

**JOINT LAND USE BOARD of
Woolwich Township
SPECIAL BUSINESS MEETING
July 6th, 2017**

“MINUTES”

Chairman Maugeri called the meeting to order at 7:03 pm.

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

Roll call of JLUB members present:

Matt Blake – Present, John Casella – Present, Dave Glanfield – Present, Mike Iskander – Absent, John Juliano – Present, Chairman Maugeri – Present, Sue O’Donnell – Present, Deputy Mayor Rizzi – Present, Beth Sawyer – Absent, Bob Rushton – Present, Mayor Schwager – Present.

Also present: Mike Aimino – Solicitor, Tim Kernan

Next are the minutes from the regular meeting of June 15th, 2017. Bob Rushton made a motion to approve the minutes as written and was seconded by John Casella. All were in favor.

Resolution 2017-21 regarding JLUB application no. 2017-005 of Summit Ventures, LLC granting amended final major subdivision and final site plan approval for property designated as block 28.02, lot 13.01 & block 32, lot 3, commonly known as Villages at Weatherby Place, Section 6.

Bob Rushton made a motion to approve, which was seconded by John Juliano.

Roll call was as follows:

Bob Rushton- Yes, Matt Blake- Yes, John Casella- Yes, John Juliano- Yes, Deputy Mayor Rizzi- Yes, Mayor Schwager- Yes, Chairman Maugeri-Yes

New business: fence variance request, Dave and Danielle Glanfield. Block 3.25, lot 7.

Mayor Schwager, Dave Glanfield and Deputy Mayor Rizzi recused themselves from the following.

Mike Aimino stated that this application will be heard as a zoning board matter.

Chairman Maugeri explained that the board members were given page three of four of Tim Kernan's completeness review letter as that is the only page that has the zoning requirements and variances needed.

Dave and Danielle Glanfield are sworn in at 7:08 PM.

Dave opened by explaining they are requesting a bulk variance for their property located at block 3.25, lot 7. They are asking to extend the fence out off of the sidewalk by about a foot and a half and to put up a 6 foot vinyl privacy fence.

Dave Glanfield opened his slideshow presentation with the reasons for his requested variances. He stated his first reason is property security for his family and friends while enjoying their in-ground pool. He continued to explain that he would like to store a small boat that would be well under the height of the fence and out of sight. Finally, he explained that his neighbors have a fence that extends out to the sidewalk, and for aesthetic reasons, would like his fence to match theirs.

He moved on to aerial photos of his property with and without the fence with the approximation of the pool and an approximation of where they would like to place the fence.

The next slide is line of traffic sight going southbound on Saratoga Lane headed towards Minuteman Lane. Dave used his son, who is about 6 foot tall, as an approximation of visibility. He showed multiple pictures of what his property would look like with the fence in place from different views to show that there is very little sight change.

Dave showed a picture of the option of putting hedges along the sidewalk. He explained that what he found was that other neighbors who have hedges with a 42 inch fence, they overgrow and become a clearance issue and limit sight.

Dave concluded his slideshow.

John Juliano asked Dave if the fence would be continuous with his neighbors and the same height.

Dave responded by explaining that it would be identical. The fence would be five feet high with a one foot latus one top to give visibility and airflow. The only difference is their fence would be beige with white posts as opposed to his neighbors whose is solid beige.

Sue O'Donnell asked if it is the same height.

Dave responded same height and same distance off the sidewalk so it would be aesthetically pleasing and consistent.

Chairman Maugeri asked what the distance off the sidewalk is.

Dave answered between 12 and 16 inches.

Chairman Maugeri asked Tim Kernan if he has any comments.

Tim briefly reviewed his completeness review letter.

Tim asked Dave if the height he is seeking is 60 inches.

Dave responded with six feet.

Tim explained that there is a site triangle easement on the survey at the intersection. Minuteman is a stop street whereas Saratoga goes through.

