

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
JUNE 18, 2013 – 7:00 PM
MINUTES**

The Delran Township Zoning Board regular meeting of Tuesday, June 18, 2013, was called to order by Mr. Gonzaga at 7:00pm in the Delran Township municipal building.

The open public meetings act announcement was read by Mr. Gonzaga and the pledge of allegiance was performed.

ROLL CALL

Present: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli and Mr. Schultz

Absent: Mr. Fox, R. Hejnas, Mr. Taylor, Mr. Smith

Professionals: Mr. Sitzler, Board Solicitor, Mr. Combs, Board Planner

RESOLUTIONS

Raymond Skorny

ZZ2013-02

Block 156, Lot 7

Variance

Mr. Schultz made a motion to memorialize resolution ZZ2013-02 and Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli and Mr. Schultz

Ayes: 5

Nays: 0

Terry Gamble

ZZ2013-03

Block 3, Lot 32.03

Variance

Mr. Schultz made a motion to memorialize resolution ZZ2013-03 and Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli and Mr. Schultz

Ayes: 5

Nays: 0

PUBLIC HEARINGS

*Mr. Smith joined the meeting at 7:07 pm

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**Judith Matthews
ZZ2013-0
Block 115, Lot 4.01
Variance, Fence**

Judith Matthews and Barry Rubin, contractor for the applicant were sworn in. Barry Rubin stated that the applicant wants to add an addition that will consist of a bedroom and a bathroom and also a deck. Ms. Matthews needs the addition to have room to care for her elderly uncle. The variance needed for this application is a side yard setback variance of 15 feet. All other requirements are met.

A-1- floor plan

The addition will not exceed the existing side of the house which is at 15 feet already. With this addition the house will be square. It is currently an L shape.

This lot is in an age restricted development.

Mr. Schultz made a motion to approve the side yard setback of 15 feet and Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli, Mr. Smith and Mr. Schultz.

**Gary Vencius
ZZ2013-05
Block 151 , Lot 20
Variance, Fence**

Mr. Vencius was sworn in.

Mr. Vencius stated that he wanted to construct a fence for the safety of his children and his pets. This property is on a corner lot and the fence will connect to the adjoining neighbor's fence.

There is an existing fence in the back corner and another fence on the back neighbor's property and Mr. Vencius will connect to those fences also. The fence that faces the street will be semi private, the fence along the back and one side will be private.

Mr. Combs stated that with the private fence that landscaping is requires according to the code. A planting needs to be placed every 16 feet. Mr. Vencius agreed. He will be placing evergreens on both sides of the gate and along Willow Way.

Mr. Combs explained to Mr. Vencious that he did not want to do the plantings he would have to ask for a variance from that requirement.

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Mr. Sitzmore asked why the fence was being placed as shown and Mr. Vencious stated that due to money and also did not want to have the larger expeditors of going all the way to the property lines.

Mr. Schultz made a motion to approve the side yard setback of 15 feet and Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli, Mr. Smith and Mr. Schultz.

**Carol & Steve Neubauer
ZZ-2013-0
Block 119.01, Lot 12
Variance, Fence**

Carol and Steve Neubauer were sworn in.

This property is on a corner lot.

Carol Neubauer stated that they want to install a fence on their property that will connect to the rear neighbor's fence. The fence will be 54 inches and will be aluminum. The Neubauer's need the fence for the safety of their dog.

Mrs. Neubauer stated that there are existing trees that will be on the outside of the fence. The landscaping ordinance does not apply to this application due to the fence is on 54 inches tall. The fence will be set back 10 feet to meet with the neighbor's fence.

Mr. Combs, Board Planner, suggested that there needs to be a condition that upon the approval a description of the fence needs to be submitted. Mr. Neubauer agreed.

Mr. Schultz made a motion to approve the 10 foot setback and for the 4.5 foot fence in the front yard Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli, Mr. Smith and Mr. Schultz.

**Montessori School
ZZ2013-0
Block 177, Lot 16.02
Appeal of Administrative Decision**

Anthony Ogozalek, Attorney for the applicant.

Ms. Fox, Owner of the Montessori School

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Mr. Ogozalek testified that Ms. Fox, owner of the Montessori School, applied for a building permit a few months ago. There is a second building on the property. Ms. Fox wishes to rehab this building to be able to make it a teacher's room and class rooms because her enrollment is up and the school needs the space for the added students. A zoning permit was filed and because there was no previous approval given on this building Mr. Cappetti, Zoning Officer denied the permit. Ms. Fox submitted a resolution from 1972 that was very vague as to what was being expanded so the permit continued to be denied.

Mr. Ogozalek stated that he does not believe that there are abandonment issues with this use. He stated that this building has always been used in accordance with the school. So with that Ms. Fox is looking for an appeal of the administrative decision.

Ms. Fox, sworn in by William Sitzler, Board attorney.

Ms. Fox stated that the land that the school sits on is owned by the Barn Arts Center and the Montessori School leases the ground from the Barn Arts Center.

Ms. Fox is the school head and also is on the board for the Barn Arts Center.

Classes were smaller at one time and this building was utilized for meetings and luncheons. But now that enrollment is up they wish to utilize this building for classrooms. Ms. Fox stated that this building will be brought up to the proper code according to the UCC.

Terry Combs, Board Planner feels as though the resolution was specific in saying that it was approval of an expansion of a non-conforming use.

Mr. Schultz made a motion, having heard all evidence that the Montessori School be issued a building permit and Mrs. Parento Seconded.

Voted in the Affirmative: Mrs. Parento, Mr. Gonzaga, Mr. Myers, Mr. Kohli, Mr. Smith and Mr. Schultz.

MINUTES

May 21, 2013

Mr. Schultz made a motion to approve the regular meeting minutes from the May 21, 2013 meeting and Mrs. Parento Seconded.

The Voice vote was unanimous.

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ESCROW REFUND

**Mr. Schultz made a motion to approve the escrow refund of the Estate of Albert Fynan and Mr. Kohli Seconded.
The voice vote was unanimous.**

BILL LIST

**Mr. Schultz made a motion to approve the regular meeting minutes from the May 21, 2013 meeting and Mrs. Parento Seconded.
The vote was unanimous.**

MATTERS FOR DISCUSSION

Hyperion Tree Service, Inc.

ZZ2012-11

27-29 Hartford Road- Block 120.07, Lots 32

Use variance, Minor Subdivision (consolidate lots), Preliminary and Final Site Plan

Hyperion had submitted revised plans but the escrows were deficient and the applicant was notified.

Bee Dee

Mr. Sitzler stated that he has been in contact with Mr. Pinto, attorney for the applicant. Mr. Sitzler advised Mr. Pinto that they need to address all issues and come before the board to rectify all issues.

ADJOURNMENT

There being no further business to discuss, Mrs. Parento made a motion to adjourn the Delran Township Zoning Board regular meeting of June 18, 2013, at 9:00pm and Mr. Kohli seconded. With all present voting affirmatively, the motion was carried; so ordered Mr. Gonzaga.

Respectfully submitted,

Sheri Hannah, Secretary
Zoning Board