

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 Choyce, William Christman, Michael Graff, Dr. Robert Kahrman, Dr. Lawrence Mroz, Bruce Strigh and Alternate Members John Sacchinelli and Diane Fox. Also present was Board Solicitor, Rebecca Lafferty and Zoning Officer, Hannah Desmond.

Members Absent: None.

The Statement of Compliance was read.

Announcements: Ms. Valentino stated Lake Lenape Healthcare will not be heard tonight and is scheduled for December 10, 2018 and the applicant will have to re-notice and republish.

Karl Powell, Jr.; App. #2018-19; Block 1101 Lot 10.01; located at 22 Buckingham Way, was present & is seeking a Variance for an accessory structure (5-6 ft. fence) in the any other variance(s) found to be necessary.

The Secretary verified the proof package had been executed properly. Ms. Lafferty verified the publication was correct & Ms. Desmond stated the application can be deemed complete.

The following individuals were sworn in:

Karl Powell, Jr., 22 Buckingham Way, Mays Landing
Karl Powell, Sr., 18 Danielle Court, Mays Landing

Mr. Powell, Jr. testified he would like to install a 6 ft. fence in the rear yard for safety and privacy purposes. His property backs up to Somers Point Mays Landing Road.

Mr. Powell, Sr. stated when he owned the property he came before the Board for a 2 car detached garage which was approved on September 24, 2012 (ZB2012-19).

The plot plan was marked in as Exhibit A-1 and the red line (proposed fence) does not block the site triangle which was already cleared by the developer. Mr. Christman concurred with this statement and commented that the property was along the apron of the electric ROW which has existed for many years.

There will not be any additional trees removed. The fence will be inside the wooded area in the rear yard. The fence is for privacy and security for future children.

Mr. Christman commented the rear yard is Mays Landing Somers Point Road which is a heavily traveled road. The garage will still be accessible via the asphalt driveway even with the fence.

There was discussion regarding the setback of the fence from Mays Landing Somers Point Road. Ms. Desmond determined the following setbacks:

Not less than 35 ft. from Sun Pine Drive
Not less than 25 ft. from Somers Point Mays Landing Road
Not in the site triangle easement

Ms. Valentino asked if anyone would like to speak for public comment. Mr. Christman moved, seconded by Dr. Kahrman to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Mr. Choyce moved, seconded by Mr. Strigh, App. #2018-19, Block 1101 Lot 10.01; located at 22 Buckingham Way to grant a Variance for a 6 ft. fence in the front yard of Somers Point Mays Landing Road (no closer than 25 ft.) and Sun Pine Drive (no closer than 35 ft.) and the fence is not to cross into the site triangle easement on the property. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY" and NO "ABSTAIN."

ROLL CALL ON THE ABOVE MOTION

MR. CHOYCE-AYE

MR. CHRISTMAN-AYE

MR. GRAFF-AYE

DR. KAHRMANN-AYE
MS. VALENTINO-AYE

DR. MROZ-AYE

MR. STRIGH-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. CHOYCE: Yes. The applicant has a hardship with the 3 front yards which impact his ability for accessory structures or having a fence higher than 4 ft. I understand the reasons that the applicant expressed for this fence (safety and security).

MR. CHRISTMAN: Yes. I agree with the previous statements and see no detriment to the neighborhood.

MR. GRAFF: Yes.

DR. KAHRMANN: Yes.

DR. MROZ: Yes.

MR. STRIGH: Yes for the previously stated reasons.

MS. VALENTINO: Yes. I visited the property and was here for the previous application. I believe this will enhance the property and agree that the 3 front yards are a detriment.

Denise Davis; App. #2018-20; Block 848 Lot 4; located at 2320 Columbia Road, was present & is seeking a side yard Variance of 16 ft. for a 28 x 20 addition to an existing single family dwelling in the any other variance(s) found to be necessary.

The Secretary verified the proof package had been executed properly. Ms. Lafferty verified the publication was correct & Ms. Desmond stated the application can be deemed complete.

The following individuals were sworn in:

Denise Davis, 2320 Columbia Road, Mays Landing

Chris Davis, 2320 Columbia Road, Mays Landing

Ms. Valentino asked for clarification in regards to ownership of the property. Ms. Davis answered it is their house but in her parents name.

Ms. Davis stated they want to build an addition so her parents can move in with them. The addition will be 26 ft. x 20 ft. and will consist of a bedroom and sitting area. There are no other structures on the property other than what is indicated on the survey. The addition will be on the left side of the house and the variance is required due to the side yard setback (20 ft. required and 16ft. is proposed). This will remain a single family dwelling.

Mr. Graff asked if the house to the left is the next property over and will not encroach into the property. Their son lives to the right.

Mr. Choyce asked who visited the site and if the property to the left has enough of a buffer. Mr. Graff stated he visited the site and the next closest house is 150-200 ft. away.

The color photos show an outline of the proposed addition. There is a fence between their property and the property to the right.

Ms. Valentino asked if the façade will match the existing house and Ms. Davis stated yes. There will be a door in the back of the proposed addition.

There will not be a porch on the addition.

Ms. Valentino asked if anyone would like to speak for public comment. Mr. Choyce moved, seconded by Dr. Kahrman to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Ms. Lafferty asked what the deed states as the owners of the property and Ms. Davis answered her parents.

Mr. Christman moved, seconded by Dr. Kahrmann, App. #2018-20, Block 848 Lot 4; located at 2320 Columbia Road to grant a Variance for an addition (26 ft. x 20 ft.) with a side yard setback of 16 ft. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE", NO MEMBERS VOTING "NAY" and NO "ABSTAIN."

ROLL CALL ON THE ABOVE MOTION

MR. CHOYCE-AYE

MR. CHRISTMAN-AYE

MR. GRAFF-AYE

DR. KAHRMANN-AYE
MS. VALENTINO-AYE

DR. MROZ-AYE

MR. STRIGH-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. CHOYCE: Yes. I think there is a restriction for the applicant in regards to where the addition can be placed due to the orientation of the property. The property line is also angular in the front area and this is the best place for the addition. The Northeast property line has a buffer as well.

MR. CHRISTMAN: Yes, I agree with Mr. Choyce's statements.

MR. GRAFF: Yes.

DR. KAHRMANN: Yes.

DR. MROZ: Yes.

MR. STRIGH: Yes for the previously stated reasons.

MS. VALENTINO: I vote yes. I visited the property and noted that the house is consistent with the houses in the area in regards to no established building line. The area where the addition is being proposed is the best location.

Approval of Minutes: Mr. Strigh moved, seconded by Dr. Kahrmann to approve the minutes from the October 22, 2018 meeting. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING "AYE," NO "NAY," and NO "ABSTAIN."

ROLL CALL ON THE ABOVE MOTION:

MR. CHOYCE-AYE

MR. CHRISTMAN-AYE

MR. GRAFF-AYE

DR. KAHRMANN-AYE

DR. MROZ-AYE

MR. STRIGH-AYE

MS. VALENTINO-AYE

SAID MOTION CARRIED.

Public Comment- Ms. Valentino asked if anyone would like to speak for public comment. Mr. Choyce 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."

The next meeting will be on December 10, 2018. Ms. Valentino commented the NJLM sessions were very informative.

Mr. Choyce asked if Lake Lenape Healthcare is still scheduled for the December meeting. The Secretary said they were on the agenda and the information requested is due by Friday, November 30th.

Adjournment – Mr. Strigh moved, seconded by Dr. Mroz to adjourn the Zoning Board of Adjustment meeting at 7:39 p.m. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

Respectfully submitted,

Deborah Ohnemuller, Secretary