Tim explained where the cars stop on Minuteman, is clearly way passed where the proposed fence is. Therefore, does not feel that item number four in his review letter requires a variance.

Chairman Maugeri agreed that number four is not required.

Tim stated he would support the variance for item number six of his review letter based on the testimony presentation given by Dave.

Tim moved on to note that in the sketch it says the "proposed fence to meet the neighbors' fence about a foot behind the sidewalk". Tim said we don't really know where the sidewalk is in relation to the property line. Tim referred to the code stating that fences shall be no closer than one foot to the township road, street and/or right of way line.

Tim said he thinks a condition of any approval will be one foot from the property line.

Dave explained that the fence would sit back an overall ten feet from the edge of the road.

Tim explains that the fence would essentially be placed on the property line so that may be another variance they could seek.

Mike Aimino clarified the code in reference is 203-70B1

Chairman Maugeri asked why do you think the ordinance reads as it does prohibiting six foot fences in side yards of corner lots.

Tim stated it reads that way in almost every municipality. He can't say as to "why" but maybe for safety concerns and aesthetic concerns.

Tim went on to say he does not see any safety concerns in this case.

Chairman Maugeri explained if the fence is a foot off the sidewalk, if someone is walking down the sidewalk with a six foot fence next to them, it's like you're walking down a city street.

John Juliano asked if the fence itself is five feet, then there is a foot of latus. It is not six feet solid?

Dave clarified the fence is five feet solid with one foot of latus.

In reference to Chairman Maugeri's comment, Dave explained he understands what he means in terms of a sense of confinement with the fence being so close. He went on to state that his neighbors' fence has been up for over ten years with no issues or complaints and it does add a level of security and privacy.

Chairman Maugeri asked if anyone else has any feelings on the distance from the sidewalk.

Matt Blake stated an example of teaching his daughter to ride a bike and in the event of falling; it was safer to fall into a lawn and questioned if one foot from the sidewalk was enough room.

Chairman Maugeri chimed in explaining he understands what Matt is saying however, you are allowed a four foot fence. It is more of an aesthetic issue.

Matt Blake asked if the neighbors' fence has latus work as well for the sixth foot.

Dave responded yes.

Tim asked Dave if he has measured his neighbors' fence.

Dave explained yes, it is one foot from the edge of the sidewalk to the post and it is about 14 and a half inches from the edge of the sidewalk to the actual panels of the fence.

Chairman Maugeri explained that since the survey was waived as part of Dave's completeness, Dave will have to do a call in before they put a shovel in the ground.

Dave responded by saying they did that already.

Chairman Maugeri asked what the results of that were.

Dave explained they have a gas line that is about midline of the house and that's another reason for the fence to extend past that. And everything else is between the neighbors' house and their house on the north side of the property.

Tim asked if there is anything parallel to the sidewalk like electric or cable.

Dave responded no. The gas lines come 90 degrees off of Minuteman onto our property.

Chairman Maugeri asked Tim if they need two variances.

Tim responded with three. They have added the request from 203-70B1 to allow a fence less than one foot from a right of way line.

Chairman Maugeri stated that is not in Tim's review.

Tim explained that is correct because the sketch came in after he did his review.

Sue O'Donnell asks if a variance was granted for their neighbors' fence that is already up.

Chairman Maugeri responded with we don't know.

Sue clarified she was wondering if there was a precedent set.

Chairman Maugeri stated a variance does not set precedent, they stand alone.

Mike Aimino added that you could consider it, but it does not add precedent.

Matt Blake stated that corner lots have less privacy than others.

Chairman Maugeri agreed because you have people walking passed on both sides.

Matt Blake added that their reasons for wanting more privacy on a corner lot are legitimate concerns.

John Casella made a motion to open to public, seconded by Matt Blake. All were in favor.

With no comments from the public, John Casella made a motion to close to the public, seconded by Bob Rushton. All were in favor.

