could mark it as Exhibit A-1.

Mr. Taraschi stated that if there were architectural drawings the Board should have them in their packages to make the application complete. The drawing provided by Ms. Seeth did not provide the necessary details. Mr. Germano recommended that if there was a motion and a second to grant or deny the waiver that the Board take a vote and move forward depending on the Board's decision. He also reminded the Board that there was a waiver recommendation for the requirement that a key map be shown.

Motion by Mr. Taraschi that the Board waive the requirement for the key map but that the Board continue the matter of completeness for the inclusion of architectural drawings. Ms. Jass seconded the motion. The voice vote by the Board was unanimous in favor of waiving the requirement for the key map. The voice vote by the Board was in favor of continuing the application with the exception of Mr. Martin who voted against.

Mr. Dougherty emphasized to Ms. Seeth that her application was denied just on the issue of completeness. The application itself has not been denied.

Ms. vanGenderen advised the Board and the public that the application would be continued until the September 2, 2008 meeting.

Ms. vanGenderen stated that the next item on the agenda was a joint Executive Session between the Land Use Board and the Township Committee. She asked anyone who was not a member of the Land Use Board or the Township Committee to step out.

Motion by Mr. Lord that the Board enter into Executive Session. Mr. Matulewicz seconded the motion. The voice vote by the Board was unanimous in favor.

The Board returned to Open Session and continued the meeting at 9:41 PM.

Master Plan Update

Ms. vanGenderen asked Ms. Taylor to discuss the Master Plan issues. Ms. Taylor stated that one of the impediments to the Smart Future Grant is that the Board is supposed to promulgate design guidelines for Burlington Avenue and specifically for the areas that are being somewhat re-zoned. She thought that the Board could probably produce those guidelines. Ms. Taylor cannot think how the guidelines would be inconsistent with the current Master Plan. Ms. Taylor stated that she thinks that even though the Board is talking about the design guidelines in the Master Plan in the land use portion, she still thinks they can be put before the governing body, have them adopted and then send the resolution to the State while the Board continues to work on the Master Plan. The Smart Future Grant requires that a design guideline document be prepared and adopted. The Master Plan does not necessarily have to be adopted. There is discussion in the Master Plan about design guidelines, however Ms. Taylor still does not know that the design guidelines would be counter to the current Master Plan. She does not know if you could find that the design guidelines were not consistent with the Master Plan such as it is today. Mr. Germano asked if the Board would have to. Ms. Taylor answered no. She feels that the alternative is that the Board go with the design guidelines and proceed with them so that if there is another meeting night where there is time she could go through them with the Board, bring a resolution adopting them and then send them on to the Township Committee and ask them to consider the ordinance and zone changes. The land use element would hold up the Master Plan and it would be done when it is done.

Mr. Germano asked if there was a recommendation in the Master Plan regarding the riverfront lots on Delaware Avenue. Ms. Taylor replied that there was no recommendation in the Master Plan for those lots. Mr. Taylor asked if the governing body had entertained an ordinance regarding limitation of a scenic waterfront last evening. Mr. Ouellette replied that they had not. He stated that the living fences came up and they discussed zoning and the way the ordinances were written. Additional research needs to be done which is what the resident was left with. On the enforcement of living fences the resident had taken pictures of all the waterfronts. There are issues there that need to be taken care of.

Mr. Taylor stated that he recalled that this was an issue that there was some discussion about dovetailing that issue with the Master Plan. If the governing body is already entertaining some ordinances and doing that research the Board can either respond to what they adopt or work in concert with them. Mr. Taylor just happened to be at the meeting and someone had asked him if he was there for that issue. Mr. Taylor had said no that the Board had not heard anything about it.

Mr. Germano asked for clarification on this subject. Mr. Ouellette stated that there is litigation dealing with one property and that the zoning officer had issued a violation to a resident. The resident was at the meeting last night to plead his case before the Township Committee. Mr. Ouellette stated that the ordinances were rather vague pertaining to the things the resident was cited for. Ms. Taylor asked if a new ordinance was being produced. Mr. Ouellette replied that one was not being produced at this point however he stated that he believes that a new one needs to be written because the current ordinance is too vague and not specific.

Mr. Germano stated that all the Board needs to say in the Master Plan is that the Board recommended an ordinance be developed to deal with this unique issue. Ms. Taylor stated that the Board had done that. The Board is doing some ordinances and others are doing other

ordinances. Mr. Germano stated that it is good to know whose job is what. It is not the Board's job to do the riverfront lot ordinance, the governing body has it. Mr. Ouellette stated that was the case at this current time. Mr. Ouellette stated that the ordinance would more than likely go back to the Board for comment and input. Ms. Taylor stated that the Board would proceed with the design guidelines and hopefully be able to discuss them in September or October. There may need to be another meeting to get through the design guidelines, refer them to committee, get them adopted and sent to DCA and hopefully that will satisfy them.

Ms. Jass asked if there needed to be any kind of adjustment because of the New Jersey Shore Builders Association vs. the Township of Jackson in relationship to recreation. She asked if there was anything that should be reflected in the Master Plan. Ms. Taylor stated that she was not familiar with the case. Mr. Taylor stated that he did not think there should be anything in the Master Plan. If the governing body determines that there needs to be modification because of Shore Builders then that can happen. Mr. Martin stated that Egg Harbor Township was involved as well. Mr. Taylor reiterated that his comment was still no regarding the need for anything in the Master Plan.

Meeting opened to the Public:

Ms. vanGenderen opened the meeting to the public and since there were no public comments she closed the public portion of the meeting.

Correspondence:

There was no correspondence.

Comments from the Board:

Ms. vanGenderen asked if there were any comments from the Board. Mr. Martin asked if the Board could have the Winzinger resolution. This has been going on for a couple of months. Ms. vanGenderen stated that Mr. Taylor was keeping on top of that issue. Mr. Germano stated that he had spoken with Mr. Serlin two weeks ago and asked if the Board could have it by tonight. Mr. Serlin e-mailed Mr. Germano yesterday and said it would be ready by Tuesday or Wednesday, probably Wednesday. Mr. Taylor stated that he had told Mr. Serlin that he would call or e-mail him by the end of the week as a reminder.

Adjournment

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

Kitty Martin

Approved: September 2, 2008