

WASHINGTON TOWNSHIP

ZONING BOARD OF ADJUSTMENT

Meeting of April 11, 2011

The Washington Township Zoning Board of Adjustment was called to order by the solicitor, Timothy D. Scaffidi at 6:16 PM.

1) Flag Salute

2) Sunshine Law

This is a regular meeting of the Washington Township Zoning Board of Adjustment Meeting. Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. In addition, notice of this meeting was given to the Township Clerk.

3) Roll Call

- a. **Members Present:** Mr. D'Orazio, Mr. Hatala, Mrs. Gardiner, Mr. Mello, Mr. Powers, and Mr. Sauter.
 - i. **Members Absent:** Mr. Pietrafesa resigned.
- b. **Alternates Present:** Mr. Guidotti
 - i. **Absent:** Mr. Coppola
- c. **Council Liaison:** Mr. Christopher DelBorello not in attendance.

4) Swearing in of Professionals

Mr. Scaffidi then swore in the Professionals

- a. Mr. Petrongolo, CLA, RLA, PP, Board Professional Planner
- b. Richard Fini, P.E., Board Environmental Engineer
- c. Frank J. Seney, PE, PP, CME, Board Professional Traffic Engineer
 - i. **Not in attendance:** John M. Pettit, P.E., P.P., C.M.E., Board Engineer.

5) Applications:

- a. **Barca** - 2 Tarpon Court, 85.23/1, #923, Bulk Variances. Dan Barca was sworn in and testified that he is requesting a 26' front yard setback to install an 18'x36' in-ground pool facing the back of his house and to the left. Mr. Petrongolo, CLA, RLA, PP, Board Professional Planner stated that the site has 3 frontages and that the pool is proposed to rear of structure. Buffer and fence is existing. Mr. Petrongolo provided aerial photos of the property marked Exhibits B1 and B2. He further stated several variances and waivers are needed. Waiver for **224-9 Location, area and depth restrictions.** A. No swimming pool shall be constructed or installed nearer than 10 feet to any property line nor nearer to the street line on which the premises fronts than the main front wall of the dwelling erected thereon. No pool shall be located nearer than 10 feet to any side or rear property line in residential districts A, B or C. B. No private swimming or wading pool shall be constructed or installed on any lot unless upon there shall be a residence located upon such lot or unless such lot is part of a residence curtilage, waivers needed. Variances are needed for 285-215 B - On any lot in any district, no wall or fence shall be erected or altered so that said wall or fence shall be over six feet in height, such fences to be permitted in the side and rear yards only. Subject to Subsection **B(4)** below, no fences are permitted in the front yard area; provided, however, that fence requirements set forth below apply to the following uses: (2) A private residential swimming pool area must be surrounded by a fence at least four feet but no more than six feet in height. Swimming pool areas shall be located in rear yard areas only; 285-186 E. Location and distance requirements. (1) A swimming pool of a permanent or stationary type of construction shall not be constructed, installed or located within 10 feet of any property line or

structure nor nearer any street line upon which the residence fronts than the existing setback line of such residence building, but in no case, regardless of the building setback line, shall a pool be located less than 30 feet from the front street line. Aboveground pools shall be measured from the furthest extremity of the pool structure. There is a deck on site so pool will be difficult to place elsewhere. The Professionals had no other comments or submitted any other reports on the subject application and no one came forward to comment on the subject application. Mr. Mello made a motion to approve application /2nd Mrs. Gardiner. Roll call: All in favor. 7 Affirmative, 0 Objections and 0 Abstain. Motion Carried.

- b. **WTMOB I, LLC** – 556 Egg Harbor Road, 117/14, 1.08 & p/o 1, Escrow #634, Signage. Mr. Vincent D’Elia, Esq. represented the application and presented Mr. Kevin Casey to testify for a sign to secure tenants. They are requesting a sign similar to Kennedy Hospital and Point Plaza. Current sign is approx. 80 sq. ft. Mr. Hatala asked what types of business if they were medical, Mr. Casey responded surgery center, physical therapy. Mr. Petrongolo stated that according to 285-236 Health care system signs. [Added 11-22-1999 by Ord. No. 29-1999]

The following signage as regards the use of premises within the zone by a health care system shall apply:

A. One freestanding sign (monuments preferred) is permitted at each road entry/curb cut. The sign shall not exceed 100 square feet per side, maximum 10 feet high for monument and 20 feet for pole-mounted, set back 10 feet from the property line.

