

FRANKFORD TOWNSHIP LAND USE BOARD
MAY 22, 2019 – 7:00 P.M.
MINUTES OF THE REGULAR MEETING

CALL TO ORDER

The meeting was called to order by Acting Board Chairman, Michael Dolan, 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. Tufaro, Mr. Risdon, Mr. Hahn, Mr. Dolan, 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), Mr. Carney (excused), Mrs. Albanese (excused), Mrs. French (excused), and Mr. Romania (excused).

MINUTES

The Minutes of the April 24, 2019 Land Use Board Regular Meeting were reviewed. A Motion was made by Mr. Wingle and seconded by Mr. Kobis to approve the Regular Meeting Minutes of the Land Use Board for April 24, 2019. Roll Call:

YES: 5 Risdon, Dolan, Wingle, Pierson, Kobis

NO: 0

ABSTAIN: 3 Tufaro, Hahn, and Delima

BOARD BUSINESS

Subcommittee

- 1) **Green Ordinance Committee:** Nothing to Report
- 2) **COAH Committee:** Nothing to Report
- 3) **Open Space Committee for Updates to LUB:** Nothing to Report
- 4) **Master Plan Committee:** Nothing to Report

Correspondence:

The correspondence was reviewed. No formal action was taken.

Accessory Structure Ordinances – Hoop Structures:

Mr. Delima stepped down from this issue.

Mr. Risdon explained to the board the following concerns of the Township Committee which were the size of the structure of 900 square feet, the footings and floors and landscaping to shield the structure from the neighbors. The Township Committee Attorney said it should be a standalone ordinance and not fall under the accessory structure ordinance. It was noted by Mrs. Tufaro that this board has no jurisdiction of footings and floors as that is covered under the UCC Rules. After a lengthy discussion, the board agreed to keep the size the same and only allow 1 hoop structure per lot, to keep it under the Accessory Structure Ordinance with no landscaping requirement since there is no landscaping requirements for the current accessory structures or residential dwellings.

BOARD BUSINESS CONT.

Accessory Structure Ordinances – Hoop Structures cont.:

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

A Motion was made by Mrs. Tufaro and seconded by Mr. Kobis to recommend the proposed Accessory Structure Ordinance with the revision to allow only one accessory structure per lot and to forward this Ordinance to the Township Committee for Review and approval. Roll Call:

YES: 6 Tufaro, Hahn, Dolan, Wingle, Pierson, Kobis

NO: 0

ABSTAIN: 1 Risdon

Mr. Delima returned to the meeting.

Sign Ordinance:

It was noted that there are no sign requirements in the new center zones that were created a few years ago. Mr. Pellow added sign requirements to the Sign Ordinance for the Frankford Center Core Zone, the Frankford Center Economic Development Zone, the Frankford Center Neighborhood core and Frankford Center Recreation Zone. He indicated that they are similar to the requirements in the C1, C2, CED-1 and CED-2 Zones. The board reviewed the Ordinance and agreed with the changes.

A Motion was made by Mr. Wingle and seconded by Mr. Delima 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. Hahn and seconded by Mr. Kobis to close this matter to the public. All were in favor. The Motion was carried.

A Motion was made by Mr. Hahn and seconded by Mr. Delima to approve the amended Sign Ordinance to add requirements for the above mentioned zones similar to the current commercial zones and forward same to the Township Committee for review and approval. Roll Call:

YES: 8 Tufaro, Risdon, Hahn, Dolan, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

BOARD BUSINESS CONT.

Return of Escrow – Kevin & Wendy Slavin – LUB 17-17:

It was noted by the board secretary that this file is complete and no outstanding invoices are due and the applicant is requesting the balance of their escrow monies be returned.

A Motion was made by Mr. Wingle and seconded by Mr. Mr. Delima to return the balance of the escrow money in the amount of \$502.50 to the applicants, Kevin and Wendy Slavin. All were in favor. The Motion was carried.

PUBLIC

A Motion was made by Mr. Wingle 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 Mr. Wingle and seconded by Mr. Kobis to close this matter to the public. All were in favor. The Motion was carried.

ZONING OFFICER’S AGENDA

The Zoning Officer’s report dated May, 2019 was reviewed. No formal action was taken.

RESOLUTIONS

Kittatinny Masonic Lodge No. 146 – LUB 19-03 – Block 48, Lots 24 & 25 – 336 US Highway Route 206 – Preliminary & Final Site Plan & “D” Variance:

The Resolution was reviewed. A Motion was made by Mr. Wingle and seconded by Mr. Kobis to approve the Resolution for Kittatinny Masonic Lodge No. 146 for a Preliminary and Final Site Plan and “D” Variance approval. Roll Call:

YES: 4 Dolan, Wingle, Pierson, Kobis

NO: 0

ABSTAIN: 0

The Motion was carried.

