

**FRANKFORD TOWNSHIP LAND USE BOARD  
MONDAY, NOVEMBER 20, 2017 – 7:00 P.M.  
MINUTES OF THE REGULAR MEETING**

**CALL TO ORDER:**

The meeting was called to order by the Vice Chairman, Wolfgang Gstattenbauer, 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: Mr. Gstattenbauer, Mr. Risdon, Mrs. French, Mr. Dolan, Mr. Wingle, Mr. Pierson and Mr. Kobis. Also present were Mr. Collins, the Board Attorney and Mr. Stoner, representing the Board Engineer.

Those absent: Dr. Castimore (excused), Mrs. Albanese, Mrs. Tufaro (excused), Mr. Hahn, Mr. Romania (excused), and Mr. Delima (excused).

**MINUTES**

The Minutes of the October 25, 2017 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Pierson and seconded by Mr. Kobis to approve the Regular Meeting Minutes of the Land Use Board for October 25, 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. Dolan and seconded by Mr. Wingle to open this meeting to the public. All were in favor. The Motion was carried.

Appearing before the board was Peter Knight. Mr. Knight questioned the board as to what the board has to do with a sale of a piece of property. Mr. Collins indicated that the board does not get involved in the actual sale of a piece of property. If the sale was subject to an approval for a site plan or variance, then an application would be submitted to the board for their review.

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

**ZONING OFFICER’S AGENDA**

There was no Zoning Officer’s Report.

**RESOLUTIONS**

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

The Resolution was reviewed. A Motion was made by Mr. Risdon and seconded by Mr. Kobis to approve the Resolution for Thomas & Kim Hanemann for a “C” Variance. Roll Call:

YES: 3 Risdon, Wingle, Kobis,

NO: 0

ABSTAIN: 0

The Motion was carried.

**CARRIED 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.

Appearing before the board were the applicants, Kevin & Wendy Slavin, and their attorney, William Haggerty, Esq. Mr. and Mrs. Slavin were sworn in by the board attorney.

Mr. Haggerty indicated that this application was deemed complete at the previous meeting and carried to tonight’s meeting to allow the applicant to notice the owners within 200’ feet, which the applicant did. Mr. Haggerty stated that the applicants are the owners of a lake front property improved with a single family home and a detached garage. They are proposing additions on each side of the home and an expanded deck on the lake side as well. The home is a 3 bedroom home and will remain a 3 bedroom home. He provided a Floor Area Ratio comparison chart which shows that this home will be in keeping with the houses in the area. The applicants propose to continue to use the same driveway. There will not be a change in the intensity of the use.

Mr. Haggerty questioned Mrs. Slavin as to why they are proposing this addition to their home. Mrs. Slavin indicated that they have lived here since 2009 and would like to retire here. At the present time they have a small kitchen and no spot for a washer and dryer. They have 3 small bedrooms with minimal closet space. They would like to extend the kitchen to make it bigger and a room for the washer and dryer. She further indicated that on both sides of their property they have a lot of trees and a right-of-way on the one side. They do not intend to disturb the driveway area. She indicated that the driveway slants down gradually and then levels off. There has never been any runoff of water or debris. They have very good drainage at the present time with the driveway. It is currently a gravel driveway and they would like to keep it as a gravel driveway. They feel it is very natural and in keeping with the neighbor. She further stated that they would like to extend the deck also because where it is located now, there is not too much shade in that area.

**CARRIED APPLICATIONS CONT.**

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

Mr. Haggerty reviewed Mr. Pellow’s report dated October 19, 2017:

Paragraph 1: The applicant is proposing to construct renovations to both sides of the existing 1 ½ story residential dwelling. Left side renovations (west side) will include a 171 sq. ft. 1-story addition, a new screened porch (266 sq. ft.), and an addition (96 sq. ft.) to the existing Deck #1. Right side improvements (east side) will include a 511 sq. ft. 1-story addition and a new proposed Deck #2 (81 sq. ft.). Also, a proposed open porch (130 sq. ft.) to be constructed on the road side of the dwelling.

