

A meeting of the Township of Hamilton Zoning Board of Adjustment was held on the above date with Chairperson, Elaine Valentino, presiding. Members present were Wayne Cain, William Christman, George Samuelsen, Bruce Strigh, and alternate members, Joseph Leyenaar, Jr. and Debra Kraus. Also present was the Board Solicitor, Robert Cooper and Zoning Officer, Philip Sartorio.

The Statement of Compliance was read.

Announcements: Item #9, Service Pro Signs requested to be carried over to the April 28th meeting. Mr. Cooper stated everything is in order and they do not have to re notice or re advertise. The meeting will start with item #7.

Denise Thomas; App. # 3-14; Block 665 Lot 10; located at 6574 Millville Avenue was present along with Harry Thomas and they are requesting a Variance to construct a deck attached to the existing single family dwelling which will extend into the front yard area of 2nd Avenue and any other variances found to be necessary.

Solicitor, Robert Cooper verified that the proof package had been executed properly.

Mr. Thomas was sworn in and testified the 6' x 6' deck in front of the house will be replaced with an 8' x 20' open deck. The plot plan which was submitted indicates everything on the property. It will extend into the 2nd Avenue front yard area. The new deck will not have any electricity or storage underneath. The material which will be used will be pressure treated wood. It will not extend beyond the house.

Mr. Cain visited the site and noted the existing deck is no longer there. Mr. Thomas stated the deck had been taken down.

Ms. Kraus visited the property and observed it from the street.

Ms. Valentino asked if anyone would like to speak during this portion of the hearing for public comment and there was no response. Mr. Strigh moved, seconded by Mr. Cain to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Mr. Cain moved, seconded by Mr. Strigh on App. #3-14, Block 665 Lot 10 located at 6574 Millville Avenue to grant a front yard variance of 2.9' for the construction of a deck. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY," and "NO ABSTAIN."

ROLL CALL ON THE ABOVE MOTION:

MR. CAIN- AYE

MR. CHRISTMAN-AYE

MR. SAMUELSEN-AYE

MR. STRIGH -AYE

MR. LEYENAAR-AYE

MS. KRAUS-AYE

MS. VALENTINO-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. CAIN: When I visited the property there is no one within a few hundred feet to the side and nothing behind them. The house sits off the road. I vote yes.

MR. CHRISTMAN: Yes.

MR. SAMUELSEN: Yes.

MR. STRIGH: Yes for the previously stated reasons.

MR. LEYENAAR: Yes.

MS. KRAUS: Yes.

MS. VALENTINO: I vote yes. I did visit the property & the house is close to the line, as indicated on the plan. The proposed deck will be for residential use & will not be enclosed. There is no detriment to the zoning plan.

Robert & Tracy Bustard; App. # 4-14; Block 790 Lot 2; located at 1217 Route 50 were present and are requesting a Variance to construct an accessory structure (above ground pool) in the front yard area and any other variances found to be necessary.

Solicitor, Robert Cooper verified that the proof package had been executed properly.

Mr. and Mrs. Bustard were sworn in and Mrs. Bustard gave testimony regarding a proposed above ground pool. The deck will be extended with a few steps and safety gate. There was a vinyl fence added since they were here last. The pool does not require a fence around it.

Ms. Valentino asked if the side yard setback on the left would be 25' and if the shed would remain. Mrs. Bustard replied yes to both items.

Mr. Sartorio was sworn in and testified that lot coverage is not an issue with this application.

Ms. Valentino asked if anyone would like to speak during this portion of the hearing for public comment and there was no response. Mr. Strigh moved, seconded by Mr. Cain to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Mr. Strigh moved, seconded by Mr. Cain on App. #4-14, Block 790 Lot 2 located at 1217 Route 50 to grant a variance for an accessory structure (above ground pool, 30 feet round, with 80 feet of decking) in the front yard area of Decatur Avenue. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY," and "NO ABSTAIN."

ROLL CALL ON THE ABOVE MOTION:

MR. CAIN- AYE

MR. CHRISTMAN-AYE

MR. SAMUELSEN-AYE

MR. STRIGH -AYE

MR. LEYENAAR-AYE

MS. KRAUS-AYE

MS. VALENTINO-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. CAIN: The applicant has been here before & no one from the public has any comments. The pool will be fully enclosed. I see no detriment & I vote yes.

MR. CHRISTMAN: Yes.

MR. SAMUELSEN: Yes.

MR. STRIGH: Yes.

MR. LEYENAAR: Yes.

MS. KRAUS: Yes.

MS. VALENTINO: Yes. I visited the property & the proposed pool will not be visible from the street. There is no one behind the applicant's property.

Township of Hamilton; App. # 22-2013 Block 785 Lot(s) 2-4; located at 6140 Thirteenth Street & 1291 Decatur Street. Mr. Raymond Wendt, Esquire and Philip Sartorio, Zoning Officer for the Township were present and are seeking site plan waiver for an 80 space auxiliary parking lot to town hall pursuant to the Use Variance which was approved 1/27/2014.

