

JEFFERSON TOWNSHIP LAND USE BOARD

MONDAY, APRIL 26, 2021

Minutes of a Regular Meeting of the Jefferson Township Land Use Board, pursuant to due notice and in compliance with the Sunshine Law.
Virtual Zoom Meeting, Jefferson Township, at 7:00 PM.

Presiding: **Chairman Williams**
Secretary: **Stephanie McCormack**

Present:

Chairman Williams
Vice-Chairman Palko
Vice-Chairwoman Galfo
Mayor Wilsusen
Chief Castimore
Mr. DiFrisco
Mr. Hine

Absent:

Ms. Fallon
Mr. Small
Mr. Galfo
Councilwoman Senatore
Mr. Deutsch
Mr. Jacoby

Also Present:

Glenn Kienz, Board Attorney
John Ruschke, Board Engineer
Jill Hartmann, Board Planner
Stephanie McCormack, Board Secretary

COMPLETENESS SESSION:

Matari

No. 20-14

Block 473, Lot 12
2 Blue Heron Lane
Use Variance/Bulk Area
Variance

Ms. Jill Hartmann stated that she received an email from the applicant stating that the cabins on the property are not used as residences and are not served by water or septic. One of the cabins will be torn down, with the two remaining cabins being re-classified as accessory structures and used for storage. Therefore, this application can be deemed complete, and due to the re-classification of two cabins, it is no longer an expansion of a non-conforming use. This application is now a simple variance application.

Ms. McCormack asked Ms. Hartmann to clarify that this is no longer a Use Variance application.

Ms. Hartmann stated that is correct. She then asked the applicant if he is still using the well on the property.

Mr. Matari stated he is.

Ms. Hartmann stated that the applicant will need to have a conversation with Pam Mancini in the Health Department regarding the well since it is located too close to the proposed addition.

Mr. Matari stated that he will be drilling a new well.

Ms. Hartmann asked the applicant to forward an email to Ms. McCormack stating that he will be drilling a new well.

Chairman Williams made a motion to deem the application complete subject to the conditions discussed. **Vice-Chairman Palko** seconded the motion.

In Favor: All.

Salvatore	No. 20-19	Block 562, Lot 2 45 Hillside Avenue Bulk Area Variance
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Ms. Hartmann stated that this application is for a proposed attached garage addition to a single family home. All of the required checklist items have been submitted, and the application can be deemed complete.

Mr. Hine made a motion to deem the application complete. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: All.

Gramp	No. 21-03	Block 456, Lot 45 31 Clifton Road Bulk Area Variance
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Ms. Jill Hartmann stated this application is for the construction of a front porch on an existing single family home. There are several items missing from the plan as listed in her report. If the missing items are provided prior to the next meeting, the application can be deemed complete and heard the same evening. She recommends the application be deemed conditionally complete.

Chairman Williams made a motion to deem the application conditionally complete. **Vice-Chairman Palko** seconded the motion.

In Favor: All.

3 Peaks Marina, LLC	No. 21-04	Block 111/319, Lots 1.01 & 1.02/7 125 Route 181 Use Variance
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Ms. Hartmann stated this is an amended site plan application to demolish a single family residence and remove the office space in the restaurant in order to increase their seating in the restaurant by 29 seats. The applicant needs to clarify exactly what the application encompasses, in addition to submitting several additional required items as listed in her report. All information from the old site plan needs to be put on their new site plan. She believes the

waivers requested are reasonable, but all other items must be submitted. She recommends the application be deemed incomplete.

Mayor Wilsusen made a motion to deem this application incomplete. **Vice-Chairwoman Galfo** seconded the motion.

In Favor: All.

Turek

No. 20-21

Block 174, Lot 2
125 Castle Rock Road
Use Variance/Minor
Subdivision/Bulk Area
Variance

Ms. Hartmann stated the application is for a subdivision, creating two lots out of one. The property currently has three principal structures on it, one of which will be made into a conforming lot with the subdivision. The other proposed lot will contain the other two principal structures, making it a pre-existing, non-conforming use.

Mr. Ken Fox, the applicant's Architect, stated that the applicant's Attorney, Bernd Hefele, is delayed due to a missed flight from out of state. He believes the applicant has provided enough information to be heard this evening. He has no issue with providing the additional required information as conditions of the resolution.

Mr. Ruschke stated that it is a much easier, cleaner application without the subdivision.

Ms. Hartmann stated that the application is for a subdivision.

Mr. Fox stated that an Exhibit was forwarded to Ms. McCormack removing the subdivision. He then explained that the property currently has six structures on it, three of which will be removed with three remaining.

Ms. Hartmann stated she did not receive the Exhibit.

Ms. McCormack stated it was sent to everyone via email since she had only received an email copy approximately three business days prior to the meeting.

Mr. Kienz stated that the application cannot be heard if a fundamental part of the application has not been portrayed on the site plans. The removal of a subdivision cannot be portrayed as an Exhibit, and exhibits are due 10 days prior to any meeting date.