B. Facade signage on each facade facing a street and one internal side totaling three facades is permitted to identify the facility name, not to exceed 10% of the facade face.

- c. C. Emergency room identification and directional signs shall be permitted in a size acceptable to the Planning Board. "Tower" structures are permitted four-foot-high letters. Mr. Petrongolo stated sign is set back 10' from property line. This is similar to a sign that was previously presented and withdrawn. Sign is to look consistent with signs in area. Variances needed for height & monument requirements. Meeting was opened to the public. Mr. George Botcheos came forward for Kennedy Hospital. They are opposed to type and size of sign and inquired if a use variance was required, if public notice was sufficient to owners within 200 feet and if notice needed to be more specific. Mr. Scaffidi stated that the applicant met notice requirements and that a use variance was not required. Mr. Botcheos argued that this was not a healthcare zone but a residential zone. Mr. Petrongolo stated that since a use variance was granted for this facility as healthcare signage then followed in line. Mr. Botcheos submitted photos of signs marked Exhibits K1 thru K7 of sign in area. No other participation, meeting closed to the public. Mr. D'Elia stated notice need not be more specific and only to let public know what is happening and that documentation is available for review in the Municipal Office. He stated that negative criteria not impacting zone plan. The applicant is trying to avoid accidents by allowing for better identification and visibility. The Professionals had no other comments or submitted any other reports on the subject application. Mrs. Gardiner made a motion to approve the application/2nd Mr. D'Orazio. Roll call: All in favor. 7 Affirmative, 0 Objections and 0 Abstain. Motion Carried.
- d. **E& R Properties** – 263 Blackwood-Barnsboro Rd., 6/2.04, Escrow # 922, Use Variance & Major Site Plan approval. Mr. Vincent D'Elia, Esq. represented the application and stated they are withdrawing the application without prejudice since the plan to

sub-divide and will make that application to the Planning Board. Mr. Hatala made a motion to approve application /2nd Mr. Mello. Roll call: All in favor. 7 Affirmative, 0 Objections and 0 Abstain. Motion Carried.

- e. **WTMOB I, LLC** – 556 Egg Harbor Road, 117/14, 1.08 & p/o 1, Escrow #634, Signage. . **Mr. Scaffidi made an announcement that the Applicant requested to postpone until April 11, 2011. That anyone here this evening for this application that this would serve as notice that the application will be heard at the next meeting.**

6) Open Meeting to the Public:

- a. Mr. Hatala made a motion to open meeting to the public/2nd Mr. Powers. Roll Call: All in favor. No participation. Mr. Hatala made a motion to close meeting to the public/2nd Mr. Powers. Roll Call: All in favor.

7) Old/New Business -

Mrs. Lafferty reminded all about the Financial Disclosure Forms to be completed and submitted by April 15, 2011.

8) Minutes -

- a. March, 2011 – Mr. Hatala made a motion to approve minutes/2nd Mr. Powers. Roll Call: All in favor.

9) Resolutions -

- a. **R18-2011 – Suters**, 317 Pine Street, 181/1.01, 1.03, 1.07 through 1.10, Escrow #917, Use variance. Mr. Powers made motion to memorialize resolution/2nd Mr. Sauter. Roll Call: All in favor. 4 Affirmative, 0 Objections, 3 Abstain.

- b. **R19-2011 - Valenti**, 723 Jefferson, 253/17, Escrow #921, Bulk Variance. Mr. Powers made motion to memorialize resolution/2nd Mr. Guidotti. Roll Call: All in favor. 4 Affirmative, 0 Objections, 3 Abstain.

10) Adjourn

Mr. Hatala made a motion at 7:35 PM to adjourn the meeting/2nd Mr. Sauter. Roll call: All in favor. Meeting adjourned.

These minutes are a brief summary of the proceedings that took place on 4/11/2011 and should not be taken as verbatim testimony.

Respectfully submitted,



Rose Ann Lafferty

Zoning Board of Adjustment Secretary

- Cc: Mayor
Business Administrator
Council
Township Clerk
Tax Assessor
Director of Community Affairs
File