Bob Rushton made a motion to grant the application with the following variances: 203-70B section 2, to allow the applicant to go from a four foot fence to a six foot fence, also granting a variance to go from a four foot to a six foot fence for section six of the same ordinance, and to place the fence within one foot of the right of way, section one of the same ordinance.

Motion seconded by John Casella.

Roll call was as follows:

Bob Rushton- Yes, Matt Blake- Yes, John Casella- Yes, John Juliano- Yes, Sue O'Donnell- Yes, Chairman Maugeri- No

Chairman Maugeri stated for the record that Deputy Mayor Rizzi, Mayor Schwager and Dave Glanfield have rejoined the dais.

JLUB Review and Recommendation: Kings Landing Redevelopment Plan – Route 322 Corridor

Bob Rushton recused himself from the following.

Chairman Maugeri requested that Mike Aimino explain how we arrived at this point.

Mike Aimino explained that it started with the Mayor and Committee sending a request to the JLUB to investigate whether an area was in need of redevelopment. In this particular case, it was somewhat unique because there were two separate applications, one was done in 2014 and one was recently done. Tim had prepared investigation reports on both of them and the board determined that they felt they were areas that were in need of redevelopment. We have sent our recommendations with respect to both sets of properties to the Mayor and Committee. The Mayor and Committee determined them to be areas in need of redevelopment. After that, the next step is to develop a redevelopment plan in that area which the Mayor and Township Committee must pass by ordinance. But before they do that, they must send it to us again to take a look at the redevelopment plan and to make our recommendation as to whether or not we think it's a good plan and whether or not they should adopt it by ordinance. If we do, we send it back up to them; the Mayor and Committee will have a public hearing as a part of the ordinance and final determination will be made as to whether the plan should be approved or not. Tim has prepared the plan we are here today to review it and make our recommendations.

Tim briefly reviewed his plan.

Sue stated the 2015 legal agreement between Logan Township, that's about sewer and water, if you look on page nine where we talk about our most recent agreement with sewer, it seems like the most recent one says 2016 is between Aqua, the Township and Wolfson Group.

Tim responded saying that is still under discussion and under negotiation. It is still being worked on.

Chairman Maugeri stated it is his understanding that once this is adopted the Township can name a redeveloper.

Tim added that a plan like this is a prerequisite to eventually enter into a redevelopment agreement.

Chairman Maugeri asked that letter B on page 15 has been in place the entire time.

Tim answered yes.

John Casella asked if South State is considered a redevelopment union.

Tim responded yes.

John Casella asked if there has been anyone else who has shown interest.

Tim responded no.

John Casella made a motion to accept and recommend to Township Committee, seconded by John Juliano.

Roll call was as follows:

Matt Blake- Yes, John Casella- Yes, John Juliano- Yes, Sue O'Donnell- Yes, Deputy Mayor Rizzi- Yes, Mayor Schwager- Yes, Chairman Maugeri- Yes

Resolution #2017-22- Review and Recommendation from the Woolwich Township Joint Land Use Board to the Woolwich Township Mayor and Township Committee Regarding a Redevelopment Plan Entitled "Kings Landing Redevelopment Plan- Route 322 Corridor" for and Area in Need of Redevelopment Pursuant to N.J.S.A 40A:12A-1 ET SEQ.

John Juliano made a motion to adopt, seconded by John Casella.

Roll call was as follows:

Matt Blake- Yes, John Casella- Yes, John Juliano- Yes, Sue O'Donnell- Yes, Deputy Mayor Rizzi- Yes, Mayor Schwager- Yes, Chairman Maugeri- Yes

Mayor Schwager stated that he appreciates the boards continued support for what we are trying to accomplish.

Chairman Maugeri thanked board members for all of their hard work and effort.

With nothing else, John Casella made a motion to adjourn, seconded by Sue O'Donnell. All were in favor.

The JLUB Special Business Meeting adjourned at 7:43 PM

Respectfully submitted,

Julie Iacovelli

Joint Land Use Secretary

Minutes not verbatim

Audio recording on file