NEW APPLICATIONS

Arthur & Stephaine Pierson – LUB 19-07 – Block 95, Lot 2 – 130 East Shore Culver Road – “C” & “D” Variances:

Mr. Risdon stepped down from this application and left the meeting.

Mr. Pierson stepped down from this application.

Appearing before the board was the applicant, Arthur Pierson, his attorney, Michelle Corbett-Rivielle, and his engineer, James Glasson. Mr. Pierson and Mr. Glasson was sworn in by the board attorney. Mr. Glasson gave his qualifications to the board and was accepted as an expert witness.

NEW APPLICATIONS CONT.

Arthur & Stephaine Pierson – LUB 19-07 – Block 95, Lot 2 – 130 East Shore Culver Road – “C” & “D” Variances cont.:

Ms. Corbett-Rivielle indicated that they are before the board this evening regarding a lake front lot dwelling located at 130 East Shore Culver Road, Block 95, Lot 2 which is in the AR Zone. The applicant is proposing to put a 2 story addition connecting an existing dwelling to an existing detached garage. The existing detached garage they are proposing to actually knock down. The new attached garage will be re-built in the same location. It will be larger and it will make the front yard and side yard setbacks slightly more conforming. They are before the board this evening to seek a variance for a front yard and side yard setbacks, lot coverage and floor area ratio.

Mr. Pellow reviewed his report dated April 22, 2019, last revised May 7, 2019 as to completeness.

ITEM 2: Fees and escrow deposits. Additional fee needed as per the application. Mr. Pellow indicated that the additional fees have been provided.

ITEM 3: Certification of taxes, liens, assessments paid. Mr. Pellow indicated that the taxes have been paid.

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

ITEM 42: Building envelopes. To be shown on Sheet No. 3 of 3. Mr. Pellow indicated that his is now shown.

ITEM 75: Building Floor plans, elevation views and first floor elevation with overall building height. Show height of the building on the architectural plans as shown on Sheet No. 3 of 3 of the variance plan.

ITEM 83: Copy of current deed and all easements/restrictions. Mr. Pellow indicated that the deed has been submitted.

ITEM 84: Floor area ratio of all surrounding residences within 200 feet. Mr. Pellow indicated that this has been provided. The floor area ratio for the lot to the northeast is 19.22% and to the southwest is 20.91% This application is 23.27%.

Mr. Pellow and Mr. Collins indicated that this application is complete.

Mr. Glasson submitted to the board Exhibit “A-1” which is a colorized version of the Existing Conditions Plan last revised April 23, 2019. Mr. Glasson indicated the applicant is applying for variances on Lot 2, Block 95 on 130 East Shore Culver Road, which is lake front property. The property contains 17,226 square feet. Because they are adding an addition, it falls under a non-conforming lot between 7500 and 20,000 square feet which requires a minimum lot width of 50’, this lot has a width of 100’; required lot depth is 150’, this lot has a depth of 172.75’; it requires building setbacks of 35’ for the front, 15’ sides and 50’ rear. At the present time there is a 3 bedroom, 2 story structure. The current front setback to the house is 70.7’ where 35’ is the requirement. The current right side is 26.1’, where 15’ is the requirement; the current left side yard setback is 41.4’, where 15’ is the requirement; and the current rear yard setback to the lake is 53’, where 50’ is the requirement. At the present time there is a garage located in the front yard between the house and the road. The neighbors to the right both have garages in the front and the neighbors to the left both have garages in the front. This garage is a 658 square foot structure. It is located off the front setback 19.6’, where 75’ is required. The side yard setback is 3’ off the right, where an accessory setback allowed is 10’. The

NEW APPLICATIONS CONT.

Arthur & Stephaine Pierson – LUB 19-07 – Block 95, Lot 2 – 130 East Shore Culver Road – “C” & “D” Variances cont.:

current Floor Area Ratio .13, where .14 is allowed based upon the lot size of 17,226. There is also a large driveway area, 4900 square feet on the left side of the house. There was a well installed in 2014 on the lakeside of the property. They had an infiltrator, pump septic system installed in 2013.

Mr. Glasson indicated that there is approximately a 10’ drop from the road to the front of the house. There is approximately a 7’ drop from the road to the accessory structure.

Mr. Glasson submitted to the board Exhibit “A-2” which is a colorized version of the Variance Plan last revised April 23, 2019. They are proposing to attach the footprint. They are proposing to remove the existing garage and rebuilding it in the same location and attaching it to the house. It creates a variance for the front yard setback of the new principal structure. The accessory structure has a footprint of 1,025. What is unique about this property, the house from the road will appear as a one-story home when you look at the garage because the garage has a roofline over top of the existing house because of the elevation.

