

VOORHEES TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES MARCH 14, 2013

The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and has been duly noticed and published by law.

Meeting started 7:35pm.

ROLL CALL:

PRESENT: Mr. Senges, Mr. Weil, Mr. Daddario, Mr. Kerr, Mr. Cohen, Mr. Cupersmith , Mr. Joseph Marrazzo, Esq., the board attorney, Mr. Doug Rohymeyer, CME-the board engineer and Valerie Marchitto, the board secretary.

ABSENT: Mr. Leoncio, Mr. Willard and Mrs. Kirshbaum

APPROVAL OF MINUTES: NONE

APPROVAL OF RESOLUTIONS: NONE

CORRESPONDENCE:

D'Elia

2 Wilderness Drive

Block 206, Lot 8.19

The board secretary read into the record a letter that was sent over by fax by Mr. Mallace (the applicant's attorney) and he requested an adjournment of this matter to a meeting that the board will decide and extended the action date to April 30, 2013.

There was a motion by Mr. Weil to continue the hearing until April 11, 2013; Seconded by Mr. Cohen. The remaining board members agreed to the continuance of this hearing and will be held on April 11, 2013. There will be no further notice sent to the public or newspaper. The meeting would be held in the court room; this is the notice given to the public, if anyone was present for this hearing stated by the Chairman

ANNUAL REPORT 2012:

The Chairman stated that it was nice to see that there were no denials for zoning applications last year. A motion was made to approve the report by: Mr. Weil; Seconded by Mr. Cupersmith. The remaining voice vote was in favor. Compliments to Elaine Adamson for the good job on the submission of the report.

NEW BUSINESS:

Ken Becksted

110 Atlantic Avenue

Block 94, Lot 13

Seeking relief from Sections 152.015 (D) (3) , 152.015 (J) (1), 152.015 (J) (6), 154.001 (B) (1) and 154.015 (C) (2) (c) 5 to a permit the pool house to have a side yard setback of 6.5 ft and a 6 ft wall to have a side

yard setback of 2 ft where 15 ft is required; to permit a rear yard setback of 10.6 ft to the in ground pool, 3 ft to the wall, 5 ft to the pool house and 5 ft to the paver patio where 15 ft is required and where in no event shall grading, construction or alteration of the lot be permitted within the 5 ft of the side property line, to allow the accessory buildings and uses to occupy more than 25% of the rear yard area and to allow a 6 ft high masonry wall/structure as a fence which is prohibited. Seeking any and all other relief as deemed necessary by the board or its professionals.

The applicant (Mr. Becksted) was before the board this evening and was sworn in for testimony. The Chairman stated that in caucus when the board was going over his plan, there were concerns of the runoff and where the runoff will go and his neighbors will be affected and the wall when constructed where the rain will all end up. The board asked Mr. Becksted if his engineer was present this evening, which he was not available. Mr. Becksted stated that he is a friend of his and Mr. Becksted gave him the information on his lot, he has lived there 10 plus years and he stated that he has always had a problem with runoff and he has met with Joe Hale, from the engineer office many of times. He stated that no one else would have a problem with run off but him. Mr. Marrazzo told him that if there is a problem with runoff and he is going to proceed with his application this evening, he (the applicant) will take all responsibility and liability if there is a problem with run off. The board engineer stated that he could meet with him and his engineer that did his plan out on site; there obviously would be a charge. The applicant is anxious to get going on his pool. Mr. Cupersmith stated that he did not have a comfort level at all with allowing him to proceed forward. Mr. Becksted asked if he could be continued to the next meeting, which would be March 28, 2013. The board stated that they would be in favor of that if he could provide all the information needed for the comments made in the CME letter to the board. A motion was made by Mr. Cohen; Seconded by Mr. Cupersmith. The remaining voice vote was in favor to continue his application until that hearing (March 28, 2013). This is the formal announcement to any public present this evening because the applicant will not be required to do notice in the paper or mailing.

Jacquelyn Linton

38 E Red Oak Drive

202.23, Lot 2

Seeking relief from Sections 152.015(D) (3), 152.015 (J) (6), 1252.015(D) 7 (b) and 154.001 (B) (1) to permit the paver patio to remain with a rear yard setback of 11 ft and side yard setback of 4 ft to 11 ft where 15 ft is required, to permit the shed to remain with the rear and side yard setback of 1.5 ft where 5 ft is required and where in no event shall grading, construction or alteration of a lot be permitted within 5 ft of the side property line. Seeking any other relief as deemed necessary by the Board and/or its professionals.

Mr. Senges had to recuse himself from the case; Mr. Cupersmith was the Chairman for this hearing. Mr. and Mrs. Linton were present this evening for the case and were sworn in for testimony this evening.

Mrs. Linton explained to the board that they are before the board because they are selling their home and they put up a shed in a location that was not permitted due to the need for their pool equipment and chemicals as well for their hot tub. The chemicals are flammable and cannot be stored in the basement or the garage, so this is why they constructed their shed in the location that it is located. Their patio they redid to continue the pathway to the shed. The patio is a stamped concrete (not a paver patio).

The applicant stated that if they placed the shed in the location that was required by the setbacks required, the shed would be in the middle of their rear yard with no use of their yard. They did their notice by law to be heard before the board and spoke with both neighbors, who did not have an issue; they all have sheds as well. They signed an acknowledgement, as well as the buyers for the easement issue and if ever a problem (where the township needs to ever repair or replace anything), the expense would be on the current owner if the township ever needed to access that area. The board had a copy that was given to them in caucus.

OPENED TO THE PUBLIC; SEEING NONE, THE PUBLIC PORTION WAS CLOSED.

A motion was made by Mr. Weil to approve; Seconded by Mr. Cohen

ROLL CALL VOTE:

AYES: Mr. Cohen, Mr. Weil, Mr. Daddario, Mr. Kerr and Mr. Cupersmith

NAYS: None

The application was approved as submitted (5-0). Mr. Marrazzo explained to the applicant the 45 day rule and the appeal process, so they were informed and understood the procedure that he explained.

The next meeting will be March 28, 2013.

The meeting was adjourned.

Respectfully submitted,

Valerie S. Marchitto, Board Secretary