

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

**665 Radio Road
Little Egg Harbor, NJ 08087**

Minutes of Meeting Held On October 10, 2018

1. Meeting called to order at 7:00 p.m. by Chairman Gautier.
2. Reading of the Sunshine Law & Notice of Public Meeting.
3. FLAG SALUTE
4. ROLL CALL:

PRESENT Chairman Gautier, Vice-Chairman Fuller, Mr. Sullivan, Ms. Doherty, Mr. Armitage & Mr. Jones

ABSENT was Mr. Burr

APPEARING FOR THE PROFESSIONALS:

Debra Rumpf, Esquire of Brian E. Rumpf, P.C., Zoning Board Attorney
Ernest J. Peters, Jr., PE, PP, CME of Remington, Vernick, Zoning Board Engineer

The Chairman acknowledged Mr. Moore's resignation from the last meeting.

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of September 12, 2018 was made by Mr. Fuller, seconded by Ms. Doherty. Roll Call:

Armitage - Yes	Jones - Yes	Doherty - Yes
Sullivan - Yes	Fuller - Yes	Gautier - Abstain

6. RESOLUTIONS OF MEMORIALIZATION::

- A. Resolution #2018-17**
JNC, LLC #2018-11
129 East Sail Drive
Block 323 Lot 8 / R-50 Residential Zone / Bulk Variance
Attorney: Jason Henbest, Esq.

Ms. Rumpf read Resolution #2018-17 into the record, and a motion to memorialize Resolution #2018-17 was made by Mr. Fuller, seconded by Ms. Doherty. Roll Call:

Armitage - Yes	Jones - Yes	Doherty - Yes
Sullivan - Yes	Fuller - Yes	Gautier - Abstain

7. OLD BUSINESS:

A. Variance Application #2018-09

Loforte
19 Pembroke Court
Block 264 Lot 17.09 / R-1A Residential Zone
Bulk Variance
Attorney: Richard Kitrick, Esq.

The Chairman announced that the applicant has requested that this application be withdrawn, and Rich Kitrick, attorney for the applicant concurred for the record. Applicant will build within the Township's Ordinance.

B. Variance Application #2018-07

Cook, Lester
8 Evergreen Drive
Block 261.01 Lot 7.03 / R-1A Residential Zone
Bulk Variance

The Chairman announced that the applicant will carry this application until the November 14, 2018 meeting, and notice will be required. On a motion by Ms. Doherty, seconded by Mr. Fuller, the application was carried. Roll Call:

Armitage - Yes
Sullivan – Yes

Jones - Yes
Fuller - Yes

Doherty – Yes
Gautier - Yes

C. Variance Application #2018-08

Papa, Frank
318 West Calabreeze Way
Block 325.59 Lot 44 / R-50 Zone
Bulk Variance

Frank Papa appeared on his own behalf and was sworn in. This application was continued from the August and September board meetings. Applicant has obtained a pool permit from the township (dated 10/4/18). Mr. Fuller took the lead in the application, since the Chairman was not at the last meeting. Mr. Peters provided some information on the setbacks and township ordinance. The shed or accessory structure cannot be in the frontyard and accordingly a variance is needed. Because it's a corner lot, applicant has two frontyards. Applicant agreed he will switch the location of the shed and move it so it is not in front of the house. Applicant testified again that he does not run a business from his home, that he is a car guy and helps people with their cars, but does take money or run a business. The trailer / camper is used for personal / household storage items and the electrical cord has been removed. There is no water line to the camper. Mrs. Doherty asked about the black trailer, which has residential tags and registration as does the rest of his personal vehicles. Applicant will move the 8x10 shed in the rear into compliance. Mr. Peters advised that the ordinance is silent as to how close an accessory structure can be to the residence. Mr. Jones asked about the driveway location if the shed is flipped.

On a motion by Mr. Fuller, seconded by Ms. Doherty, this application was opened to the public. All aye. There being no public present wishing to comment, on a motion by Mr. Armitage, seconded by Ms. Doherty, this application was closed to the public. All aye.

Applicant agreed to discuss the new proposed shed location with the Zoning Officer and come back to the board if needed.

On a motion by Ms. Doherty, seconded by Mr. Fuller, application #2018-08 was carried to the November 18, 2018 meeting, with no additional notice required. Roll Call:

Armitage - Yes	Jones - Yes	Doherty - Yes
Sullivan - Yes	Fuller - Yes	Gautier - Yes

8. NEW BUSINESS:

A. Variance Application #2018-12

Esposito
109 South Longboat Drive
Block 325.42 Lot 5 / R-50 Residential Zone
Bulk Variance

Giuseppi Esposito, nephew of the applicant, who was also present, testified on this application. Mr. Esposito was sworn in. Mr. Esposito stated that the original contractor went bankrupt before completion of the project and he stepped in for his aunt and uncle as a licensed contractor. His uncle passed away in the spring. All the permits were changed into his name and a foundation location survey was completed. The final survey showed that the bulkhead "jogged in" and as a result one side of the house was seven inches into the rearyard setback.

On a motion by Mr. Fuller, seconded by Ms. Doherty, this application was opened to the public. All aye.

Edward Bash (108 S. Captains Drive) – Mr. Bash was sworn in. The deck and "closet" blocks the views of the neighbors. History of zoning compliance issues on the property, as well as police involvement with "behavior issues." There was much debate, where the board attempted to explain that the ordinance allows for a rearyard setback of 15 feet to the bulkhead and the "closet" area meets that requirement.

Dave Burns (107 S. Longboat Drive) – Mr. Burns was sworn in. Mr. Burns testified that he lost his view because of the neighbors home. He said that the applicant's bulkhead "swelled" after Super Storm Sandy. Mr. Burns was advised that this board does not have jurisdiction over the bulkhead.

