

**WOOLWICH TOWNSHIP JOINT LAND USE BOARD
REGULAR BUSINESS MEETING
JUNE 6TH, 2019
MINUTES**

Chairman Maugeri called the meeting to order at 7:04 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:

Sal Barbagallo- Present, Matt Blake - Present, John Casella – Absent, Dave Glanfield – Absent, Carolyn Grasso - Present, John Juliano - Present, Mayor Marino - Present, Deputy Mayor Matthias - Present, Chairman Maugeri - Present, Bob Rushton - Present, Beth Sawyer- Present, Alan Schwager - Present.

Also present: Mike Aimino – Solicitor and Tim Kernan - Planner

Next were the regular meeting minutes of May 16th, 2019. John Juliano made a motion to approve the minutes as written, which was seconded by Carolyn Grasso. All were in favor except Bob Rushton, Mayor Marino, Deputy Mayor Matthias and Matt Blake who abstained.

Resolution #2019-19 of the Joint Land Use Board of the Township of Woolwich Regarding Application No. JLUB – 2019-001 of Charles and Kari Finnegan, Granting a Use Variance for Property Located at 111 Moravian Church Road and Designated as Block 27, Lot 3.13. John Juliano made a motion to approve which was seconded by Alan Schwager. Roll call was as follows:

Carolyn Grasso – Yes, John Juliano- Yes, Alan Schwager –Yes, Beth Sawyer- Yes, Sal Barbagallo – Yes, Chairman Maugeri – Yes.

Chairman Maugeri decided to review the discussion item before hearing the new business of Mark Robinson.

Mike Aimino briefly went over the documents and what is proposed to be changed

Deputy Mayor Matthias stated that she appreciates the checklist as it will be much easier for residents to follow and understand.

Tim Kernan added that list of “Type of Application” options should match the application options on the checklist.

Deputy Mayor Matthias made a motion to approve the changes to the notice documents as well as the changes to the application options. Motion was seconded by Alan Schwager. Roll call was as follows:

Matt Blake – Yes, Carolyn Grasso- Yes, John Juliano- Yes, Mayor Marino – Yes, Deputy Mayor Matthias – Yes, Bob Rushton – Yes, Alan Schwager – Yes, Beth Sawyer- Yes, Chairman – Maugeri – Yes.

Next on the Agenda was the new business of Mark Robinson. 437 Harrisonville Road. Block 42, Lot 2.04. D3 Use variance.

Mayor Marino and Deputy Mayor Matthias recuse at 7:16 PM

The applicants attorney, Joan Adams, Esq. explained they here for an application on Block 42, Lot 2.04, commonly known as 437 Harrisonville Road. The property is currently a vacant lot that was created by legal subdivision in 2008. Mr. Robinson purchased it with the intention of building a home on it. There is no construction at the present time.

Joan Adams explained they are here to receive relief to allow Mr. Robinson to be able to build and secondly, to build an in-law suite for his mother.

Mark Robinson was sworn in.

Ms. Adams stated the property is in the R-1 district and is 2.02 acres. Upon reading Mr. Kernans review, it became apparent that 4 variances are needed to allow Mr. Robinson to build on the property. First is for an in-law suite proposed above the garage as opposed to attached to the home. Mr. Robinson is also asking for relief from the agricultural buffer. This property is surrounded on three sides by preserved land and according to the Township's ordinance, there is a 300 foot buffer when adjacent to preserved land.

Ms. Adams continued this lot is only 270 feet wide. If the 300 foot buffer is applied to every lot line, they overlap. Without relief from this agriculture buffer, this lot is zoned into inutility which is not legally permissible. Additionally, there is a 150 foot buffer if adjacent to any crop land which the Mr. Robinson is seeking relief from.

Ms. Adams stated if the Board permits the construction above the garage, there will be two residential dwellings on the site which is one more than permitted. This would require a density variance. In an attempt to address the Boards concerns, a deed restriction proposal was submitted with the application.

Mr. Robinson testified that he is doing this to help his mother who has some medical conditions due to recently suffering a heart attack.

Mr. Robinson is not married, 32 years old and has one brother who does not live close.

Mr. Robinson has no objections to the proposed deed restriction and it is not his intention to have separately metered utilities.

Tim Kernan reviewed his letter and the use variances that would be required under the Township's ordinance.

John Juliano stated the deed restriction falls on the Township to enforce.

Alan Schwager asked Mr. Robinson why he is choosing to build something that doesn't comply when in-law suits are permitted under certain conditions.

Mr. Robinson explained he understood. Being 32 years old and not married, it was his hope to have more independence.

There was discussion about the layout possibilities of connecting the garage to the house.

Alan Schwager made a motion to open public which was seconded by Bob Rushton. All were in favor.

With no comment from the public, Alan Schwager made a motion to close public which was seconded by Beth Sawyer. All were in favor.

Alan Schwager made a motion to reset the setbacks. Looking at the property - 25 feet from the right property line, 50 feet from the left property line, 50 feet from the rear property line, and 100 feet from the front property line. Bob Rushton seconded. Roll call was as follows:

Matt Blake – Yes, Carolyn Grasso- Yes, John Juliano- Yes, Bob Rushton – Yes, Alan Schwager – Yes, Beth Sawyer- Yes, Chairman – Maueri – Yes.

Dale Robinson was sworn in.

Ms. Robinson testified that she does not have difficulty with steps at the present time and would not object to a chairlift if one is ever needed.

Chairman Maueri explained that the ordinance allows for in-law suites and believes the applicant can accomplish his goal and still live within the ordinance.

John Juliano made a motion to deny the request for detached in-law suite based on the lack of opportunity brought to the Board under the current ordinance and the failure to justify the inability to meet the requirements of the ordinance, specifically that it impairs the intent and purpose of the Township's ordinance. Seconded by Alan Schwager.

Carolyn Grasso asked if there is an appeal process if the Board denies the request.

Mike Aimino responded the courts.

Chairman Maugeri explained that when roll call is taken, since the motion was to deny, a yes vote is to deny to variances.

Roll call was as follows:

Matt Blake – Yes, Carolyn Grasso- No, John Juliano- Yes, Bob Rushton – Yes, Alan Schwager – Yes, Beth Sawyer- No, Chairman – Maugeri – Yes.

With nothing further to discuss Carolyn Grasso made a motion to adjourn, which was seconded by John Juliano. All were in favor.

The JLUB meeting adjourned at 8:26 PM.

Respectfully Submitted,

Julie Iacovelli
Joint Land Use Secretary
Minutes not verbatim
Audio recording on file