

**North Hanover Township
Joint Land Use Board
MEETING MINUTES
September 26, 2019
7:30p.m. @ Municipal Complex**

Call to Order- Chairman Tom Kimball called the August 28, 2019 meeting to order at 7:30pm

Flag Salute

Statement – Provisions of the Open Public Meetings Act

“The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted to the Burlington County Times and the Courier Post, given to those having requested and paying for the same and posted on the bulletin board in the foyer of the Municipal Building “

Roll Call For Attendance

Name	Attended	Absent
Russ Comisky	X	
Jim Durr	X	
Ron DeBaecke	X	
Lou DeLorenzo		X
Dave Forsyth	X	
Joe Greene	X	
Debbie Kucowski	X	
Jack Smylie	X	
Greg Grauer	X	
Tom Kimball	X	

Also in attendance: Board Solicitor Gregory McGuckin of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors and filling in for Board Engineer Charles Sabatini of Environmental Resolutions

Minutes for Approval

- August 28, 2019

Name	Motion	Second	Aye	Nay	Abstain	Absent
Russ Comisky			X			
Jim Durr			X			
Ron DeBaecke					X	
Lou DeLorenzo						X
Dave Forsyth			X			
Joe Greene			X			
Debbie Kucowski		X	X			
Jack Smylie			X			
Greg Grauer	X		X			
Tom Kimball			X			

Memorialization Resolution 2019-09-Approving Bulk Hardship Variance- Vannozzi- Block 608 Lot 16- 480

Wrightstown-Sykesville Road
NORTH HANOVER TOWNSHIP
JOINT LAND USE BOARD
RESOLUTION 2019 - 09

RESOLUTION GRANTING
BULK VARIANCE RELIEF FOR
MARY VANNOZZI
BLOCK 608, LOT 16

WHEREAS, Mary Vannozzi (the Applicant), has applied to the North Hanover Township Joint Land Use Board (the Board) seeking Bulk Variance Relief with respect to the property commonly known as Lot 16 in Block 608, as shown on the official tax maps of North Hanover Township; and

WHEREAS, the property has a street address of 480 Wrightstown/Sykesville Road and is located on the westerly side of Sykesville Road, approximately 1,250 ft. south of its intersection with the access highway; and

WHEREAS, the property currently contains an existing one-story, residential home within the R-1 Residential Zoning District; and

WHEREAS, the Applicant now proposes to construct a roof over an existing deck on the subject property; and

WHEREAS, in support of this application, the Applicant has submitted an executed variance application package, correspondence from the Applicant, as well as four (4) sheets of plans submitted therewith; and

WHEREAS, this matter was the subject of a public hearing held before the North Hanover Township Joint Land Use Board on April 28, 2019; and

WHEREAS, prior to said hearing, the Board had an opportunity to review the report of the Board's Consulting Engineer and Planner dated July 1, 2019, which report of Environmental Resolutions Inc. is incorporated herein by reference; and

WHEREAS, the property is currently undersized, with 0.34 acres existing, and 2.0 acres required with respect to lot area; and

WHEREAS, the Applicant requires a lot frontage of 200 ft. whereas 100 ft. is existing, a lot width of 200 ft. whereas 100 ft. is existing, and a lot depth of 200 ft. whereas 150 ft. is existing; and

WHEREAS, it is the intension of this Resolution to legalize these existing conditions as if variance relief had been previously granted with respect thereto; and

WHEREAS, the Applicant further requires a side yard setback of 30 ft. with 16 ft. existing, a front yard setback of 50 ft. whereas 42 ft. is existing, and a rear yard setback of 75 ft. whereas 54 ft. is existing; and

WHEREAS, it is, again, the intension of this Board to legalize the setback conditions as variances; and
WHEREAS, the Applicant now seeks a bulk variance with respect to the side yard setback, where 30 ft. is required and the Applicant proposing 23.9 ft. in order to construct a roof over an existing deck which had been built in 1993; and

WHEREAS, the Applicant has submitted the testimony of Mary Vannozzi and Vinnie Gargano, who testified as to the purpose of the variance relief, the hardship imposed upon the Applicant in the event the relief was not granted and the fact there would be no negative impact from the granting of the variance on either the Zoning Plan or neighborhood scheme; and

WHEREAS, having listened to the testimony submitted, the Board agrees with the Applicant that there would not be a negative impact from the granting of the relief requested in that the Applicant seeks a variance of 23.9 ft. and 30 ft. is otherwise required; and