Ms. Hartmann stated that her report is completely wrong since it is based on the information for a subdivision. All of her calculations are wrong.

Mr. Kienz recommended that the application be deemed incomplete, and will probably need to be re-noticed and re-published due to the significant changes to the application.

Ms. Lisa Turek, the applicant, humbly requested the Board to keep the application on the agenda to be heard in hopes that Mr. Hefele would soon be available. They have made every effort to simplify the application in order to move forward as quickly as possible.

Mr. Kienz stated that as long as Mr. Fox works closely with Ms. Hartmann and Mr. Ruschke on revised plans, there is no reason why the application could not be heard at the next meeting, and a favorable resolution be prepared should the Board decide to approve the application. Therefore, the applicants would not have to wait for a resolution to be memorialized.

Ms. McCormack stated that we only have six voting members for a use variance.

Mr. DiFrisco asked if the applicants would be able to apply for permits immediately if the Board was to approve the application.

Mr. Kienz stated they could absolutely apply for permits at their own risk.

Chairman Williams made a motion to deem the application incomplete. **Chief Castimore** seconded the motion.

In Favor: All.

REGULAR MEETING (IF DEEMED COMPLETE):

Matari

No. 20-14

Block 473, Lot 12
2 Blue Heron Lane
Bulk Area Variance

Mr. Mustafa Matari, the applicant, was present and sworn in. The application proposes a single-story sunroom addition to the side of the primary structure. He plans on conforming to the current zoning requirements so that there is only one primary structure on the property. Since they live on a private road, they do not believe they can connect to Township water, so a new well will be drilled to satisfy the Health Department's concern of the existing well being too close to the proposed addition. The property consists of the primary structure and three cabins. One of the cabins will be removed immediately, and the other two cabins will be re-classified as accessory structures. The two remaining cabins are not habitable as stated during the completeness review. Once the addition is complete, one of the two remaining cabins will be removed, leaving one cabin re-classified as an accessory structure, being used for the purpose of storage/workshop. The only variance required is a front yard setback variance.

Mr. Ruschke suggested the plans be amended to clearly show which structures will be removed, along with any notes required under a NJDEP Flood Hazard permit.

Ms. Hartmann stated that the cabins need to be labeled as "Accessory Structures."

Mr. Kienz asked how the applicant accesses his property.

Mr. Matari stated that it is a private road, and he maintains it.

Mr. Kienz stated that since it is a private road that Mr. Matari maintains, he suggested the Board grant him a Section 40:55D-35/36 variance. He then made sure that the applicant was aware the Township of Jefferson has no responsibility to maintain or improve the private road, and that it is his sole responsibility.

Mr. Matari agreed and understood.

Mr. Ruschke stated that the private road is actually a shared driveway with an easement.

Mr. Kienz asked Mr. Ruschke to review the easement.

Vice-Chairwoman Galfo made a motion to approve. **Mr. DiFrisco** seconded the motion.

In Favor: Mayor Wilsusen, vice-Chairwoman Galfo, Vice-Chairman Palko, Chief Castimore, Mr. Hine, Mr. DiFrisco, and Chairman Williams.

Salvatore

No. 20-19

Block 562, Lot 2
45 Hillside Avenue
Bulk Area Variance

Mr. Frank Salvatore, the applicant, was present and sworn in. He is proposing to construct an attached garage, and the expansion of a bedroom. He requires a front yard setback variance.

Ms. Hartmann stated there is also a pre-existing non-conforming lot area, which requires a variance as well.

Mr. Ruschke asked if the well is located in the front yard.

Mr. Salvatore stated they do not have a well; they have community well water.

Mr. Ruschke asked the applicant to clarify whether they are proposing the expansion of an existing bedroom or if they are adding a bedroom.

Mr. Salvatore stated they are just expanding a bedroom.

Mr. Kienz asked if the siding and roofing materials will match what is existing on the home.

Mr. Salvatore stated the siding and roofing will match.

Mr. Kienz also referred to items in the Township Engineer's report that should be included in the plans as a condition of the resolution.

Vice-Chairwoman Galfo made a motion to approve the application. **Vice-Chairman Palko** seconded the motion.

In Favor: Mayor Wilsusen, vice-Chairwoman Galfo, Vice-Chairman Palko, Chief Castimore, Mr. Hine, Mr. DiFrisco, and Chairman Williams.

Mr. Kienz asked the applicant if he would like to request a waiver from the receipt of the resolution and proceed with the Building Department at his own risk.

Mr. Salvatore stated he would.

MEETING MINUTES DATED MARCH 22, 2021

Vice-Chairwoman Galfo made a motion to approve. **Chairman Williams** seconded the motion.

In Favor: Mayor Wilsusen, Vice-Chairwoman Galfo, Vice-Chairman Palko, Chief Castimore, Mr. Hine, Mr. DiFrisco, and Chairman Williams.

ADJOURNMENT:

Chief Castimore moved to adjourn at **8:21 PM**.
Vice-Chairwoman Galfo seconded.

In Favor: All.

Respectfully Submitted by:

Stephanie McCormack
Secretary to the Planning Board