

**DELANCO TOWNSHIP  
JOINT LAND USE BOARD  
REGULAR MEETING  
OCTOBER 29, 2009**

Mr. Lord 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 October 22, 2009 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. Taraschi, Ms. Lohr, Ms. Jass, Mr. Lord, Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Schmitt, Mr. Anastasi

**Absent:** Ms. vanGenderen

**Board Professionals:** Denis Germano, Esq.; Hugh Dougherty, Engineer; Cheryl Bergailo, Planner

**Resolutions**

**Resolution 2009-15**

**Antonio Santos**

**Granting Sideyard Setback Variances for an Attached Garage and a Roof Structure and Directing the Application to Obtain Building Permits for a Gazebo, a Pool Shed, and a Roof Structure All of Which Were Built Without Permits**

Motion by Ms. Moore, seconded by Mr. Martin to adopt and memorialize Resolution 2009-15.

Those voting in favor: Ms. Lohr, Mr. Lord, Mr. Martin, Ms. Moore, Mr. Schmitt

Those voting against: none

**Resolution 2009-16**

**Approving Landscaping Plan for Newton's Landing Median Plantings**

Motion by Ms. Moore, seconded by Mr. Matulewicz to adopt and memorialize Resolution 2009-16.

Those voting in favor: Ms. Lohr, Mr. Lord, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Schmitt

Those voting against: none

**Approval of Minutes**

The October 6, 2009 minutes were approved by those Board members eligible to approve them. The minutes were corrected to clarify Mr. Matulewicz' comment during the vote on the Santos application.

**New Applications**

**Adam & Ashley Sheets**

Block 1502, Lot 1

700 Franklin Street

R-4 Zone

Bulk variances for new deck

**DELANCO TOWNSHIP  
JOINT LAND USE BOARD  
REGULAR MEETING  
OCTOBER 29, 2009**

Mr. Matulewicz recused himself from the hearing since his property was located within 200' of the Sheets' property. Mr. Germano swore in applicants Adam Sheets and Ashley Sheets.

**Completeness Determination**

Mr. Dougherty summarized that the applicants were requesting a number of waivers which included a waiver of plat details and a waiver of the signed and sealed copy of the survey. Based on the minor nature of the application, Mr. Dougherty stated that he would have no objection to the Board declaring the application complete with the requested waivers.

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

Those voting in favor: Mr. Taraschi, Ms. Lohr, Ms. Jass, Mr. Lord, Ms. Mader, Mr. Martin, Ms. Moore, Mr. Schmitt, Mr. Anastasi

Those voting against: none

Those abstaining/recusing: Mr. Matulewicz

**Hearing**

Mr. Sheets provided details regarding the deck including dimensions, location of deck, and location of stairs. Mr. Germano summarized that the only reason Mr. and Mrs. Sheets were appearing before the Board was because their property was a corner lot and the deck would come too close to the property line on the Poplar Street side of their property. Mr. Dougherty pointed out that the house itself was already closer than 20' on the Poplar Street side. The new deck would not go any further into the sideyard than the existing house. Mr. Sheets testified that the deck would be constructed of treated lumber with PVC railings.

Mr. Germano and Ms. Lohr discussed notice. Proper notice of the hearing was given. Ms. Bergailo summarized that the Sheets' were initially sent to the Board because their lot was insufficient in width by 10' and they need a variance for the front yard encroachment on Poplar Street. Mr. Germano stated that the applicants also need a variance because the proposed deck would encroach by 7" into the right sideyard.

Mr. Lord opened the hearing to the public. Mr. William Matulewicz, 737 Franklin Street, was sworn in. He testified that Mr. and Mrs. Sheets were good neighbors who have done a lot to improve their property. He felt the deck design was sensitive to the neighbors and he supported them. Since there were no further public comments the hearing was closed to the public.

Mr. Taraschi commented that the deck would be even with the side of the existing house and that, according to the survey, it would be 15.55' away from the property line where the applicants need 20'. The steps on top of the existing concrete sidewalk will extend another 3' into that buffer zone along Poplar Street. Mr. Germano informed the Board that a resident had written a letter regarding the application, however, letters are not admissible because there can be no cross examination by either side during a hearing. The letter has been placed in the file but is not being placed on the record.

**DELANCO TOWNSHIP  
JOINT LAND USE BOARD  
REGULAR MEETING  
OCTOBER 29, 2009**

Motion by Ms. Mader, seconded by Ms. Moore that Mr. and Mrs. Sheets be approved to construct their deck as indicated on their plan. The deck will be even with the side of the house with the exception of the stairs that will extend further into the sideyard setback.

Those voting in favor: Mr. Taraschi, Ms. Lohr, Ms. Jass, Mr. Lord, Ms. Mader, Mr. Martin, Ms. Moore, Mr. Schmitt, Mr. Anastasi

Those voting against: none

Those abstaining/recusing: Mr. Matulewicz

**Recreation and Open Space Inventory (ROSI) Revisions**

Ms. Lohr reported that she and Mr. Germano had consulted with Mr. Heinold regarding revisions to the Delanco Township ROSI list. They reported that the Governing Body had adopted a resolution adding the Gateway Park, the Zurbrugg waterfront, and Lot 12.01 at Pennington Farm Park to the Open Space inventory. Ms. Lohr asked the Board to authorize Mr. Lord, Board Vice Chairperson, to sign the updated ROSI list once it has been prepared by Mr. Heinold. Mr. Taraschi clarified that Block 2100, Lot 12.02 was not being added to the ROSI list. Ms. Lohr confirmed that he was correct.

Motion by Ms. Moore, seconded by Mr. Matulewicz to authorize the Vice Chairperson to sign the updated ROSI list.

Those voting in favor: Mr. Taraschi, Ms. Lohr, Ms. Jass, Mr. Lord, Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Mr. Schmitt

Those voting against: none

Those abstaining/recusing: none

**Standards for Granting/Denying Variance**

This topic will be discussed at a future meeting.

**Creek Road Realignment Zoning Study**

Mr. Lord distributed an October 2, 2009 draft of the Creek Road Realignment Zoning Study prepared by the Taylor Design Group. Ms. Bergailo summarized the reasons for the zoning study, the properties included, and then she briefly reviewed the recommendations. The subcommittee would like the full Board to review the study and be prepared to discuss it at the December 1, 2009 meeting. There was discussion regarding the commercial lot at the front of Newton's Landing, COAH units, and why Creek Road zoning had not been reviewed during the Master Plan re-examination. Mr. Lord will e-mail a color copy of the study to the Board.

**Open Meeting to the Public**

Mr. Lord opened the meeting to the public and since there were no public comments the meeting was closed to the public.

**Comments from the Board**

There were no comments from the Board.

**DELANCO TOWNSHIP  
JOINT LAND USE BOARD  
REGULAR MEETING  
OCTOBER 29, 2009**

**Adjournment**

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

Katherine Martin  
Board Secretary

Approved: December 1, 2009