

## **WASHINGTON TOWNSHIP**

### **ZONING BOARD OF ADJUSTMENT**

#### **Regular Meeting of March 8, 2010**

The Washington Township Zoning Board of Adjustment Meeting was called to order by the Secretary, Rose Ann Lafferty at 6:16 PM.

#### **SUNSHINE LAW**

This is the Regular meeting of the Washington Township Zoning Board of Adjustment Meeting. Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. In addition, notice of this meeting was given to the Township Clerk.

> **Pledge of Allegiance to the Flag**

> **Roll Call:**

**Members Present:** Mr. Cianci, Mr. Garnes, Mr. Hatala, Mr. Mello, Mr. Powers, and Mr. Sauter

**Members Absent:** Mr. D'Orazio

**Alternates Present:** Mr. Davidson and Mr. Guidotti

**Absent:** None

**Council Liaison:** Mr. Albert Frattali (absent)

**Mr. Scaffidi, Esq. then swore in the Professionals:**

- *Mr. Petrongolo, CLA, RLA, PP, Board Professional Planner*
- *Richard E. Fini, P.E., P.P., C.M.E., Board Professional Environmental Engineer*
- *Frank J. Seney, PE, PP, CME, Board Professional Traffic Engineer (absent)*
- *John Pettit, P.E., Board Professional Engineer*

**Announcements:**

- **T-Mobile, 441 Hurffville-Grenloch Road, Grenloch Fire Station, 198/12.05, Escrow #888, Conditional Use. (Postponed at attorney's request until April 12, 2010.)**

**Applications**

- a. Harvis, 120 Sewell Road, 20/4, Escrow #900, Use Variance, preliminary and final site plan approval. Ms. Enid Hyberg, Esq. represented the application requesting a D (2) use variance for expansion of a pre-existing non-conforming use. The use is for athletic types of activities and the expansion was not on the footprint of the building or the intensity but the interior square footage has been increased. The tenant of the building added a mezzanine on the 2<sup>nd</sup> floor for offices and seating. This was done without the tenant obtaining Township approval or having a signed lease. The expansion was approx. 1,700 square feet of interior space. Mr. Harvis testified that the improvements were made without his permission. He took the appropriate steps to have the tenant evicted from the property. Ms. Tiffany CuvIELLO the applicant's Professional Planner testified that although the use has not changed the square footage was increased. She testified that the applicant has no plan to increase the intensity of the use. Mr. Petrongolo submitted a report dated Feb. 2, 2010. He did state that the COAH requirement needed to be satisfied due to the 1700 square foot addition. Mr. Rich Fini submitted a report dated Feb. 2, 2010. He stated he had not yet received an environmental impact worksheet. He also requested an LOI. Mr. Henry Haley, the applicant's professional engineer testified about the site plan and responded to the Board Professionals comments. Mr. John Pettit submitted a report dated Mar.3, 2010 that noted several submission waivers. Chief Hoffman of the Washington Township

Fire Dept. testified about the site noting the problem of no fire hydrants in this area or the immediate area. He was concerned about the lack of fire-fighting equipment. Mr. Petrongolo stated that there are no specific land use requirements that address these issues. Ms. Hyberg stated that the building does in fact have a firewall and that the intensity of use will not increase. Discussions continued regarding fire suppression. The meeting was opened to the public and there was no one in the public who had any comment on the subject application. Mr. Powers made a motion to approve use variance, with conditions stated on the record/2<sup>nd</sup> by Mr. Cianci. Roll call: All in favor. Motion carried. Mr. Hatala made a motion to approve preliminary and final site plan, with conditions stated on the record/2<sup>nd</sup> by Mr. Cianci. Roll call: All in favor. Motion carried.

- b. Clearwire, 107 Bryant Road, 195.02/138, Escrow #897, Conditional Use Variance. Mr. Nicholas Menas represented the applicant for a conditional use variance to co-locate on an existing water tank 3 antennas and one parabolic dish to be located on the 84 foot tall water tank. Mr. David Balma, the applicant's Engineer testified regarding the application. Mr. James Kyle, the applicant's Professional Planner testified regarding the use variance conditions. Mr. Louis Valzzo, the Applicant's Radio Frequency Engineer, testified regarding the coverage map. Mr. Petrongolo submitted his report dated Feb. 2, 2010 and the testimony covered most of his comments. Mr. Fini submitted a report dated Feb. 2, 2010 and noted he still had not received the Environmental Impact Worksheet. The meeting was opened to the public and there was no one in the public who had any comment on the subject application. Mr. Cianci made a motion to approve the conditional use variance conditioned upon site plan

approval and other conditions stated on the record/ 2<sup>nd</sup> by Mr. Mello. Roll call: All in Favor. Motion Carried.

**Resolutions**

- a. R14-2010 – Clearwire, 449 Woodbury-Turnersville Road, 3/1.07, Escrow #890, Site Plan. Motion to memorialize by Mr. Powers /2<sup>nd</sup> by Mr. Sauter. Roll call: All in favor except Mr. Hatala abstained.
- b. R15-2010 - PJ Whelihan/Parke Bank, Egg Harbor Road, Hurffville Grenloch Road, 81/4.02, Escrow #895, Signage. Motion to memorialize by Mr. Powers /2<sup>nd</sup> by Mr. Mello. Roll call: All in favor except Mr. Hatala abstained.

**Open Meeting to the Public:** Motion by Mr. Hatala to open meeting to the public/2<sup>nd</sup> Mr. Cianci. All in favor. No participation. Motion by Mr. Hatala to close meeting to the public/2<sup>nd</sup> Mr. Cianci. All in favor.

**Old Business:** Ashrit Litigation to be discussed at the April 12<sup>th</sup> meeting.

**Approval of Minutes:** - Motion to approve February, 2010 minutes by Mr. Powers/2<sup>nd</sup> by Mr. Cianci. Roll Call: All in favor. Minutes approved.

**Motion to Adjourn:** Motion by Mr. Mello to adjourn/2<sup>nd</sup> by Mr. Powers. Meeting adjourned at 8:35 PM.

**These minutes are a brief summary of the proceedings that took place on 3/8/2010 and should not be taken as verbatim testimony.**

Respectfully submitted,



Rose Ann Lafferty

Zoning Board of Adjustment Secretary

Cc: Mayor

Business Administrator

Council

Township Clerk

Tax Assessor

Director of Community Affairs

File