WHEREAS, the Board further finds that the Applicant would, in fact, suffer a hardship in the event the relief requested was not granted in view of the undersized nature of the lot and the appropriateness of covering the existing deck; and

WHEREAS, any approvals granted herein are specifically conditioned upon the roofed area being open on all three (3) sides and the Applicant is not granted any approvals for walls, temporary or permanent, for the sides of the covered deck area, which at all times must remain open; and

WHEREAS, the Board recognizes that there is a gravel driveway and an existing farm located to the rear of the subject property and, as a result, there will be no negative impact upon adjoining property owners where the new variance relief is being sought; and

WHEREAS, it appears that all requisite fees and taxes have been paid in full to date; and
WHEREAS, the Board is satisfied the Applicant has submitted sufficient reasons to grant the relief requested; and

NOW THEREFORE BE IT RESOLVED on this 28th day of August, 2019, that the Applicant's request for Bulk Variance Relief be and hereby is approved subject to the Applicant complying to all terms and conditions set forth in the preamble of this Resolution; and

IN SO APPROVING the Applicant's request for variance relief, the Land Use Board of the Township of North Hanover has made the following findings of fact and conclusions of law and further declares:

1. The Applicant has a proprietary interest in this application.
2. All requisite fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the municipal land use ordinance of the Township of North Hanover.
4. The application is a "complete application" as defined by the municipal land use ordinance of the Township of North Hanover.
5. The application is a substantial compliance with the zone plan and will not unduly impact upon the neighborhood scheme.
6. The Land Use Board adopts the preamble of this Resolution as its findings of facts and has relied upon these findings in the decision rendered by the Board.
7. The Applicant has submitted sufficient reasons to grant the requested relief herein.

BE IT FURTHER RESOLVED that this approval is further conditioned upon the following:

1. The receipt by the Applicant of all approvals and compliance with all permit conditions from any Federal, State, County or local regulatory agency having jurisdiction over this application. Upon receipt of such approvals, the Applicant shall provide a copy of any permit or written evidence of approval to the Board and its professional staff. If any agency requires a change in the plans approved by the Board, the Applicant must reapply to the Board for approval of that change.
2. The Applicant shall provide a statement from the North Hanover Township Tax Collector that all taxes are paid in full as of the date of this resolution and as of the date of the fulfillment of any conditions in this resolution and the failure to provide such a statement shall render this resolution null and void ab initio.
3. The Applicant shall reimburse the Board for all professional fees extended or expended with regard to this application.
4. The Applicant shall comply with all provisions of the reports of the Board's professional engineer and planner except as modified herein.
5. The Applicant shall comply with all representations made before the Board by its attorney, engineer and other expert witnesses as the Board has specifically relied upon those representations in granting the approvals set forth herein. Failure to comply with such representations will render any approvals herein null and void ab initio.
6. Applicant shall resubmit this entire proposal for re-approval should there be any deviation from the terms and conditions of this resolution or the documents submitted as part of this application, all of which are made a part hereof and shall be binding on the Applicant.
7. Applicant shall post an inspection fund with the Township Clerk in an amount to be determined by the Township Engineer.
8. Unless specifically modified herein, the Applicant shall comply with all terms and conditions of all prior resolutions of the North Hanover Township Planning Board regarding this application.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Burlington County Board of Health
2. Burlington County Planning Board
3. North Hanover Township Joint Land Use Board;
4. Township Clerk; and
5. Zoning Officer.

DATE ADOPTED: August 28, 2019

DATE MEMORIALIZED: September 25, 2019

FOR ADOPTION: Jim Durr, Joe Greene, Jack Smylie, Greg Grauer, Tom Kimball

AGAINST:

ABSTENTIONS/RECUSALS:

Name	Motion	Second	Aye	Nay	Abstain	Absent
Russ Comisky			X			
Jim Durr	X		X			
Ron DeBaecke					X	
Lou DeLorenzo						X
Dave Forsyth					X	
Joe Greene			X			
Debbie Kucowski					X	
Jack Smylie			X			
Greg Grauer		X	X			
Tom Kimball			X			

C.B. Lamb Elementary School Courtesy Review

Ms. Amy Lerner the Business Administrator for the North Hanover Township Board of Education came before the board. Ms. Lerner explained there are many exciting things happening in the district. With the new Endeavour school opening on Joint Base McGuire Dix Lakehurst, all township Preschool to 4th grade will be going to C.B Lamb which requires some upgrades. There are already renovations going on to add bathrooms to existing classrooms for the preschool and kindergarten students. Bathrooms in the classrooms for preschool and kindergarten are a requirement of the State of New Jersey. The second phase of the improvements include; moving the office and nurses office to the existing 4th grade wing to ensure a secure access for visitors. The existing office will become classrooms. The will build an additional 2 new classrooms with connector hallways. There will be an interior courtyard with a preschool playground and an outdoor learning space. Board member Jim Durr made a motion that these improvements are consistent with the Township's Master Plan. Ron DeBaecke seconded the motion.

