

**FRANKFORD TOWNSHIP LAND USE BOARD  
OCTOBER 25, 2017 – 7:00 P.M.  
MINUTES OF THE REGULAR MEETING**

**CALL TO ORDER:**

The meeting was called to order by the Acting Chairman, Ed Risdon, by announcing that notice appeared in the New Jersey Herald and the New Jersey Sunday Herald in accordance with the requirements of The Open Public Meetings Act.

Flag Salute

**ATTENDANCE:**

Those Present were: Mrs. Albanese, Mrs. Tufaro, Mr. Risdon, Mr. Wingle, Mr. Pierson, Mr. Kobis and Mr. Delima. Also present were Mr. Collins, the Board Attorney and Mr. Pellow, the Board Engineer.

Those absent: Mr. Gstattenbauer (excused), Dr. Castimore, Mr. Hahn (excused), Mrs. French (excused), Mr. Dolan (excused), and Mr. Romania (excused).

**MINUTES**

The Minutes of the September 27, 2017 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Delima and seconded by Mr. Wingle to approve the Regular Meeting Minutes of the Land Use Board for September 27, 2017. All were in favor. The Motion was carried.

**BOARD BUSINESS**

**SUB COMMITTEES:**

**Green Ordinance Committee:** Nothing to Report.

**COAH Committee:** Nothing to Report.

**Open Space Committee for Updates to LUB:** Nothing to Report.

**Master Plan Committee:** Nothing to Report

**Accessory Building & Structure Ordinance:**

It was agreed to carry this matter to the next meeting.

**Correspondence:**

The correspondence was reviewed. No formal action was taken.

**PUBLIC:**

A Motion was made by Mr. Delima and seconded by Mr. Kobis to open this meeting to the public. All were in favor. The Motion was carried.

There being no public participation, a Motion was made by Mrs. Albanese and seconded by Mr. Delima to close this matter to the public. All were in favor. The Motion was carried.

**ZONING OFFICER’S AGENDA**

The Zoning Report dated October, 2017 was reviewed. No formal action was taken.

**RESOLUTIONS**

**John M. Wingle – LUB 16-16 – Block 53, Lot 6 - 357 Route 206 – Minor Subdivision:**

The Resolution was reviewed. A Motion was made by Mr. Delima and seconded by Mr. Kobis to approve the Resolution for John M. Wingle for an Extension of a Minor Subdivision. Roll Call:

- YES:           5       Tufaro, Risdon, Pierson, Kobis, Delima
- NO:            0
- ABSTAIN:    0

The Motion was carried.

**James & Kathleen Wolfe – LUB 17-13 – Block 164, Lot 16 – 11 Birch Street – “C” & “D” Variance:**

The Resolution was reviewed. A Motion was made by Mr. Delima and seconded by Mr. Pierson to approve the Resolution for James & Kathleen Wolfe for a “C” & “D” Variance. Roll Call:

- YES:           5       Tufaro, Wingle, Pierson, Kobis, Delima
- NO:            0
- ABSTAIN:    0

The Motion was carried.

**NEW APPLICATIONS**

**Thomas Hanemann – LUB 17-16 – Block 210, Lot 4 – 185 E. Shore Lake Owassa Road – “C” Variance:**

Mr. Pierson stepped down from this application.

Appearing before the board was the applicants, Thomas and Kim Hanemann. Mr. and Mrs. Hanemann were sworn in by the board attorney.

