

April 6/10/15

Pemberton Township Municipal Building
500 Pemberton Browns Mills Road, Pemberton, NJ 08068
Regular Meeting Minutes
May 13, 2015
7:30 PM

MEMBERS:

Timothy Haines, Chairman
Albert Hopkins, Vice Chairman(absent)
T. Stephan Thompson, Board Member Sec(absent)
Alfred Green
Robert Bailey
Russell McLaughlin, Jr.
Thomas Besselman (absent)
Peter Gordon, Alt. 1 (absent)

CONSULTANTS:

Nancy Abbott, Attorney (absent)
David Banisch, Planner
Robert Mannix, Engineer (absent)
David Frank, Attorney

STAFF

Donna DiPalma, Business Secretary

ANNOUNCEMENT: NOTICE OF THIS MEETING WAS ADVERTISED IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT. BE ADVISED THAT NO NEW APPLICANTS OR WITNESSES SHALL BE HEARD AFTER 10:30 P.M.

Meeting called to order.

Pledge of Allegiance.

Roll Call: Thompson, Green, Bailey, McLaughlin and Haines were present. Hopkins, Thompson, Besselman and Gordon were absent.

MATTERS FOR DISCUSSION AND/OR FORMAL ACTION:

- 1.) Greeting of the public and invitation to comment.
(no public comment)
- 2.) Hallman, Block 60 Lot 46, 412 Sassafras Street, application for rear yard variance to construct a sunroom addition in an R-80 zone

Michael Hallman, applicant and Rick Yeager the applicant's contractor were sworn in.

Hallman stated that they were there for a variance to construct a sunroom on the rear of the house.

Yeager stated that they were asking for a 34.5' rear yard setback.

Bailey asked if it was a corner property; Hallman responded no.

Bailey asked if there was someone behind him; Hallman responded yes.

McLaughlin asked if there was any reason it could not be done within the existing setbacks; Yeager responded so that it could be accessible to the home; off the side would be off the bedrooms; it was the only place it made sense because of the configuration of the property.

Green asked if the yard is fenced; Hallman responded yes.

Green asked if was pre-fab; Yeager responded yes it is aluminum frame.

Banisch asked about the application listing only 4 lots but they own 8; the applicant responded that was correct.

Banisch asked about the survey and application showing 35' and 34 1/2' but looked like 36'; Hallman responded that it looks like 36' but should be 35'; they have a roof overhang and the result will be 34.5 feet.

Banisch asked about the neighbor in the rear; Hallman responded there are two; one that goes to the corner and the other behind the additional property they purchased from the Township years ago.

Banisch asked if there was a house directly behind them; Hallman responded there is a cottage that's been there since he moved in.

Banisch asked what room it would be attached to; Hallman responded the

kitchen.

Banisch commented that the 34.5' may be a little tight and that the applicant may want to amend the application 34'; Yeager requested that the application be amended to 34' rear setback.

Banisch stated that it would be about 90 sq ft into the rear yard which was de minimis.

Motion to approve by Bailey; seconded by McLaughlin

Roll call: Bailey, McLaughlin, Green, Haines voted yes

- 3.) Dobovich, Block 827.01 Lot 4, 114 Magnolia Road, application for lot size, frontage, width and side yard setback variances to reconstruct a single family dwelling in a R-200 zone.

John Dobovich and Wendy Dobovich were sworn in; John Dobovich testified that they are applying because their house caught on fire; its uninhabitable; it does not conform; they have a variance now for the one side for 12'; the only thing they didn't apply for was the garage which was at 4'; they will have the garage door on both sides of the garage to go through.

Banisch stated the applicant had answered most of his questions already; asked about the oil tank; J. Dobovich responded that they would be going to gas.

Banisch asked where the AC unit would be; J. Dobovich responded it would be in the back.

Banisch asked what type of house it would be; J. Dobovich responded that it would be a two story modular with a poured foundation.

Banisch stated that his request was very precise; J. Dobovich responded that at the most they need to come forward 3 or 4 feet for the front overhang; the 50' would be really tight.

Banisch responded that the drawing shows it is proposed at 50' setback unless he obtained a variance for that.

McLaughlin commented that the application shows 40' is required so he could move it forward.

Banisch responded if the Board was agreeable; it's a busy road; other applicants had preferred to be back further.