Mr. Glasson indicated that the variance they will be requesting now for the front yard setback is 19.8 feet, where 35’ is required. Even though they are more conforming with the new garage, they still need a variance. The current garage setback is 19.6 feet. The right side yard setback they are proposing is 7.8 feet, where 7.3 feet exists, but 15’ feet is required because now it is attached to the house.

Mr. Glasson indicated that they have increased the impervious coverage. The previous impervious coverage that existed was 37% and they slightly increased that to 40.3%. The driveway got slightly smaller, but because there is a connection between the buildings, there is an increase of the impervious coverage.

Mr. Glasson indicated that the FAR goes up from the current .13%, where .14% is allowed, it goes to .23% which requires a variance. The total floor area is 4,009 square feet.

Mr. Glasson indicated that the septic system and well will remain for servicing the home. The driveway access will remain the same. There is an existing driveway with a parking area and a lower parking area. The driveway that presently exists in front of the garage will remain and become slightly wider to accommodate the garage door.

Mr. Glasson indicated that this renovation is in character with the neighborhood.

Mr. Pierson indicated that the garage is dilapidated and he would like to update it. He is matching the siding to the house on the new garage. They are putting in Hurricane windows because of the winds from the lake. Mr. Pierson explained the structure of the garage and the layout of the addition. Across the street from him is the clubhouse and a golf course, so no one will be affected by this addition.

Mr. Pellow continued reviewing his report:

Paragraph 1: The applicant is proposing a two-story addition connecting the existing dwelling and existing garage. A new attached garage will be built in the same location and a second (lower) floor will be added. No new bedrooms will be added (requiring no change to the septic system). The lot is located in the “AR” Zone and is an improved, non-conforming lot between 7,500 SF and 20,000 SF, with an addition or improvement to the residence.

NEW APPLICATIONS CONT.

Arthur & Stephaine Pierson – LUB 19-07 – Block 95, Lot 2 – 130 East Shore Culver Road – “C” & “D” Variances cont.:

Paragraph 2: The following variances are needed: a) Front yard setback: 35 ft. required; 70.7 ft. exists to the house and 19.8 ft. is proposed; b) Side Yard Setback: 10 ft. required; 26.1 ft. exists on the right and 7.8 feet is proposed; c) Floor area ratio: 2,563 SF is permitted; 2,303 SF exists and 4,009 SF is proposed; d) Lot Coverage: 15% permitted; 37.71% exists and 40.38% is proposed.

Paragraph 4: A driveway permit is needed at the time of building permit application. Vehicles will still have to back out into the street from the proposed garage.

Paragraph 5: Is the 6” PVC pipe proposed or existing? Applicant to check with Normanoch Association if dumping runoff into the lake is satisfactory. The 6” PVC pipe is proposed. Mr. Pierson indicated that there is existing drains in there at the present time, which Normanch has the sketch.

Paragraph 6: New drive to be 10 ft. off the property line – show dimensions. The 10 foot dimension has been shown on Sheet 3 of the plans.

Paragraph 7: The paver block patio will be reconfigured along with the paver block walls and steps. A note has been added to Sheet 3 that they will be reconfigured as needed.

Paragraph 8: The existing well will be used. What is the flow rate? 8 gpm.

Paragraph 9: There should be some landscaping in the front island. Nothing more than what will grow 2 ft. in height so the sight distance isn’t decreased. This is shown on Sheet 3 along with the height note.

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

Appearing before the board was the neighbor, Mary Helen Lombard. Ms. Lombard was sworn in by the board attorney. She indicated that she does not oppose the application, but would like to see the architectural plans to see what the project will look like. Mr. Pierson showed her the architectural plans and she was satisfied.

A Motion was made by Mr. Kobis and seconded by Mr. Wingle to close this matter to the public. All were in favor. The Motion was carried.

A Motion was made by Mr. Delima and seconded by Mr. Wingle to approve the variance requests of the applicant and to Waive the Reading of the Resolution so the applicant can obtain a building permit immediately at his own risk. Roll Call:

YES: 6 Tufaro, Hahn, Dolan, Wingle, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

BOARD BUSINESS CONT.

Invoices:

A Motion was made by Mr. Wingle and seconded by Mr. Kobis to approve the May, 2019 Invoices on the Bill list attached hereto and made a part hereof. Roll Call:

YES: 7 Tufaro, Hahn, Dolan, Wingle, Pierson, Kobis, Delima

NO: 0

ABSTAIN: 0

The Motion was carried.

ADJOURN

A Motion was made by Mr. Wingle 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