Mrs. Hanemann indicated that they purchased this property in 2016. They would like to build a small garage. The garage they are proposing is 20’ x 22’. The garage will fit one vehicle and provide some protective storage area for their lawn mower, garden equipment, etc. They have utilized a local Architect, Charlie Schaefer. He designed a garage to fit with the character of the community as well as the character of the principal structure. They recognize that the township Ordinance states that no accessory building shall be located closer to the right-of-way than the principal building. However, the unique topography of this lot, does not allow for the garage to be constructed in line or behind the primary principal building. It is a steep, narrow lot as most lots along the lake are. On the Northeast side of the house there is a septic tank and the pump tank between them and their neighbor at 183 East Shore. On the Southwest side of the house is a drilled well. She further stated if a garage was placed in this area, they would

**NEW APPLICATIONS CONT.**

**Thomas Hanemann – LUB 17-16 – Block 210, Lot 4 – 185 E. Shore Lake Owassa Road – “C” Variance cont.:**

provide a severe visual detriment to their next door neighbors as they would look down toward the lake. Behind the house, there is insufficient setback from the lake and there would be a visual impact in this area as well.

Mrs. Hanemann indicated that the proposed placement of the garage is consistent with the lake community. The garage is sited to be placed in line with the next door neighbor's property, not in front of it. There are over 20 houses located along Lake Owassa Road with garages placed in front of the principal building and there are 7 in close proximity to their home. They believe that the benefit of granting this variance outweighs any detriments by providing some off road concealed parking for vehicle and storage and constructing a garage that is consistent with the character of the principal structure in the community. They respectfully request a “C” Variance for the construction of this garage.

Mr. Pellow reviewed his report dated October 11, 2017, last revised October 23, 2017 as to completeness:

ITEM 7: Compliance with legal notice requirements. Mr. Collins indicated that the notice was sufficient.

ITEM 28: Existing structures within 200 feet (200') and distance to property line. All distances not shown. Mr. Pellow indicated that this has been shown on the revised plans.

ITEMS 39: Property lines to the Nearest Hundredths. All dimensions are not to the nearest hundredth. Mr. Pellow indicated that this has been shown on the revised plans.

ITEM 42: Building envelopes. To be shown on the revised map. Mr. Pellow indicated that this has been shown on the revised map.

A Motion was made by Mr. Delima and seconded by Mrs. Albanese to deem this application complete. All were in favor. The Motion was carried.

Mr. Pellow continued reviewing his report:

Paragraph 1: The applicant is seeking a “C” Variance to construct a garage in the front yard. The garage is an accessory building.

Paragraph 2: An on-site inspection revealed major site construction from the street down to the dwelling on the northwest side of the lot.

Paragraph 3: A grading plan is needed in the disturbed area to be shown on a revised map. They don't want to show this, but they will submit the grading plan for the septic system. Item #10 in this report will be required.

Paragraph 4: The drive on Lot 1, Block 215 encroaches on Lot 4-an easement is needed.

Paragraph 5: The area and yard requirements for this 0.58 acre lot are governed by Section 30-1009-10c of the Land Use Ordinance-revised the Zoning Chart.

Paragraph 7: A back-out area from the garage is needed as per the ordinance. The back-out area is 50 feet from the garage but is the only place one could be constructed. It should go another 10 feet to the northeast. A lengthy discussion was held with regard to this issue.

**NEW APPLICATIONS CONT.**

**Thomas Hanemann – LUB 17-16 – Block 210, Lot 4 – 185 E. Shore Lake Owassa Road – “C” Variance cont.:**

Paragraph 8: Sight distances at the street to be shown. Mr. Pellow indicated that they are shown, and a tree to be removed as shown on the plan.

Paragraph 9: It appears that the drive will be altered and a driveway application is needed and 50 feet of the drive paved.

Paragraph 10: A final as-built plan will be required due to all the disturbances on the lot.

Paragraph 11: The septic system to be shown. Mr. Pellow indicated that the existing septic system has been shown on the revised plans.

A discussion was held with regard to Paragraph 7 of Mr. Pellow’s report with regard to the back out area of the garage. The applicant agreed to try and move the back out area over as much as they can without disturbing any existing trees (with the exception of the tree stated in Paragraph 8 of Mr. Pellow’s report) and will submit an as-built plan when the project is complete.

A Motion was made by Mr. Delima and seconded by Mrs. Albanese to open this matter to the public. All were in favor. The Motion was carried.

