

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

665 Radio Road
Little Egg Harbor, NJ 08087

Minutes of Meeting Held On June 9, 2021

1. Meeting called to order at 7:00 p.m. by Chairman Sullivan.
2. Reading of the Sunshine Law & Notice of Public Meeting.
3. FLAG SALUTE
4. OATH OF OFFICE - Ms. Rumpf swore in new board member Louis Mankowski.
5. ROLL CALL:

PRESENT Chairman Sullivan, Vice-Chairman Jones, Barbara Sterner, Suzanne Musto-Carrara and Louis Mankowski / ABSENT were Ken Maxwell & Greg Leszega

APPEARING FOR THE PROFESSIONALS:

Debra Rumpf, Esquire of Rumpf Law, Zoning Board Attorney
Pam Hilla, PE, CME, CFM of Remington, Vernick, Zoning Board Engineer

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of May 12, 2021 was made by Mr. Jones, seconded by Ms. Sterner. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

6. RESOLUTIONS OF MEMORIALIZATION:

- A. JNC, LLC**
Resolution #2021-15
Application #2021-02
117 East Sail Drive
Block 325, Lot 14
Bulk Variances

Ms. Rumpf read Resolution 2021-15 into the record. On a motion by Mr. Jones, seconded by Ms. Sterner, Resolution 2021-15 was memorialized. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

- B. Ronald Dibble**
Resolution #2021-16
Application #2021-05
14 Maryland Drive

**Block 326.218, Lot 56
Bulk Variances**

Ms. Rumpf read Resolution 2021-16 into the record. On a motion by Mr. Jones, seconded by Ms. Sterner, Resolution 2021-16 was memorialized with the minor revision noted. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

**C. Arlene Scaccetti
Resolution #2021-17
Application #2021-06
56 West Anchor Drive
Block 310, Lot 39
Bulk Variances**

Ms. Rumpf read Resolution 2021-17 into the record. On a motion by Mr. Jones, seconded by Ms. Sterner, Resolution 2021-17 was memorialized with the minor revision noted. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

**D. Robert & Gail Krone
Resolution #2021-18
Application #2021-07
5 Lake Huron Drive
Block 325.53, Lot 6
Bulk Variance**

Ms. Rumpf read Resolution 2021-18 into the record. On a motion by Mr. Jones, seconded by Ms. Sterner, Resolution 2021-18 was memorialized with the minor revision noted. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

7. OLD BUSINESS:

**A. Rodriquez
Application #2019-10
55 Country Club Blvd.
Block 326.03, Lot 34
Bulk Variance**

Sworn in Dominic Rodriquez, Applicant. Mr. Rodriquez gave a brief summary of his Variance requests regarding the fence on the right side of his property. Applicant requires two Variances for the already installed fence. Ms. Hilla reviewed the most recent engineering letter dated 12/28/2020. Ms. Hilla asked the Applicant if solid fences in the frontyard was consistent within the neighborhood. Applicant stated that he applied for a permit for the fence and upon returning

from a trip, received a ticket in the mail for a violation of the fence. Ms. Rumpf asked the Applicant who installed the fence, which was himself. Mr. Jones asked the Applicant if he received consent from the neighbor to install the fence on the property line. Applicant stated he struck a line from the survey pins and while not completely straight he thought it was 6 inches off the property line. Both the Chairman and Vice-Chairman stated they drove in the neighborhood and solid fencing in the frontyard is not in character with any other properties they saw. Applicant agreed to withdraw his request for the fence encroachment on the property line and will bring it into compliance. The Chairman also suggested an as-built survey to confirm the fence is 6 inches off the property line and in compliance. Ms. Hilla discussed the 50% see-thru requirement of the fence within the 30 foot setback in the frontyard. Approximately 15 feet of the existing fencing is not in compliance. Applicant wishes to continue his request for a Variance for the solid fence encroachment.

Robert Shinn, Esquire spoke on behalf of the neighbors, Mr. & Mrs. Frasca. They would like a time limitation placed on how long the Applicant has to bring the fence into compliance and off the property line. Applicant agreed to bring the fence into compliance within 90 days from memorialization of a Resolution. Mr. Shinn's clients were in agreement with this timeframe.

On a motion by Mr. Jones, seconded by Ms. Carrara, the application was opened to the public. All aye. There being no public wishing to comment, on a motion by Mr. Jones, seconded by Ms. Sterner, the application was closed to the public. All aye.

Mr. Jones made a motion that while the Applicant has withdrawn one of the two Variances and will bring the fence into compliance (6 inches off the property line), he moves to deny the Applicant's request for a Variance for a solid fence within the 30 foot frontyard setback. This motion was seconded by Ms. Sterner. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

Mr. Rodriguez asked if he could file an appeal on this decision. Ms. Rumpf stated that he could file an appeal in Superior Court and recommends that he hire an attorney to assist him with same.

8. NEW BUSINESS:

A. Barger

Application #2021-09

190 Beaver Dam Road

Block 1, Lot 5

Interpretation of the Land Use Ordinance

Applicant Dennis Barger was sworn in. Applicant stated that he and his wife purchased the land 2001 and began farming on it when they retired in 2018, as Applicant believed was it's intended use. In 2019 they erected a 30x96 greenhouse. In September, 2020 he received a violation notice and was told by the assistant zoning officer that he would need a Variance to have a farm business and/or a construction permit for the greenhouse and sign. Applicant believed that since the property was previously farmed, that he could continue the use. Ms. Rumpf prepared a Memorandum of Law dated June 9, 2021 regarding the agriculture use in the Pinelands Village Zone where the property is located. Based upon same, the board believes that the farming use is permitted to continue. Ms. Hilla discussed the size and location of the sign. Applicant did not

apply for a permit for the greenhouse, as he believed that the State of New Jersey allows a person to erect a greenhouse without permits or approvals on farmland. Applicant was instructed to provide proof of same to the Zoning Officer so a Variance would not be needed for a greenhouse.

On a motion by Mr. Jones, seconded by Ms. Sterner, the application was opened to the public. All aye. There being no public wishing to comment, on a motion by Mr. Jones, seconded by Ms. Sterner, the application was closed to the public. All aye.

On a motion by Mr. Jones, seconded by Ms. Sterner, the interpretation for agricultural use for Application #2021-09 was approved. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

A motion to open to the public was made by Mr. Jones, seconded by Ms. Sterner. All aye. There being no public wishing to comment, on a motion by Mr. Jones, seconded by Ms. Sterner, the meeting was closed to the public. All aye.

11. BOARD DISCUSSION / COMMENTS:

None

12. CLOSED SESSION:

N/A

13. PAYMENT OF VOUCHERS:

After being reassured that all voting members had an opportunity to personally review the individual voucher requests and having questions, if any answered to their satisfaction, the following vouchers were presented for payment:

A payment of \$1,658.75 to Remington, Vernick & Vena Engineers,
a payment of \$2,866.59 to Rumpf Law, PC,
a payment of \$100.00 to Robin Schilling as the board's recording secretary.


A motion to approve payment of vouchers was made by Mr. Jones, seconded by Ms. Sterner. Roll Call:

Sterner - Yes	Carrara - Yes	Mankowski - Yes
Jones - Yes	Sullivan - Yes	


14. ADJOURNMENT:

A motion to adjourn is made at 8:45 p.m. by Mr. Jones, seconded by Ms. Sterner. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



Eugene F. Sullivan, Chairman
Township of Little Egg Harbor Zoning Board