Ms. Valentino noted that in the interim in which the Use Variance was approved (January) & this evenings meeting there was a workshop and members of the site plan committee attended.

Solicitor, Robert Cooper verified that the proof package had been executed properly.

The following witnesses were sworn in and gave information regarding their background.

Phil Sartorio, Zoning Board Officer, Township of Hamilton
Robert Smith, Engineer, Remington & Vernick
Robert Watkins, Planner, Mott Associates
Steven Mazur, Engineer, Dixon Associates
Christopher Carey, Landscape Consultant, EDA

Mr. Wendt stated he is proposing preliminary & final site plan approval along with requests for waivers for the 80 space parking lot which is being proposed across the street from Town Hall.

Mr. Sartorio is the Zoning Officer and will be acting as a witness for the applicant. His testimony will not affect his testimony with this application.

Mr. Smith stated the applicant is requesting site plan waiver. The project received Use Variance approval in January contingent upon site plan approval. A full set of site plan documents were submitted. A question that came up during the Use Variance hearing was to provide documentation correlating the proposed improvements at the Town Hall lot & how it relates to the proposed new lot. The ancillary parking lot will consist of 80 spaces. During times of court & heavy volume of visitors to town hall there is insufficient parking & a significant amount of cars parked along 13th Street. These cars park head in & along the curb which creates an unacceptable situation for the general public. The design plan created a parking lot to deal with the overflow along 13th Street. The handicap parking on the Town Hall side will be modified to add 6 spaces in the rear and 1 in the front.

The Stormwater Management system has been provided, reviewed & approved by the Pinelands Commission.

A small amount of existing landscaping has been provided & the Township is the recipient of a No Net Loss Forestry Grant. Mr. Smith has been working with Mr. Sartorio on this grant. The Township has been afforded a significant amount of planting materials which are being used throughout the town. A revised plan will be submitted showing additional plantings. Once the grant is approved & the funds are received the additional landscaping will be installed. A waiver for buffering along Decatur Ave. is being requested & Mr. Smith will work with Mr. Carey for acceptable planting for the buffering once the grant is approved. They will also work together with buffering along the rear of basin on the south side.

Mr. Smith commented the number of ADA spaces is based upon the required amount on 13th Str. & the existing parking lot. The current parking situation is an unsuitable situation for the vehicles backing out onto 13th Str. and the vehicles traveling along the street. A cross walk will be provided from the new parking lot to Town Hall.

Mr. Smith stated the parking spaces are proposed to be 9.5' wide but if the professionals require them to be reduced to 9' in order to have a 3' wide clear area at the entrance/exit area it could be amended.

There will be a bio-retention system along the front, Decatur, Calhoun and center of the lot. This will create treatment for stormwater & breaks up the parking lot with landscape. Once that system fills up it overflows into an infiltration basin in the rear of the site. It will not flood.

Mr. Watkins testified regarding the review letter of 2/13/14. The applicant is requested numerous waivers, one being a survey. Mr. Smith replied that a topographic & boundary survey was performed by his office on 10/31/12 & 5/29/13. Mr. Watkins doesn't see any setback issues regarding the parking lot to the right of way line and feels comfortable in granting the waiver for the survey.

Mr. Smith stated a split rail fence will be installed between the swale and the sidewalk to direct pedestrians to the appropriate crosswalk. The width of the interior spaces will be reduced to 9' to accommodate the 3' clear area at both ends. The turn on radius will be enlarged to 10' instead of 5'.

Ms. Valentino confirmed that the amount of parking spaces will be 80 and a condition of the Use Variance is to have the alley vacated.

Mr. Mazur stated that the alley way can be vacated without denying access to lot 5. The township owns the veterans property & they lease it.

Mr. Mazur testified regarding waiver requests. The parking lighting is acceptable & the street lighting has a utility pole which could have a street light installed on it. Mr. Smith stated this can be done. In regards to the storm water management report it was suggested Mr. Smith look at the upstream drainage areas & downstream impacts. The pipe diameter of 8" should also be looked at but it will work. Mr. Smith requested a design waiver for the pipe & Mr. Mazur has no objections to it.

Mr. Smith commented the system will support the downstream flow & no adverse downstream impact from the storm water management as it is designed. The pipe size being reduced to 8" is due to the swale being so shallow there was not enough room for the pipe & the grate. The volume calculations are correct & can be supplied to Mr. Mazur.

The waiver for the 8" pipe instead of the 12" pipe is acceptable to Mr. Mazur.

Mr. Carey was sworn in & testified the brick sidewalk detail is different. Mr. Smith noted that the bricks will be reset properly with no issues. Mr. Carey the switch grass can grow 6' to 8' tall & it is perennial. The buffering will be discussed with the grant.

Ms. Valentino asked about item #4 & the berming. Mr. Carey responded there is not a lot of area on Decatur. Mr. Smith will work with Mr. Carey with the buffering and the residents. All the landscaping will be submitted to Mr. Carey prior to being submitted to the state for funding. A waiver is being requested for buffering and the landscape plan will be given to Mr. Carey for approval prior to being submitted to the state for funding.