Paragraph 2: The following variances are needed: (a) Side Yard Setback: 20 ft. required and 14.4 ft. proposed on the right and 20.0 ft. proposed on the left; (b) Floor Area Ratio: 12.71% allowed; 12.25% exists and 14.47% proposed; (c) Open Deck: 360 sq. ft. permitted; 537 sq. ft. exists and 635 sq. ft. proposed. Mr. Haggerty indicated that the Floor Area Ratio is in keeping with the houses in the neighborhood. He further stated that this house is a more modest FAR for houses in the area. The variance for the deck provides the applicants a more useable area.

Paragraph 3: The following are existing, non-conforming conditions: (a) Rear Yard Setback: 50 ft. required and 30.3 ft. exists; (b) Accessory Building – Garage Front Yard Setback: 75 ft. required and 62.5 ft. exists. The accessory building can’t be in the front of the dwelling. Mr. Haggerty indicated that these will not be changed. He further stated that they do have a turnaround area by the garage.

Paragraph 4: The application can be found complete if Item #7 from the Checklist is approved by Tom Collins, Esq. and a copy of the deed is provided. The application was deemed complete at the previous meeting. The applicant did notice the surrounding property owners within 200’. The applicant also submitted a copy of the deed at the previous meeting.

Paragraph 5: As with other applications, the first 50 ft. of the drive to be paved as per the ordinance, and a driveway permit will be needed. Mr. Haggerty indicated as stated earlier, they are asking the board consideration as to waiving this provision because of the historic use of the property. This driveway has been there for many years and there has not been a problem. There will be no increase in the intensity of the use of the property by this proposed construction.

Paragraph 6: The cased well was constructed in 2015. What is the flow rate? Mr. Haggerty indicated that 20 gallons per minute.

Paragraph 7: The septic system was installed in 2017. Need approval from the health department. Was the septic approved for three bedrooms, as the architectural plans depict three bedrooms? Mr. Haggerty indicated that this will be taken care of. There are some clerical issues that need to be taken care of to complete this.

Paragraph 8: The maximum floor area allowed is 12.71%, or 3,050.40 sq. ft.; and 3,473 sq. ft. is proposed; 2,942 sq. ft. exists.

Paragraph 9: Will the abandoned well house remain. Mr. Slavin indicated that they would like to keep the well house for aesthetic reasons. The well under the well house has been abandoned.

Paragraph 10: The habitable attic space has been increased from 621 sq. ft. to 879 sq. ft. and has been included in the FAR calculations.

**CARRIED APPLICATIONS CONT.**

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

Paragraph 11: The open porch does not need to be included in the FAR calculations as per the ordinance—130 sq. ft.

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

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

A lengthy discussion as held with regard to the final approval of the septic system. Mr. Haggerty indicated that the 2 final items that need to be addressed are: 1) Need inspection of baffle on existing tank; and 2) Need inspection of cesspool abandonment or addition of statement on as built, currently not shown on as built.

A Motion was made by Mr. Dolan and seconded by Mr. Wingle to approve the “C” & “D” Variance application for Kevin & Wendy Slavin with a condition that the applicant’s obtain final approval from the Board of Health for their Septic System and also a waiver of the paving of the first 50’ of the driveway. The applicants were also granted a Waiver of the Reading of the Resolution in order to obtain a building permit at their own risk.

Roll Call:

YES: 6 Gstattenbauer, French, Dolan, Wingle, Pierson, Kobis

NO: 0

ABSTAIN: 0

The Motion was carried.

**BOARD BUSINESS CONT.**

**Invoices:**

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

YES: 6 Gstattenbauer, French, Dolan, Wingle, Pierson, Kobis

NO: 0

ABSTAIN: 0

The Motion was carried.

**ADJOURN:**

A Motion was made by Mrs. French 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