

A meeting of the Township of Hamilton Zoning Board of Adjustment was held on the above date with Chairperson, Robert J. Campbell, Sr., presiding. Members present were Charles Cain, Wayne Choyce, Eduardo Freire, Kathi Lentz, Werner Raff, & Frank Tomasello. Alternates present were Elaine Valentino & David Grassi. Also present was Robert A. Cooper, Zoning Board Solicitor; and Steven Maimon, Zoning Officer.

The Statement of Compliance was read.

Approval of Minutes – Mr. Choyce moved, seconded by Mr. Raff, to approve the minutes for the January 26, 2009 Zoning Board of Adjustment meeting. SAID MOTION CARRIED WITH THOSE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”

Richard A. Wigglesworth – Solicitor, Robert A. Cooper, verified that the proof package has been executed properly and property taxes are current.

Applicant, Richard Wigglesworth, was present and informed the Board he is seeking a variance for a side yard setback to allow the construction of a 22’ X 28’ attached garage to an existing single family dwelling on 949 Bainbridge Avenue, Block 761, Lot 7.

Mr. Choyce asked Mr. Wigglesworth how far from the property line does he propose to construct the garage, and he replied almost 6’. He noted his existing fence will remain in place. Mr. Choyce commented he was able to visit the site and stated that the property is very well maintained and everything is very clean. Mr. Freire commented that he, too, visited the site and agreed with Mr. Choyce that the property is very well kept.

Ms. Valentino asked Mr. Wigglesworth what utilities he planned to utilize regarding the garage addition. Mr. Wigglesworth replied only electricity.

Chairperson, Robert Campbell, Sr., opened the hearing to public comment, and there was no response. Mr. Choyce moved, seconded by Mr. Cain, to close the public portion of the hearing. SAID MOTION CARRIED WITH THOSE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mr. Friere asked Mr. Wigglesworth if he has any intention of converting the proposed garage to a bedroom in the future. Mr. Wigglesworth replied no. He stated he would like the garage for storage of his cars and boat.

Mr. Freire moved, seconded by Ms. Lentz, to grant a Variance to Richard A. Wigglesworth, Block 761, Lot 7, App.# 1-09, for a side yard setback of 5’, where 10’ is required, to allow the construction of a 22’ X 28’ attached garage to an existing single family dwelling, conditioned upon the applicant obtaining all necessary construction permits from the Township Building Department.

ROLL CALL VOTE ON THE ABOVE MOTION:

MR. CAIN – AYE	MR. FREIRE – AYE	MR. RAFF – AYE
MR. CHOYCE – AYE	MS. LENTZ – AYE	MR. TOMASELLO – AYE
		MR. CAMPBELL, SR. – AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made the following comments regarding their vote on the above motion:

MR. CHOYCE: I feel it will be a positive improvement to his dwelling, as well as to the neighborhood, and it will enable the applicant to store his boats and cars indoors that are currently stored outside.

MR. CAMPBELL, SR.: I agree and feel it will have no negative effect.

Howard & Eileen Huettl – Solicitor, Robert A. Cooper, verified that the proof package has been executed properly, and property taxes are current.

Applicant, Howard Huettl, was present and informed the Board he is requesting a variance for lot frontage to allow the construction of a single family dwelling on Sterling Avenue (aka Strand Ave.), Block 538, Lot 10, as previously granted by the Zoning Board. Mr. Huettl stated the previous owner received approval for lot frontage variances on lot 10 & lot 12 from the Zoning Board, however, they have now expired.

Mr. Huettl informed the Board that he had purchased lots 10 & lot 12 from the previous owner, and now he would like to construct a home for his daughter on one of the lots. He testified that there are existing homes on all adjacent parcels, and he is unable to purchase adjoining property to avoid needing the variance. He stated he is able to meet all other bulk variances.

Mr. Choyce commented that he visited the site and the applicant is correct that there are homes that have been built on the same size lots adjacent to his. Mr. Choyce testified that he does not feel what the applicant is proposing would be out of character with the neighborhood.

Mr. Campbell, Sr. opened the hearing to public comment, and there was no response. Mr. Cain moved, seconded by Mr. Raff, to close the public portion of the hearing. SAID MOTION CARRIED WITH THOSE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mr. Freire moved, seconded by Mr. Choyce, to grant a Variance to Howard & Eileen Huettl, Block 538, Lot 10, App.# 24-08, for minimum lot frontage of 100’ rather than the required 125’, to allow the construction of a single family dwelling, conditioned upon the following: applicant shall obtain approvals from all other agencies exercising jurisdiction; and shall obtain necessary construction permits from the Township of Hamilton Building Department.

ROLL CALL VOTE ON THE ABOVE MOTION:

MR. CAIN – AYE

MR. FREIRE – AYE

MR. RAFF – AYE

MR. CHOYCE – AYE

MS. LENTZ – AYE

MR. TOMASELLO – AYE

MR. CAMPBELL, SR. – AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made the following comments regarding their vote on the above motion:

MR. CHOYCE: Yes, I feel a hardship exists for the applicant because he is unable to obtain additional land.

MR. FREIRE: Yes, for the same reason as stated by Mr. Choyce.

MR. CAMPBELL, SR.: Yes, I feel a hardship does exist.

Howard & Eileen Huettl – Solicitor, Robert A. Cooper, verified that the proof package has been executed properly, and property taxes are current.

Applicant, Howard Huettl, was present and informed the Board that he is requesting a variance for lot frontage to allow the construction of a single family dwelling on Sterling Avenue (aka Strand Avenue), Block 538, Lot 12, as previously granted by the Zoning Board. He stated the variance has since expired and he is seeking the same consideration this evening.

Mr. Huettl explained that the same situation exists regarding lot 12 as lot 10 just heard by this Board. He noted he is unable to acquire additional land to avoid the need for the lot frontage variance.

Mr. Campbell, Sr. opened the hearing to public comment, and there was no response. Mr. Raff moved, seconded by Mr. Tomasello, to close the public portion of the hearing. SAID MOTION CARRIED WITH THOSE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mr. Freire moved, seconded by Mr. Tomasello, to grant a Variance to Howard & Eileen Huettl, Block 538, Lot 12, App.# 25-08, for minimum lot frontage of 100’ rather than the required 125’, to allow the construction of a single family dwelling, conditioned upon the applicant obtaining the following: applicant shall obtain approvals from all other agencies exercising jurisdiction; and obtain necessary construction permits from the Township Building Department.

ROLL CALL VOTE ON THE ABOVE MOTION:

MR. CAIN – AYE	MR. FREIRE – AYE	MR. RAFF – AYE
MR. CHOYCE – AYE	MS. LENTZ – AYE	MR. TOMASELLO – AYE
		MR. CAMPBELL, SR. – AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made the following comments regarding their vote on the above motion:

MR. CHOYCE: Yes, I feel the hardship exists because the applicant is unable to obtain additional land.

MR. FREIRE: Yes, I agree with Mr. Choyce.

MR. CAMPBELL, SR. : Yes, for the same reason as Mr. Choyce & Mr. Freire.

Public Comment – Mr. Campbell, Sr. opened the meeting to public comment, and there was no response. Mr. Tomasello moved, seconded by Mr. Choyce, to close the public portion of the meeting. SAID MOTION CARRIED WITH THOSE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Adjournment – Mr. Tomasello moved, seconded by Mr. Choyce, to adjourn the Zoning Board of Adjustment meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Respectfully submitted,

Jeanne C. deVecchis, Secretary
Zoning Board of Adjustment