Frank Menschey (105 S. Longboat Drive) – Mr. Menschey was sworn in. Marked as Exhibits P1 thru P9, where photographs taken by Mr. Menschey showing how the neighbors views are being blocked by the applicant's home.

On a motion by Ms. Doherty, seconded by Mr. Fuller, this application was closed to the public. All aye.

The Chairman polled the board members as to the rearyard setback Variance of 14.3 ft. (where 15 ft. is required) by the applicant. Generally the board feels it is a very slight issue as it only pertains to one side of the property and the applicant took all necessary measures to avoid such a mistake.

On a motion by Mr. Armitage, seconded by Mr. Sullivan, application #2018-12 was approved.
Roll Call:

Armitage - Yes	Jones - Yes	Doherty – Yes
Sullivan – Yes	Fuller - Yes	Gautier - Yes

As this is applicant's primary residence and it was affected by Super Storm Sandy, Ms. Rumpf read draft Resolution #2018-19 into the record. On a motion by Mr. Fuller, seconded by Mr. Armitage, Resolution #2018-19 was memorialized. Roll Call:

Armitage - Yes	Jones - Yes	Doherty – Yes
Sullivan – Yes	Fuller - Yes	Gautier - Yes

B. Variance Application #2018-13

Polewka
130 South Forecastle Drive
Block 325.43 Lot 35 / R-50 Residential Zone
Bulk Variance

Rich Kitrick, Esquire for the applicant, Matthew Polewka. Mr. Polewka was sworn in. Mr. Kitrick stated that the original dwelling was destroyed by Super Storm Sandy and was demolished. Applicant purchased the vacant land in 2017 with the hopes to build his retirement home within the next 4 to 5 years. Marked as Exhibits A1–A4 were photographs of the site taken by the applicant, approximately 6-8 week ago. Marked as Exhibits, were photographs of other boat lifts in the township, taken by the applicant. These photographs were taken at:

A5- 6 North Commodore Drive
A6- 6 Beach Drive
A7- 46 Kentucky Drive
A8- Dory Drive
A9- 62 Spinnaker Drive
A10- 45 South Burgee Drive
A11- 43 West Shrewsbury Drive
A12- 60 Spinnaker Drive
A13- 6 Kentucky Drive
A14- 36 South Burgee Drive
A15- 2 West Potomac Drive

Applicant testified that there are no living quarters on the boat and the temporary electric pole has been removed. Amon Construction did the work on the dock and life and all the permitting with the DEP. Marked as Exhibit A16 was a partial copy of the DEP permit paperwork. There was a great deal of discussion on the DEP permit and applicant agreed to bring back the entire permit application and engineering.

On a motion by Ms. Doherty, seconded by Mr. Fuller the meeting was carried until the November 14, 2018 Zoning Board Meeting. Roll Call:

Armitage - Yes	Jones - Yes	Doherty – Yes
Sullivan – Yes	Fuller - Yes	Gautier – Yes

C. Variance Application #2018-14
Schemichen
2 Spar Court
Block 325.16 Lot 1 / R-50 Residential Zone
Bulk Variance

Ms. Rumpf placed on the record that the applicant's son was a former student of hers.

Paul and Maddalena Schemichen were sworn in. Applicants' primary residence was destroyed by Super Storm Sandy. The original contractor lost his license and they had to finish the project themselves. Applicant requires Variances for (a) frontyard setback, where 20 ft. is required and 6 ft. is proposed; (b) sideyard setback where 5 ft. is required and 4.6 ft. is proposed; and (c) for an accessory air conditioning unit where 2 ft. is required and .9 ft. is proposed. The Chairman polled the board as to their comments on the Variances. There is a uniqueness to this property in that there is no visual impact to the neighbors with this home encroaching into the frontyard setback and the home is approximately 18-20 ft. from the paved portion of the roadway. There was no public present, accordingly, the application was not opened to the public.

On a motion by Ms. Doherty, seconded by Mr. Fuller, application #2018-14 was approved. Roll Call:

Armitage - Yes	Jones - Yes	Doherty – Yes
Sullivan – Yes	Fuller - Yes	Gautier - Yes

As this is applicant's primary residence and it was affected by Super Storm Sandy, Ms. Rumpf read draft Resolution #2018-18 into the record. On a motion by Mr. Fuller, seconded by Ms. Doherty, Resolution #2018-18 was memorialized. Roll Call:

Armitage - Yes	Jones - Yes	Doherty – Yes
Sullivan – Yes	Fuller - Yes	Gautier - Yes

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

There was no public present, accordingly, the meeting was not opened to the public.

11. BOARD DISCUSSION / COMMENTS:

The Chairman read the resignation of Vice-Chairman, Dave Fuller, into the record and asked that same be given to the Mayor and Committee.

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 \$1,652.72 to Remington, Vernick & Vena Engineers,
a payment of \$434.71 to Rumpf, Rumpf & Reid, for services rendered; and
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. Armitage, seconded by Mr. Jones.
Roll Call:

Armitage - Yes
Sullivan - Yes

Jones - Yes
Fuller - Yes

Doherty - Yes
Gautier - Yes

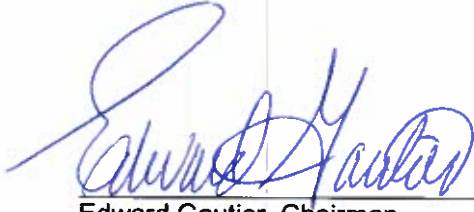
14. ADJOURNMENT:

The meeting was adjourned at 9:46 p.m. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



Edward Gautier, Chairman
Township of Little Egg Harbor
Zoning Board