Appearing before the board was Jeff Tandul. Mr. Tandul was sworn in by the board attorney. He complimented the applicants on the improvements they have made on the property. He further indicated that he is in favor the variance for the garage. He stated that the people in the community all feel that the roadside of the property as their “back yard”. The only concern he has is the large number of trees that were removed from the property. He would like to see some additional trees being replaced. He would like to see a sediment trap so that sediment does not go into the lake. He feels that the township should consider less pavement on these lake properties as required by the ordinance because of the amount of the runoff into the lake.

There being no further public participation, a Motion was made by Mr. Delima and seconded by Mrs. Albanese to close this matter to the public. All were in favor. The Motion was carried.

Mr. Hanemann questioned if it is absolutely necessary to pave the first 50’ of the driveway. It is a lake house and lake community. They have taken a lot of work to keep the character of the neighborhood. The entrance to this property has been there for 100 years. Mr. Hanemann indicated that they consider this the part of the charm of the property to keep it a gravel driveway. The property slopes down to the lake and away from the road.

A Motion was made by Mr. Delima and seconded by Mrs. Albanese to approve the application for a “C” Variance with the condition that they will extend the turnaround area of the driveway approximately 5’ further or as far as the applicant can push the turn-around towards the curb to provide additional space for parking and will provide an As Built plan after the work is done and the board waived the paving requirement of the first 50’. Roll Call:

YES: 6 Albanese, Tufaro, Risdon, Wingle, Kobis, Delima  
NO: 0  
ABSTAIN: 0

The Motion was carried.

**NEW APPLICATIONS CONT.**

**Thomas Hanemann – LUB 17-16 – Block 210, Lot 4 – 185 E. Shore Lake Owassa Road – “C” Variance cont.:**

Mr. Hanemann requested that the board Waive the Reading of the Resolution in order for him to pull a building permit at his own risk.

A Motion was made by Mr. Delima and seconded by Mr. Kobis to Waive the Reading of the Resolution for the applicant, Thomas Hanemann, in order for him to pull a building permit at his own risk. All were in favor. The Motion was carried.

Mr. Pierson returned to the meeting.

**BOARD BUSINESS CONT.**

**Invoices:**

A Motion was made by Mr. Delima and seconded by Mrs. Albanese to approve the October, 2017 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 7 Albanese, Tufaro, Risdon, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

**NEW APPLICATIONS**

**Kevin & Wendy Slavin – LUB 17-17 – Block 90, Lot 1 – 96 East Shore Culver Road – “C” & “D” Variances:**

Mr. Risdon stepped down from this application and left the meeting. Mrs. Albanese took over as Acting Chairperson of the meeting.

Appearing before the board was the applicants, Kevin & Wendy Slavin, and their attorney, William Haggerty. Mr. Haggerty apologized to the board that his staff did not notice the surrounding property owners; however, they did put the notice in the newspaper. Therefore, he is requesting that the application be carried without further notice to the newspaper to the November 20, 2017 Land Use Board Meeting. Also, he would like to go over completeness this evening.

Mr. Pellow indicated in his report dated October 19, 2017, the only item for completeness was the notice.

A Motion was made by Mr. Delima and seconded by Mr. Pierson to deem this application complete with the exception of the notice to the surrounding property owners. Roll Call:

YES: 6 Albanese, Tufaro, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

**NEW APPLICATIONS CONT.**

**Kevin & Wendy Slavin – LUB 17-17 – Block 90, Lot 1 – 96 East Shore Culver Road**  
**– “C” & “D” Variances cont.:**

It was noted that this application will be carried without further notice to the Newspaper to the November 20, 2017 Land Use Board meeting.

**ADJOURN:**

A Motion was made by Mrs. Tufaro and seconded by Mr. Kobis to adjourn the meeting. All were in favor. The Motion was carried.

Respectfully submitted,

SHARON M. YAROSZ  
Land Use Administrator