The bare soil areas will be seeded.

Mr. Strigh noted there is a need for the parking lot and is satisfied with everything that has been addressed.

Ms. Valentino asked if anyone would like to speak during this portion of the hearing for public comment and Mr. Jack Percy, 5841 Laurel Street, was sworn in and asked how the crosswalk will be identified. Mr. Smith replied it will be striped with paint along with signs at both approaches & with stop warning in advance of the crosswalk. Mr. Percy asked if there could be a flashing yellow light for a safety measure. Mr. Smith stated the striping & the signs are in accordance to DOT standards. There will be sidewalks from lot line to lot line.

Ms. Valentino asked if anyone else would like to speak during this portion of the hearing for public comment and there was no response. Mr. Cain moved, seconded by Ms. Kraus to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Ms. Valentino noted the Board has addressed the variance portion of the application; they have been involved with the professionals in the workshop session; the professionals have provided the board with a summary of their suggestions & conditions.

Mr. Strigh moved, seconded by Mr. Christman on App. #22-13, Block 785 Lot(s) 2-4 located at 6140 Thirteenth Street and 1291 Decatur Street to grant waivers of preliminary & final site plan together with all the respected waivers that would have gone with a formal site plan application. A waiver for the buffering is being requested with the understanding that a meeting with the Landscape Consultant will have to take place to discuss buffering. The conditions are as follows: Cobra lighting at the crosswalk; interior stalls reduced to 9' to make the drive aisle wider; turning radius increased to 10' and a split rail fence.

SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY," and "NO ABSTAIN."

ROLL CALL ON THE ABOVE MOTION:

MR. CAIN- AYE

MR. CHRISTMAN – AYE

MR. SAMUELSEN-AYE

MR. STRIGH -AYE

MR. LEYENAAR-AYE

MS. KRAUS-AYE

MS. VALENTINO-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. CAIN: Based on the comments from the professionals from the Township & the Zoning Board I vote yes.

MR. CHRISTMAN: Yes. Attending the workshop I found was great & consideration was taken into the Township along with the neighbors.

MR. SAMUELSEN: Yes for the previously stated reasons.

MR. STRIGH: Yes.

MR. LEYENAAR: Yes.

MS. KRAUS: Yes.

MS. VALENTINO: I vote yes. I believe the discussions with the applicant, Board & applicant ironed out any of the issues that were mentioned during the variance application. Any of the approvals of the site plan reflect recommendations of our professionals.

Approval of Minutes – Mr. Cain moved, seconded by Mr. Strigh to approve the minutes from the February 24, 2014 meeting. SAID MOTION CARRIED WITH SIX (6) MEMBERS VOTING “AYE,” NO “NAY,” and ONE (1) “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION:

MR.CAIN- AYE	MR. CHRISTMAN-ABSTAIN	MR. SAMUELSEN-AYE
MR. STRIGH-AYE	MR. LEYENAAR-AYE	MS. KRAUS-AYE
MS. VALENTINO-AYE		

SAID MOTION CARRIED.

Memorialization of Resolution – Mr. Strigh moved, seconded by Mr. Cain to adopt the resolution for William Paul Brown -App. #1-2014; Block 869 Lot 4 SAID MOTION CARRIED WITH FIVE (5) MEMBERS VOTING “AYE,” NO “NAY,” and NO “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION:

MR. CAIN-AYE	MR. SAMUELSEN-AYE	MR. STRIGH-AYE
MR. LEYENAAR-AYE	MS. VALENTINO- AYE	

SAID MOTION CARRIED.

Memorialization of Resolution – Mr. Cain moved, seconded by Mr. Leyenaar to adopt the resolution for Harding Brass, LLC -App. #2-2014; Block 616 Lots 2-4 SAID MOTION CARRIED WITH FIVE (5) MEMBERS VOTING “AYE,” NO “NAY,” and NO “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION:

MR. CAIN-AYE	MR. SAMUELSEN-AYE	MR. STRIGH-AYE
MR. LEYENAAR-AYE	MS. VALENTINO- AYE	

SAID MOTION CARRIED.

Public Comment- Ms. Valentino opened this part of the hearing for public comment and there was no response. Mr. Cain moved, seconded by Mr. Strigh to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Executive Session- There were no items to discuss.

Mr. Christman made comment about issues regarding Wal Mart. Mr. Cooper stated this board does not enforce. Mr. Sartorio suggested he contact him.

Mr. Strigh asked about changes that were made to the sign ordinance. Mr. Sartorio stated that Planning Board asked Mr. Polistina to make revisions to that ordinance.

Ms. Dix made comment regarding any sign ordinance revisions have to go back to the Planning Board.

Adjournment – Mr. Cain moved, seconded by Mr. Christman to adjourn the Zoning Board of Adjustment meeting at 8:02 p.m. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Respectfully submitted,

Deborah Ohnemuller, Secretary
Zoning Board of Adjustment