

VOORHEES TOWNSHIP ZONING BOARD MINUTES APRIL 11, 2013

The Chairman called the meeting to order and stated it is being held in compliance with the open public meetings act and has been duly noticed and published by law.

ROLL CALL:

Present: Mr. John Palm, Esq. (conflict attorney), Doug Rohmeyer, CME-board engineer, Mr. Senges, Mr. Weil, Mr. Cohen, Mr. Daddario and Mr. Leoncio

Absent: Neal Cupersmith, Mr. Willard, Mrs. Kirshbaum and Mr. Kerr

MINUTES FOR APPROVAL:

February 21, 2013

Motion was made by Mr. Weil; Seconded by Mr. Cohen. The remaining voice vote was in favor.

RESOLUTIONS FOR APPROVAL:

SINGH 2012-025:

Motion was made by Mr. Cohen to approve; Seconded by Mr. Weil; Abstentions : Mr. Leoncio and Mr. Daddario; the remaining voice vote was in favor.

LINTON-2013-002

Motion was made by Mr. Cohen to approve; Seconded by Mr. Weil. The remaining voice vote was in favor; Abstention: Mr. Leoncio and Mr. Senges

KOMERIAN-DENIAL-2012-027

Motion was made by Mr. Cohen, Seconded by Mr. Weil . The remaining voice vote was in favor; Abstentions: Mr. Daddario and Mr. Leoncio

CORRESPONDENCE: NONE

OLD BUSINESS:

ORESTE AND ROSEMARIA D’ELIA

2 WILDERNESS DRIVE

BLOCK 206, LOT 8.19

The application was carried from October 25, 2012 and January 24, 2013, March 14, 2013 (letter for 3/14/2013 asking to be continued to the next meeting) meetings. Seeking relief from Section 152.015(D) (3)and (G) of the ULDO to allow the paver patio to remain as constructed with a side yard setback of 0 ft where 15 ft is required and an impervious coverage of 46.2 percent where a maximum of 45 percent; seeking relief from Section 152.015 (J) (6) of the ULDO to allow landscape 3wall to remain as constructed with a side and rear yard setback of 0 ft where 15 ft is required; and seeking relief from Section 154.015 (B) (1) to allow the patio and walls to remain as constructed where in no event shall grading, construction or alteration of a lot or lots to be permitted within 5 ft of the side and rear property line. Seeking any other relief as deemed necessary by the board or its professionals.

Mrs. D’Elia and Mr. Anthony Mallice, her legal counsel(109 W Merchant Street, Audubon, New Jersey) were present this evening.

Mr. Mallice stated that he is here to try to make the corrections needed for the project that the homeowner apparently did on the property with no permits. He stated that they removed a lot of vegetation-dead. Mr. Senges stated that cost is not to be used for consideration of their improvements that were done to their property. Mr. Senges stated that there are improvements that went over into other property owner's lots that have to be removed; the zoning board has no jurisdiction on those items. The homeowner should address those items and remove them prior to getting an approval. Mr. Senges explained to her attorney that you need to put the negative and positive criteria on record for the zoning board to get approval. The attorney could not give that information to the board and felt that they should ask for a continuance so he could advise his client in the proper direction. Mr. Senges stated that it might be a good idea to retain a professional engineer to guide them through the process and maybe a municipal land use attorney as well.

Mr. Senges stated that the applicant has been working on this violation for 2 years. The zoning office sent them many of notices with no response and left messages as well. Mrs. D'Elia stated that she was not aware of all the dates that the Chairman read to her and wanted a copy of that notice that the Chairman was referring to (the board secretary gave her a copy of that notice).

Mr. Weil told Mrs. D'Elia that there is an electrical box that is on the adjoining property owner's property and if they needed to turn something on or off it could create another problem in another respect. The Board engineer, Mr. Rohymeyer stated that he had concern of how the walls will effect the adjacent property owners; their concern of water running to the rear of the property. Mr. Rohymeyer stated that you may be creating a low point near their home (D'Elia's house).

The applicant agreed to go before the board on July 11, 2013, that should give them enough time to work their issues out and Mr. Palm, the board conflict attorney will be available for that date/hearing as well.

The applicant would have to do renofice; they were in agreement. They also extended their action date to July 11, 2013.

Meeting was adjourned.

Respectfully submitted,

Valerie S. Marchitto, Board Secretary