J. Dobovich stated that there is a field on the one side; it's a separate deeded property with a house but there is a pond between them.

Banisch responded that they could tighten up the southerly setback to 2' for the overhang.

McLaughlin commented about keeping it tighter on one side and leave the other side so there is plenty of access to the rear yard.

Banisch asked if the testimony was that they would be able to drive thru the garage to get to the rear yard; asked if there was a fence on that property line; J. Dobovich responded yes.

Banisch asked about well and septic; J. Dobovich responded that they are on city sewer and there's a well in the front.

Banisch added that in event they had a catastrophic issue like a fire again they may have to go through the field; W. Dobovich responded that they could probably fit it on the 12' side; J. Dobovich responded that he has a 26' boat he'll be pulling around that way or pull it through the garage.

Banisch asked about turning the house sideways; the windows would face the neighbors; they wouldn't be able to go out the back door to the patio and the pond; the garage may lose some utility; J. Dobovich said that the property tapers and agreed he would lose some utility.

McLaughlin commented that it would be tighter for the driveway entrance into the garage.

Banisch advised that something less than the 4.32' makes sense; if it were reduced down to 2' on the southerly sideline it would give them room on both sides to play with; although it was difficult recommending something like that; it didn't look like anything was going to happen on the south side in terms of a new lot.

Banisch asked if the Board wanted to consider some type of language about

getting the debris cleaned up by a certain time frame.
Haines asked what his plan was; J. Dobovich responded they were going to demo the house in two weeks; he just wanted to make sure it was approved before they took it down; it's been 6 ½ months dealing with the insurance company.
Frank advised that there are life safety concerns that are usually available to the construction office so if something is a risk as an attractive nuisance they would step in a issue demolition orders.
J. Dobovich stated that the Township has already been in contact about cleaning it up; they can still go in and get things out at this time.
Banisch asked how long after the demolition will the house be constructed.
J. Dobovich responded probably 8-10 weeks.
W. Dobovich said everything should be cleaned up before the house gets there.
W. Dobovich asked about getting a dumpster and asked if there was a specific place they need to put that.
Haines advised DiPalma should be able to help them.
DiPalma advised that there isn't a dumpster permit required but that it should be located off the roadway and on the lot itself.
Haines asked if anyone felt any need to have a time constraint; there was no response; J. Dobovich stated that he wanted it done September/October.
Green commented that they were going to demo it before they started building it; he'd have to have it out of there to bring the house in anyway.
Banisch stated that they've received a certificate of filing; it looks like they are through the Pinelands process because they are removing structures more than 50 years old.
W. Dobovich stated more than 100.

*Application was opened to the public
No public comment*

Motion to approve application with side yard setbacks no less than 2' on south side not less than 12' on the north side made by Green; seconded by Bailey
Roll call: Green, Bailey, McLaughlin and Haines voted yes.

- 4.) Resolution Z-17-2015 Saville, Block 606 Lot 13, 23 Chippewa Trail approving application for use variance for engraving and etching of metal items excluding firearms in an R-96 zone.

Motion to approve by Green; seconded by Bailey
Roll call: Green, Bailey and Haines voted yes.

- 5.) Resolution Z-18-2015 Gibson, Block 812 Lot 7.02, 268 Pointville Rd. approving application for use variance for a repair facility with auto sales; granting bulk variances for pre-existing non-conforming setbacks conditioned on site plan approval in an AR zone.

Motion to approve by Bailey; seconded by Green
Roll call: Bailey, Green and Haines voted yes.

- 6.) Minutes – April 8, 2015

Motion to approve by Green; seconded by Bailey
Roll call: Green, Bailey and Haines voted yes.

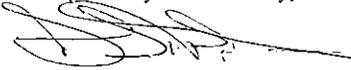
- 7.) Comments by Board Members and Professionals

Haines thanked the members attending that evening.

8.) Adjournment

Motion to adjourn by McLaughlin; seconded by Green
All in favor: Aye
Opposed: None
Meeting adjourned 8:05 PM

Respectfully submitted by,



Donna DiPalma, Business Secretary
Planning Board and Zoning Board of Adjustment

Disclaimer: the above minutes are neither a verbatim nor a detailed version of the events of the meeting. Such detail is available on the legal recording of the meeting at the Township office during business hours.