The Chairman called the meeting to order and stated it was being held in compliance with the “Open Public Meeting Act” and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Lee Cohen, Mr. Hal Willard, Mr. John Daddario, Mr. Bob Weil, Mr. Neal Cupersmith and Mr. Jeff Senges

Absent: Mr. Manny Leoncio, Mr. Troy Brocco.

Also present: Board Solicitor Stuart Platt, Board Engineer, and Elaine Powell, Zoning Officer.

**MEMORIALIZATION OF RESOLUTIONS**

William and April Sample

62 Tenby Chase Drive

Block 229.23, Lot 16

Resolution No. 18-20

**OLD BUSINESS**

**Khmer Buddhist Humanitarian Association**

Case #ZC2018-004

B Zone

1234 Haddonfield-Berlin

Block 262, Lot 6

Mr. Platt announced that the application had been adjourned to August 9, 2018. The applicant has extended their action date to August 31, 2018 and they will be provided new public notice.

**NEW BUSINESS**

**Nick Anselmo**

Case #ZC2018-015

MDR Zone

77 Simsbury Drive

Block 304.02, Lot 80

Section 150.12(B)(1) to allow the pool equipment to remain as constructed with a side-yard setback of .85 feet and the retaining wall to remain as constructed with a rear-yard setback of 4.02 feet where in no event shall grading, construction or alteration of a lot be permitted within 5 feet of a side or rear property line; from Section 150.13(A)(1) to allow accessory uses/structures (including existing pool, firepit and patio, and proposed pergola and basketball court) to occupy approximately 36% of the rear-yard area where they may not occupy more than 25% of the rear-yard area; from Section 150.14(B)(1) of the ULDO to permit the 4.5 foot high aluminum fence to remain constructed forward of the rear corners of the dwelling where only a 4-foot high fence is permitted; and from Section 150.015(D)(3) and grading ordinance 112-07 to allow the pool pavers and fire pit to be constructed with a side-yard setback of 7 feet where 15 feet is required. Seeking any and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals.

Mr. Nick Anselmo, property owner, and Mr. Robert Burpee, Designer and builder, were sworn in. Mr. Burpee addressed the as built conditions stating that the filter equipment was placed due to the need of the filter to be level with the pool and a minimum of 20 feet away from the water. The fire pit was placed for aesthetics and was put too close to the property line due to the topography causing unclear property lines.

Mr. Senges admonished the builder stating that as a builder he is aware of the rules and regulations and should have known exactly where the property lines were and that additional approvals would be needed for any changes.

Mr. Anselmo addressed the proposed pergola and basketball court. He stated that his wife wanted to live in Voorhees and the rear yard of this home backed to open space; that is why they purchased this home. The side of their yard has a very steep hill, which is an eyesore and very dangerous for mowing and playing. They have 9-year old twins and a 5-year-old. They wanted to have some green space for the children to play and to install a basketball court. The reason for the variance requests is due to the extreme topography and safety of the children.

Mr. Cupersmith questioned the need for the pool equipment to be less than one foot from the side property line. He was concerned about the sound to the neighbors. Mr. Anselmo agreed to amend the application to place the pool equipment no closer than 5 feet to the rear and side property line.

The Chairman opened the application to the public; seeing no one, the public portion was closed.

Mr. Weil made a motion to approve the application as amended by the applicant; motion seconded by Mr. Cupersmith.

Ayes: Mr. Cohen, Mr. Weil, Mr. Willard, Mr. Daddario, Mr. Cupersmith, and Mr. Senges.

Nays: None

Mr. Senges added that the applicant had unusual topography and to use the property, adjustments needed to be made. It was not unreasonable for a property owner to want to use their yard. The variances were justified under the law.

The meeting was opened to the public. The public portion of the meeting was closed.

Seeing no further business Mr. Cupersmith makes a motion to adjourn, seconded by Mr. Willard.

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Elaine D. Powell

Zoning Officer