Name	Motion	Second	Aye	Nay	Abstain	Absent
Russ Comisky			X			
Jim Durr	X		X			
Ron DeBaecke		X	X			
Lou DeLorenzo						X
Dave Forsyth			X			
Joe Greene			X			
Debbie Kucowski			X			
Jack Smylie			X			
Greg Grauer			X			
Tom Kimball			X			

Application 2019-03- Burlington Preservation Associates- Variance- Block 603 Lot 10 and 29- 202 Croshaw Road

Jim Durr and Debbie Kucowski stepped down as adjoining property owners. Mr. Timothy Lamberto was sworn in. Mr. Lamberto is the Vice President of Arbor Management, the management agent for Burlington Preservation Associates. The property was acquired two and half years ago. Since then numerous renovations have been done to the property. They wish to put a pavilion on the property as well as a fence between the church next door and the apartments. They wish to erect a 6ft vinyl privacy fence. The fence would start 50 ft from Jones Mill Road

Mr. Joseph Hill Maintenance Specialist was sworn in. Mr. stated they wish to add a pavilion next to the playground to allow them to service the community with meal programs for those in need but they are required to have a covered space to do so.

Mr. Sabatini engineer for the board stated the applicant addressed the setback issue raised in the completeness review letter by Mr. Joseph Hirsh by pushing the fence to 50ft from Jones Mill Road. Mr. Sabatini also stated Mr. Hirsh would like to do a nighttime light study of the lighting newly installed at the apartments as a condition of the approval. The applicants agreed to that a night study would be done by our engineer, as the newly installed lights are LED and give off more light than the previous lighting. . Board member Ron DeBaecke asked if the pavilion would have a light. Mr. Hill stated it would have one light. Mr. Sabatini then stated that they sidewalks and ramps to pavilion would need to be ADA compliant. The board had no further discussion.

Mr. Philip Julia of Jones Mill Road was sworn in. Mr. Julia lives next door to the property and expressed that they did a fantastic job improving the property. Mr. Julia did express concerns about the lights making it difficult to see while driving down Jones Mill Road, also on the back of the bedroom and 2 other lights that shine right in his bedroom window. Mr. Lamberto stated he will be happy to address the lighting concerns. Mr. Julia stated when the shrubs come down to put up the fence they will need to address the lights their also. Mr. Lamberto apologized for the problems with lights and stated they will address right away.

Mr. Wayne Steudler was sworn in as a representative of the church next door. Mr. Steudler stated the church has worked closely with the management company to fix issues they have, and the management company has been great about working with them to fix the issues. The Church will be volunteering to help take the shrubs out to make way for the new fence. Being no further public comment. Greg Grauer made a motion to close public comment. Motion was seconded by Ron DeBaecke. All in Favor.

Mr. Greg Grauer made a motion to Amend the Site Plan and approve the pavilion and fence. Motion was seconded by Jack Smylie.

Roll Call:

Name	Motion	Second	Aye	Nay	Abstain	Absent
Russ Comisky			X			
Jim Durr					X	
Ron DeBaecke			X			
Lou DeLorenzo						X
Dave Forsyth			X			
Joe Greene			X			
Debbie Kucowski					X	
Jack Smylie		X	X			
Greg Grauer	X		X			
Tom Kimball			X			

Jim Durr and Debbie Kucowski returned to the dias

Public Comment

Chairman Tom Kimball opened the floor to public comment. Being no public in attendance to comment, Greg Grauer made a motion to close public comment. Motion was seconded by Ron DeBaecke. All in favor.

Board Discussion

Chairman Tom Kimball opened the floor to board discussion. It was asked by Chairman Tom Kimball to the board secretary how we can get the packets out earlier. Several options were discussed. Being no further board discussion Tom Kimball made a motion to close board discussion. Motion was seconded by Jack Smylie. All in favor.

Correspondence- NONE**Adjournment**

Motion to adjourn made Jack Smylie, and seconded by Ron DeBaecke. All in favor. Meeting adjourned at 7:55pm.